

SUPPORTING PLANNING STATEMENT ATTACHED TO THE PROPOSED USE OF 10 GLOVERS BROW KIRKBY FOR ANY USE FALLING UNDER USE CLASS E (COMMERCIAL, BUSINESS AND SERVICE), FROM ITS LAWFUL USE FALLING UNDER USE CLASS A1 (EXPIRED 01/09/2020)

STATEMENT PREPARED BY:- MR MIKE CARR MSc MRTPI, MAT DESIGN LIMITED

ON BEHALF OF:- MR SIVARAJ

DATE: JULY 2021

INTRODUCTION & LAWFUL USE OF THE APPLICATION SITE

This submission is a Lawful Development Certificate (Proposed) application, which seeks confirmation from the Local Planning Authority (Knowsley MBC) that the A1 retail off license premises, formerly known as Booze Buster, can be lawfully be used by the new owner for any use that falls under Use Class E (Commercial, Business and Service), as defined under the current (from September 1st 2020) Use Classes Order.

In addition, this application also seeks confirmation from the Local Planning Authority (Knowsley MBC) that that planning permission is not required to use the premises for any use falling under Use Class E (Commercial, Business and Service).

For purposes attached to the consideration of this application, the proposed use of the premises is for the sale of convenience goods, including the sale of alcohol via off sales.

THE USE CLASSES ORDER & THE APPLICATION SITE

The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'.

Up until January 2020, 10 Glovers Brow operated as an A1 premises with off license facilities, as defined under Use Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

MAT DESIGN LIMITED Planning & Building Control Consultancy Tel: 07850203448 Email miketa@blueyonder.co.uk	Project: 10 GLOVERS BROW, KIRKBY – LDC PROPSOED APPLCIATION	By: MCC	Date: 23/07/2021/2021 Revision:
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The site street scene photographs set out in Annexe 1 of this statement, provide confirmation that the site operated as Booze Buster for a continuous from October 2008 until at least July 2019. Booze Buster effectively ceased to trade in January 2020 and was sold to the applicant in 2021.

CHANGES TO USE CLASSES FROM 1 SEPTEMBER 2020

For purposes attacehd to the consideration of this application, from 1 September 2020 Central Government made amendments to the Town and Country Planning (Use Classes) Order 1987 (as amended).

Amongst other changes, those amendments revoked Use Class A, with Use Classes A 1/2/3 being effectively replaced with the new Class E(a,b,c), whilst Use Class A4/5 uses are not covered by the new Class E, and have become defined as ‘Sui Generis’.

Those changes confirmed that the existing lawful use of the premises under Use Class A1, would now have a lawful use under Use Class E(a).

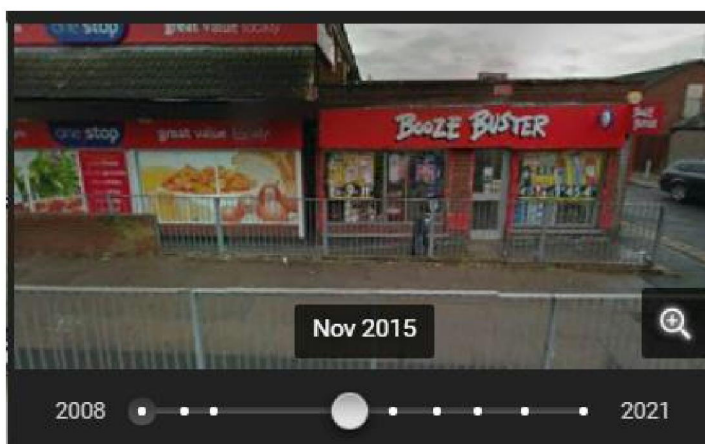
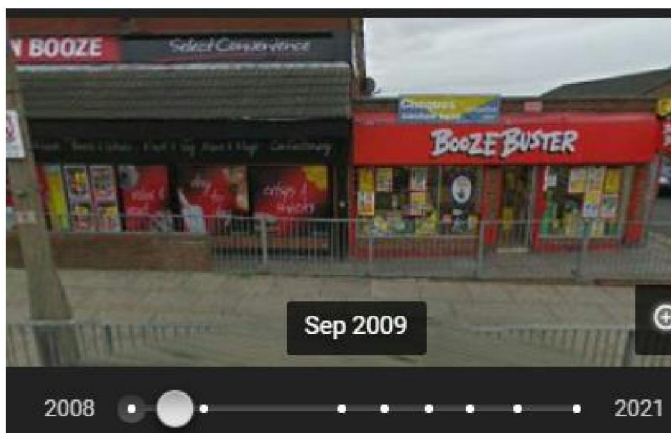
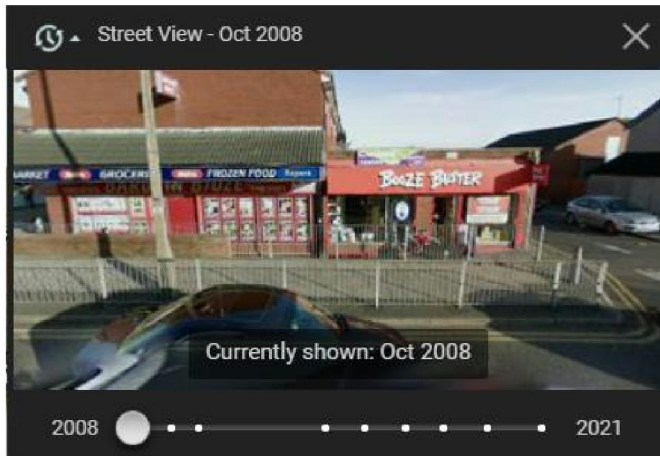
CONCLUSIONS

Up until 31st August 2020, the lawful use of the application site as the Booze Buster premises, reasonably fell within Use Class A1 as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended).

From September 1st 2020, the lawful use of the premises changed from Use Class A1 to Use Class E(a), which falls under the new Use Class E. As such, and via the amendments made to the Town and Country Planning (Use Classes) Order 1987 (as amended), our planning conclusion is that the premises can lawfully operate under Use Class E, without the need to apply for planning permission.

As such, and taking all the relevant planning considerations into account, we would ask that the Local Planning Authority (Knowsley MBC), issue the requested certificate to confirm the same.

ANNEXE 1 – SITE STREET SCENE PHOTOGRAPHS – OCTOBER 2008 – MARCH 2021



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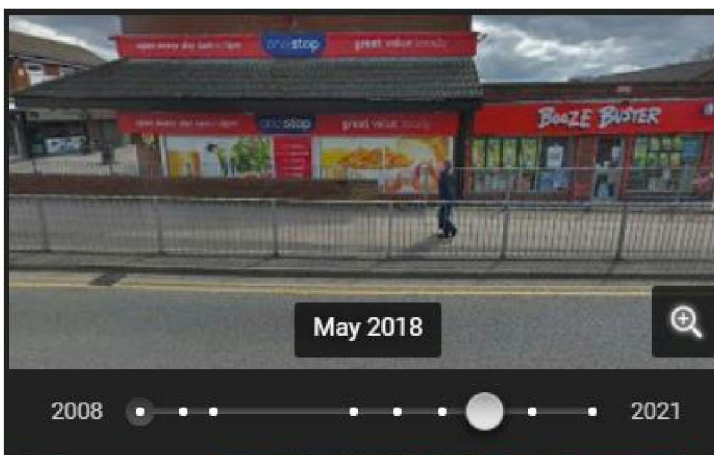
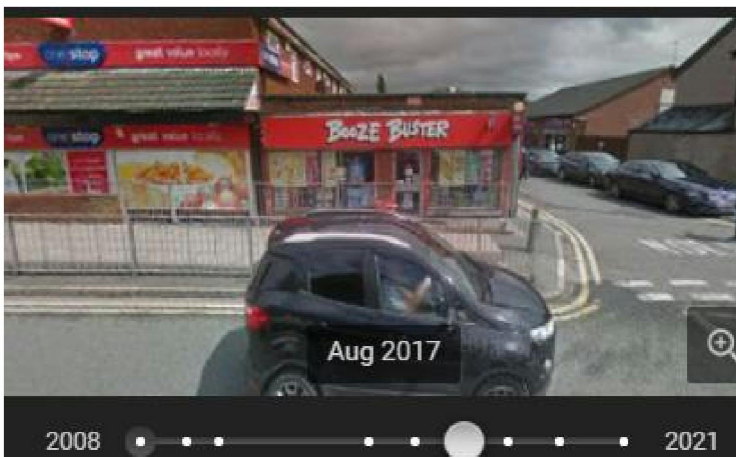
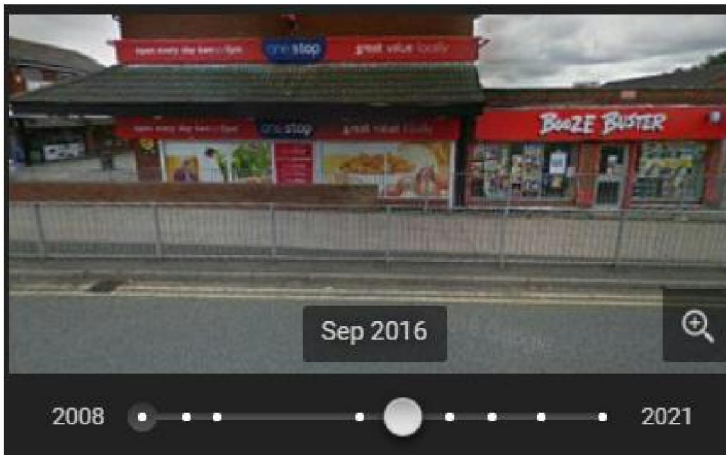
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