

16<sup>th</sup> October 2015  
*Our Reference: 47070949*

Local Plan Team  
Knowsley Council  
1st Floor Annexe  
Municipal Buildings  
Archway Road  
Huyton  
Merseyside  
L36 9YU

Dear Sir / Madam,

**Letter to Inform Habitats Regulations Assessment of the Town Centre Uses Planning Document, Consultation Version October 2015**

The submitted Knowsley Local Plan Core Strategy<sup>1</sup> was subject to Habitats Regulations Assessment (HRA) in 2012<sup>2</sup>, assessing a variety of impact pathways (including disturbance from recreational pressure and other activities causing disturbance, mechanical/abrasive damage and nutrient enrichment to habitats, loss of supporting habitat, atmospheric pollution, water resources, and water quality) linking the Plan to the following internationally designated sites:

- Mersey Estuary SPA/Ramsar Site
- Manchester Mosses SAC
- River Dee & Bala Lake SAC
- Sefton Coast SAC
- Dee Estuary SAC SPA & Ramsar site
- Mersey Narrows & North Wirral Foreshore Ramsar and SPA
- Ribble & Alt Estuaries SPA and Ramsar site
- Liverpool Bay SPA
- River Eden SAC
- Martin Mere SPA and Ramsar site

Subsequent HRAs were undertaken of modifications to the Plan, the most recent being August 2015. It is the Plan that sets out the spatial strategy for housing and development within the Knowsley Council area. Following the HRAs of the Plan, it was concluded that the Plan would not result in likely significant effects upon internationally designated sites alone or in combination with any other project or plan.

This document is the HRA for the Town Centre Uses Supplementary Planning Document (SPD), Consultation Version October 2015 only. Background on internationally designated sites and potential impact pathways is not repeated within this document, but can be found within the 2012 Plan HRA document<sup>3</sup>.

---

<sup>1</sup> For ease, the Knowsley Local Plan Core Strategy and modifications documents are referred to as the 'Plan' throughout this document.

<sup>2</sup> URS (October 2012). Knowsley Borough Council Core Strategy Habitats Regulations Assessment. [http://www.knowsley.gov.uk/pdf/SD11\\_CoreStrategyHabitatsRegulationsAssessment.pdf](http://www.knowsley.gov.uk/pdf/SD11_CoreStrategyHabitatsRegulationsAssessment.pdf) [Accessed 17/09/15]

<sup>3</sup> Ibid

The SPD is a supporting document to the Core Strategy and is to be read in conjunction with the Core Strategy. It provides guidance on how to interpret policies within the Plan relating to the use of town centres. It is a narrative for how to approach developments that relate to the use of the town centres within Knowsley, with the inclusion of policies. The purpose of this SPD is to *'provide additional guidance in respect of existing policies for retail centres within the Borough, and responds to the growing concerns regarding the degree of clustering and proliferation of non-retail uses within centres.'* This includes the Council's approach to the *'development of hot food takeaways, betting office, pay day loan shops and taxi booking office uses setting out guidance relating to:*

- *The appropriate proportion of these uses within the Borough's centres;*
- *The appropriate level of clustering of these uses in centres;*
- *Protection of residential amenity;*
- *Hours of operation;*
- *Control of odours and cooking smells; and*
- *Waste disposal.'*

This document contains policies as well as chapters. To keep in line with the HRA for the emerging SPD's, both chapters and policies will be assessed.

#### *Chapter 1: Introduction*

This chapter outlines the background and purpose of the SPD, including that the SPD is a supplementary document to support the Plan. There are no impact pathways linking to any internationally designated sites present within this chapter.

#### *Chapter 2: Policy Context.*

This chapter places the context of the SPD in relation to existing policy such as National Planning Policy, Local Planning Policy, and the Plan. Whilst not referring directly to internationally designated sites, this is a positive chapter. Paragraph 2.1 includes reference to the presumption in favour of sustainable development as detailed within the NPPF. By definition, sustainable development will not result in likely significant effects upon any internationally designated site. There are no impact pathways linking to any internationally designated sites present within this chapter.

#### *Chapter 3: Planning Application Process*

This chapter outlines when planning permission is required and how to progress if an operator wishes to change existing conditions attached to the previous planning permission. It also provides details for where further information can be found. There are no impact pathways linking to any internationally designated sites present within this chapter.

#### *Chapter 4: Use Classes*

This chapter clarifies the class uses for different operations such as hot food takeaways, betting offices and pay day loan shops, taxi booking offices and general advice regarding class uses. There are no impact pathways linking to any internationally designated sites present within this chapter.

#### *Chapter 5: Hot Food Takeaways*

This chapter provides clarity and policies relating to hot food takeaways. It outlines the issues, including health issues and concentrations of hot food takeaways in centres, recent trends in planning applications within the Borough and guidance. The guidance section includes policies. These are assessed within the following text:

---

<b>Policy A1: Appropriate Concentration of Hot Food Takeaways in Retail</b>	1. Planning permission for a hot food takeaway within a town, district or local centre and parade will not be granted if it causes an unacceptable grouping of uses which would have a negative impact on the character
---	---

---

---

<b>Centres</b>	<p>of the centre.</p> <p>2. In operating this requirement, the following thresholds should not be exceeded:</p> <p>a) More than 10% of units within Town centres being hot food takeaways;</p> <p>b) More than 20% of units within District centres, Local centres and Shopping parades being hot food takeaways;</p> <p>c) More than 2 directly adjoining hot food takeaways in a single centre's frontage; and</p> <p>d) Less than 2 non-hot food takeaway units between individual or groups of hot food takeaway units</p>
----------------	--

---

This policy relates to the concentration of hot food takeaway operations within a centre. There are no impact pathways linking to any internationally designated sites present within Policy A1.

---

<b>Policy A2: Hot Food Takeaways: Protecting Residential Amenity</b>	<p>1. In order to protect residential amenity, Council will apply the following guidance in considering applications for new hot food takeaways:</p> <p>a) Proposals within close proximity to residential units will only be allowed where there will be no detrimental impact on residential amenity in terms of odour, noise, visual intrusion or general disturbance, for example connected with vibrations, traffic or parking disturbances, litter or hours of operation resulting from the proposed use.</p> <p>b) Applications for hot food takeaways are unlikely to be approved if a party wall is shared with a residential dwelling.</p> <p>c) If there is a residential flat above the premises, planning permission will not be granted unless the operator can demonstrate that the flat will be used in relation to the hot food takeaway.</p>
--	--

---

This policy relates to hot food takeaway operations in proximity of residential amenity. There are no impact pathways linking to any internationally designated sites present within Policy A2.

---

<b>Policy A3: Hot Food Takeaways: Highway Safety</b>	<p>1. In determining proposals for new hot food takeaways, the Council will consider the impact on the safety of pedestrians and road users with regard to:</p> <p>a) The existing or previous use of the site;</p> <p>b) Existing traffic conditions;</p> <p>c) The accessibility of the site by public transport, cycling and walking;</p> <p>d) The availability of public parking provision in close proximity to the premises, including on street parking and provision for staff parking if the premises offer a delivery service;</p> <p>e) Proximity to traffic controls, junctions and crossings;</p> <p>f) The availability of safe and legal loading areas in close proximity to the premises;</p>
--	--

---

This policy relates to hot food takeaway operations and highways safety. There are no impact pathways linking to any internationally designated sites present within Policy A3.

---

<b>Policy A4: Hot Food Takeaways: Hours of Operation</b>	<p>1. When determining the appropriate hours of opening for hot food takeaways regard will be had to:</p> <p>a) The likely impacts on residential amenity;</p> <p>b) The existence of an established late night economy in the area;</p> <p>c) The existence of a primary or secondary school within close proximity of the proposal; and</p> <p>d) The character and function of the immediate area.</p>
--	---

---

- 
2. Within an area that is primarily residential in character, all new hot food takeaway hours of opening will normally be restricted to closing time of 23.00 Monday to Saturdays, with no opening on Sundays and Bank Holidays. Extended hours will only be permitted where it can be clearly demonstrated that there would be no unacceptable impact on residential amenity.
- 

This policy relates to hours of operation of hot food takeaway operations. There are no impact pathways linking to any internationally designated sites present within Policy A4.

---

- Policy A5: Hot Food Takeaways: Odours and Cooking Smells**
1. All new hot food takeaways must provide appropriate extraction systems to effectively disperse odours. Such systems must:
    - a) Be designed so as to minimise their impact on visual amenity, including in terms of their location and external finish;
    - b) Be acoustically insulated;
    - c) Not have an unacceptable impact on the amenity of neighbouring occupiers, for example by virtue of vibration or odour;
    - d) Be properly operated and maintained;
    - e) Installed within the building wherever practicable. This is particularly important where the proposal is within a Conservation Area or within the setting of a Listed Building.
- 

This policy relates to odours and cooking smells from hot food takeaway operations. There are no impact pathways linking to any internationally designated sites present within Policy A5.

---

- Policy A6: Hot Food Takeaways: Waste Disposal and Litter**
1. Proposals for new hot food takeaways must identify the location for commercial and customer waste, including:
    - a) Bins for customer waste should be located inside or outside the premises and must be emptied on a regular basis.
    - b) Bins for commercial waste must where possible be contained within the premises. Where this is not possible, secure structures should be provided on site and bins should be stored so as to:
      - i. Not cause odour nuisance
      - ii. Be convenient for refuse collection
      - iii. Be screened to protect visual amenity
    - c) Bin stores must be designed and managed in such a way as to enable them to be kept clean and free from vermin and pests.
    - d) Grease traps are installed on all drains for takeaways to prevent sewer blockages and potential flooding.
- 

This policy relates to waste disposal and litter at hot food takeaway operations. This policy provides for the protection of watercourses via the inclusion of grease traps. There are no impact pathways linking to any internationally designated sites present within Policy A6.

---

- Policy A7: Hot Food Takeaways: Crime and Anti-Social Behaviour**
1. In determining any application for a new hot food takeaway, the Council will consider any issues concerning community safety, crime and disorder.
  2. Proposals for new hot food takeaways which, on the advice from Merseyside Police, would adversely affect personal safety will be restricted in their opening hours and/or will be required to provide or contribute to deterrent measures.
- 

This policy relates to crime and anti-social behaviour relating to hot food takeaway operations. There are no impact pathways linking to any internationally designated sites present within Policy A7.

---

It can be concluded that there are no impact pathways linking to any internationally designated sites present within this Chapter 5.

#### *Chapter 6: Betting Offices and Pay Day Loan Shops*

This chapter provides clarity and policies relating to betting offices and pay day loan shops. It outlines issues, including health and other issues, concentrations within town centres, and guidance. The guidance section includes policies. These are assessed within the following text:

---

<b>Policy B1: Appropriate Concentration of Betting Offices or Pay Day Loan Shops in Retail Centres</b>	<ol style="list-style-type: none"><li>1. Planning permission will only be granted for a betting office or pay day loan shop within a town, district or local centre and parade will not be granted if it causes an unacceptable grouping, of uses which would have a negative impact on the character of the centre.</li><li>2. In operating this requirement, the following thresholds should not be exceeded:<ol style="list-style-type: none"><li>a) More than 10% of units within Town centres being betting offices or pay day loan shops;</li><li>b) More than 20% of units within District, Local and Parades being betting offices or pay day loan shops;</li><li>c) More than 2 adjoining betting offices or pay day loan shops in a frontage; and</li><li>d) Less than 2 non- units between individual or groups of betting offices or pay day loan shops.</li></ol></li></ol>
--	--

---

This policy relates to the concentration of betting offices or pay day loan shops within a centre. There are no impact pathways linking to any internationally designated sites present within Policy B1.

---

<b>Policy B2: Betting Offices and Pay Day Loan Shops: Crime and Anti-Social Behaviour</b>	<ol style="list-style-type: none"><li>1. In determining any application for betting offices or pay day loan shops, the Council will consider any issues concerning community safety, crime and disorder.</li><li>2. Proposals for new betting offices or pay day loan shops which, on the advice from Merseyside Police (when deemed appropriate) would adversely affect personal safety will be restricted in their opening hours and/or will be required to provide or contribute to deterrent measures.</li></ol>
---	--

---

This policy relates to crime and anti-social behaviour associated with betting offices and/ or pay day loan shops within a centre. There are no impact pathways linking to any internationally designated sites present within Policy B2.

It can be concluded that there are no impact pathways linking to any internationally designated sites present within Chapter 6.

#### *Chapter 7: Taxi Booking Offices*

This chapter sets out specific guidance for taxi booking offices. It includes text detailing issues and guidance. The guidance section includes policies relating to taxi booking offices. These policies are assessed within the following text:

---

<b>Policy C1: Taxi Booking Offices: Residential Amenity</b>	<ol style="list-style-type: none"><li>1. In assessing planning applications for taxi booking offices, the Council will:<ol style="list-style-type: none"><li>a) Seek to protect residential amenity by considering the impact of the proposal on the visual amenity of the area (particularly Listed Buildings and Conservation Areas) and on nearby residential premises for example by reason of noise, late night operation or general disturbance;</li></ol></li></ol>
---	--

---

- 
- b) Ensure that any radio equipment required is sited and designed so as not to be detrimental to the amenity of adjacent dwellings or the surrounding area.
- 

This policy relates to the taxi booking offices and residential amenity. There are no impact pathways linking to any internationally designated sites present within Policy C1.

---

- Policy C2: Taxi Booking Offices: Highway Safety**
1. In determining proposals for taxi booking offices, the Council will consider the impact on the safety of pedestrians and road users with regard to:
- a) Existing traffic conditions and impact from the proposal on local highway network;
  - b) Provision of appropriate parking facilities;
  - c) The implications for the amenity of the surrounding area (particularly if predominately residential).
- 

This policy relates to the taxi booking offices and highway safety. There are no impact pathways linking to any internationally designated sites present within Policy C2.

It can be concluded that there are no impact pathways linking to any internationally designated sites present within Chapter 7.

In conclusion, the Town Centre Uses SPD for Knowsley is essentially a guide offering advice on how to proceed with development of operations for hot food takeaways, betting and pay day loan shops and taxi booking offices. It includes policies for development of these operations within centres.

There are no impact pathways present within the policies or chapters of this SPD that could result in likely significant effects upon any internationally designated sites.

Yours faithfully  
for **AECOM Infrastructure & Environment UK Limited**



**Dr James Riley**  
Associate Director