

MAT DESIGN LIMITED Planning & Building Control Consultancy 	Project: THE MAINBRACE PUBLIC HOUSE, 218 WHITEFIELD DRIVE, KIRKBY. L32 0RE	By: MCC	Date: 18/1/2026 Revision:
---	---	-------------------	---

SEQUENTIAL TEST TO SUPPORT THE PROPOSED EXTENSION OF THE MAINBRACE PUBLIC HOUSE (SUI GENRIS) BY WAY OF A SINGLE STOREY SIDE EXTENSION TO PROVIDE 75m2 OF SUPPORTING RETAIL FLOORSACE TO FORM A MIXED-USE PREMISES AT THE SITE.

SITE ADDRESS: THE MAINBRACE PUBLIC HOUSE, 218 WHITEFIELD DRIVE, KIRKBY. L32 0RE

APPLICANT: MR SANTHAKUMAR

PLANNING AGENT: MR MIKE CARR MSc MRTPI, DIRECTOR MAT DESIGN LIMITED

DATE: 18th December2025 – 18th January 2026

1. INTRODUCTION AND THE PROPOSED DEVELOPMENT

This Sequential Test (ST) has been prepared by Mr Mike Carr MSc MRTPI (MAT Design Limited) on behalf of Mr Santhakumar, to support of a planning application that proposes extend the premises to provide supporting retail floorspace that would support the primary business as a Public House (also a main Town Centre Use) to ensure its vitality and viability and its retention as a community asset.

2. RELEVANT PLANNING HISTORY

Planning application 23/00156/COU - Change of Use of Ground Floor from Drinking Establishment (Use Class Sui Generis) To a Convenience Store (Use Class E(A)) – No decision made.

The purpose of that planning application was as described in the development description and confirmed the viability of the Mainbrace Public House was under threat.

3. NATIONAL PLANNING POLICY FRAMEWORK AND SECTION 8

Within the context of this ST, which is the primary purpose of this submission, we will also identify that enabling capabilities of the proposed extension to consider how the proposals would also meet with the planning policy directions that are set out in Section 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (NPPF).

This element of the NPPF, which reflects the Knowsley Local Plan Core Strategy) directs applicants and decision makers towards achieving healthy, inclusive and safe places, and identifying 3 key concepts that would **promote social interaction, be safe and accessible** and **enable and support healthy lives**. In this case, this would be achieved through promoting good social interaction through the protection of the viability of the public houses as a

community facility, along with the introduction of a sustainably located local that encourage walking and cycling, rather than the use of the private car to travel further afield for small amounts of shopping.

In addition, we would also highlight NPPF paragraph 98 (a, c and d), which identifies that decision makers should aim to positively consider provisions for social, recreational and cultural facilities and services the community needs and that decisions should:

- a) plan positively for the provision and use of **shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments,**
- c) **guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs,**
- d) **ensure that established shops, facilities and services can develop and modernise, and are retained for the benefit of the community and,**

Within the context of paragraph 98, we consider that the proposed extension for a small community local shop would plan positively for the provision and use of shared spaces and community facilities, by providing a retail expansion to the existing public house that would both increase the level of shared and community space, whilst adding to the vitality and viability of the public house that would enhance the community's ability to meet its day-to-day needs and retain the mixed use premises for the benefit of the local community.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that decisions on planning applications are governed by the adopted Development Plan read as a whole, unless other material considerations indicate otherwise. In this case, we would highlight that the proposed extension to the existing public house cannot be reasonably developed elsewhere in the Borough's Town or Local Shopping Centres/Parades, so we would ask that the decision maker positively considers the public benefits that the development would bring (community asset protection/diversification) and that NPPF section 8 should carry great weight in the overall planning balance attached to the grant of planning permission,

That said, we do understand that planning decisions should consider the Development Plan as a whole and we therefore recognise that this planning application must include the Sequential Test requirements that are set out in Section 7 of the NPPF and within the Knowsley Local Plan Core Strategy.

This ST should therefore be considered in conjunction with all of the plans and written information that have been prepared to support the assessment of this planning application.

4. APPLICATION DISCUSSIONS WITH THE LOCAL PLANNING AUTHORITY REGARDING THE EXTENT OF THE SEQUENTIAL TEST

Following the submission of the planning application in 2025, email exchanges took place with the case officer (17/06/2025) dealing with the planning application. The advice that was provided identified that the “sequential test should clearly evidence the absence of suitable, available, and viable sites in the town and local centres reviewed as part of the justification for considering an ‘out of centre’ location”.

Further to the above, the advice confirmed that “the Richard Hesketh Local Shopping Centre/Parade is 0.2 miles away from the application site and so is the nearest retail centre; evidence to show that Richard Hesketh centre has been considered should also be detailed within a sequential test”.

We have considered this advice and the identification of the Richard Hesketh Local Shopping Centre / Parade, which is consistent with the directions set out in NPPF paragraph 92, which sets out thatApplicants and local planning authorities should demonstrate flexibility on issues such as format and scale.....

Our ST therefore makes the most up to date assessment of any premises that are available, suitable and if the development would be viable within and identified vacant premises at the time the ST was undertaken in the Richard Hesketh Local Shopping Centre/Parade.

5. THE APPLICATION SITE & LOCATIONAL SUSTAINABILITY

The site subject of this planning application is long standing public house premises with residential managers accommodation to the first floor, which is located on the corner of Whitefield Drive and Bolton Avenue. The Mainbrace has served this part of the Borough for many years and is recognised as an important community facility and has served the local community for many years.

In terms of the setting of the site within this area of Kirkby, the surrounds are predominantly residential accommodation, along with various commercial centres and individual premises, with the nearest shopping area being identified by the LPA as the Richard Hesketh Local Shopping Centre/Parade. The position of the Shopping Centre in relation not the development site is shown on the aerial image below with the application site circled red and the Shopping Centre circled blue.

In terms of the location of the site within the area, along with the proximity of the site to the Richard Hesketh Local Shopping Centre/Parade, both are well linked to the surrounding area in terms of walking and cycling opportunities. Whilst public transportation is also available for local people to travel along Whitefield Drive to Richard Hesketh, our assessment is that access would be predominantly on foot or by cycle. The development site is therefore sustainability located with regards to this ST.



Map source – Google Maps 2026

6. THE SEQUENTIAL TEST APPROACH

The proposed development extend an existing Town Centre Public House use would provide a mixed-use development, which is out of centre site in planning policy terms as defined in the Glossary to the NPPF. As such, it is necessary to demonstrate for the purposes this ST of that there are no suitable, available and viable sequentially preferable sites that could accommodate the proposed development and its 75m2.

Further to the above, it is also important at the outset to correctly interpret and apply the ST process, whilst considering case law and relevant appeal decisions.

For example, as highlighted in the Dundee (March 2012) case, the Supreme Court ruled that ***“suitable” means “suitable for the development proposed by the applicant” and, more recently, the Secretary of State in the Rushden appeal decision (June 2014), has confirmed that the sequential test needs to be considered in the context of the specific development proposed by the applicant, and not simply a “class of goods” approach or some attempt at disaggregation that might otherwise seek to accommodate elements of the proposed development on a smaller, sequentially preferable site.***

A further example relates to the Secretary of State Called-In Application at Land at Tollgate Village, Tollgate West, Stanway, Essex (2017), which confirms that “Whilst a sequentially preferable site need not be capable of accommodating exactly the same as what is proposed, it must be capable of accommodating development which is closely similar to what is proposed”.

Both decisions assist both the applicant and the LPA in demonstrating how the sequential test should be lawfully and properly applied and confirms that if a (alternative) site is to be considered suitable for the commercial requirements of a developer/the development (a convenience store extension to a public house to ensure its viability), any such site clearly needs to be considered considering the specific proposals and floor space required for the use.

Whilst this report acknowledges the requirement for some flexibility in applying the sequential test approach, as referred to in the National Planning Guidance, experience has shown that such an approach this also needs to be applied sensibly and in the context of scale/format of the development proposed.

Furthermore, it clearly not the purpose of national or local planning policy to require a developer to seriously compromise their proposals, by requiring them to separate their business into different parts, or to take on floor space that is either too small or too large, which may mean the development becomes economically unsustainable.

Within this context, and as supported by case law and Planning Inspectors decisions, it would be wholly unreasonable to expect the applicant/developer to amend a proposal to the extent that it no longer meets their business and becomes economically unviable. Any such approach would clearly conflict with the provisions of the NPPF and the Governments overarching aim to building a strong and competitive economy and ensuring that planning decisions ensure that existing community assets are protected.

7 THE SCOPE & CRITERIA OF THE SEQUENTIAL TEST

The scope of any Sequential Test must be both sensible and within reasonable parameters and our discussions with the LPA in June 2025 reached such a reasonable conclusion to focus the ST on the nearby Richard Hesketh Local Shopping Centre/Parade

The scope of this ST therefore assesses the merits of **ANY** suitably available sites in Richard Hesketh Local Shopping Centre/Parade over the ST, which could reasonably accommodate the proposed development, allowing for a degree of flexibility as required by national & local planning policy.

8. THE PARAMETERS OF THE SEQUENTIAL TEST

There 3 key factors attach to the parameters of any ST that seeks to positively make any assessment of alternative sites that could accommodate the out of centre development (retail) that is proposed. These key factors are listed and explained below:

- **Suitability:** - Suitability relates to whether the proposed development can be reasonably and successfully located at a particular site. There are several key considerations in this respect.

Firstly, the test is only relevant in the context of the “requirement” that the proposed development will meet the needs of the proposed use in terms of commercial floor space provision and may also include car parking and accessibility to the local community.

Secondly, the basic business requirements of the applicant are of fundamental importance. In this respect, what it is significant is the requirement for the commercial floor space be of a certain size (75m² or thereabouts), to allow the operator to be able to manage customer expectations and retail sales, whilst fulfilling the rateable value of the premises and what he/she can afford.

Put simply, alternative units that do not provide for the developer’s realistic requirements or are materially smaller or larger would seriously compromise the viability of the applicant’s business and livelihood and would not represent a viable development from the applicant’s perspective.

Taking the above into account, the suitability of any building, including its lawful use and any future changes of use, are fundamental material planning considerations, particularly when planning policy requirements require the application site to be sequentially assessed against any other vacant buildings within the area of the sequential test.

In this case, it is highlighted that the proposed retail floor space and proposed layout of the application site, would provide a small scale and sensitive extension to provide a mixed-use development that would enable the protection of the community asset through its increased vitality/viability and the role it plays in the local community.

Within this context, NPPG paragraph 98 (a) sets out that (decision makers) should plan positively for the provision and use of shared spaces and community facilities (such as **local shops**, meeting places, sports venues, open space, cultural buildings, **public houses** and places of worship) and other local services **to enhance the sustainability of communities and residential environments**. The development site therefore provides the most suitable requirements for the proposed development.

- **Availability:** - The NPPF (Paragraph 91) helpfully provides advice on the correct interpretation of this aspect of the test and simply asks whether town centre or edges of centre sites are “available” or expected to become available within a reasonable period”. Importantly, it does not ask whether such sites are likely to become available during the remainder of the plan-period or over a period of some years.

Put simply, the correct approach is to ascertain whether a site is currently available or will be available soon, rather than speculate if a site may become available at some indeterminate future date.

Viability: - Any alternative site sites should not present any obvious economic obstacles to the proposed development, such as the financial investment that is required. This applies to both purchase and lease methods.

In this case, given that the applicant is the owner of the public house and does not own any other buildings in the Borough or any of its Shopping Centres, is a substantial material consideration in this case.

9. THE SEQUENTIAL TEST ASSESSMENT

For the purposes of this Sequential Test examination, the test period covered, which consisted of a walkabout search around Richard Hesketh Local Shopping Centre / Parade on the 23rd December during the ST period of the 18th December 2025 – 18th January 2026.

In terms of the Richard Hesketh Local Shopping Centre/Parade, this is made up of the following commercial and other Class E premises:

- The BP Service Station and shop at Whitefield Dr
- The Westvale Community Centre at Richard Hesketh Drive
- Kids Planet and Learning Centre at Richard Hesketh Drive
- The Kirkby Amateur Boxing Club at Oatlands Road
- The Knowsley Boxing Club at Oatlands Road
- PLAB Right at Oatlands Road
- Numark Pharmacy at Oatlands Road
- Joe's News & Supermarket at Richard Hesketh Drive
- Woks Cooking at Richard Hesketh Drive and
- Budget Corner at Richard Hesketh Drive

10. SEQUENTIAL TEST RESULTS AND CONCLUSIONS

The results of the ST examination are that the Richard Hesketh Local Shopping Centre/Parade is a thriving Centre, which reflects the local area and its catchment. Only 1 premises is currently vacant in the Centre, and this is the PLAB Right premises at Oatlands Road which provides for medical and clinical skills training.

The PLAB Right buildings appear to fall within Use Class E and would therefore not require planning permission to change the use, However, substantial alterations would be required to the frontages and accessibility for use as a shop premises. The premises also extends to provide a built footprint of 485m² and presents approximately 12 car parking spaces within the curtilage. The premises does not appear to be listed for sale via any of the usual sources although for the purposes of this ST, we assume that it is available.

In terms of its suitability, the premises extends to provide a built footprint of 485m² and any use of the premises for retailing would likely result in a supermarket sized development. In terms of a direct comparison to the proposed development and the application site, this seeks a modest 75m² floor space meaning that the available 485m² would far exceed the developers' requirements.

In addition, if the developer were forced to consider this site at the expense of the proposed extension, the enabling element of the proposed extension to enhance the vitality and viability of the public house as a community asset would be lost. The likely result would be the closure of The Mainbrace Public House.

Financial viability is also a material consideration for this ST. Whilst we can find no links to the sale or lease of these premises, its floor space and ratable value would mean that this site would be prohibitive.

The available PLAB Right is therefore discounted for the reasons set out above, and there are no other available sites that could accommodate or achieve the same enabling results as that proposed for The Mainbrace.

As such, given that the application site is well connected and sustainably supports the cohesion of the local community (there are no material objections by residents), we consider that there are no material planning reasons as to why the Local Planning Authority should not reach the same conclusion, in that the application site is the most sequentially available and preferrable site at this time and in this particular case.