

KNOWSLEY

Town Centre Uses
Supplementary Planning Document
2022



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1. Introduction

The role of the Supplementary Planning Document

1.1 This document has been prepared by Knowsley Metropolitan Borough Council as a Supplementary Planning Document (SPD). The SPD builds upon and provides more detailed guidance on retail policies in the development plan; responds to the evolving nature of retail centres¹; and concerns regarding the grouping of non-retail uses within centres. The SPD should be read in conjunction with the Council's saved Replacement Unitary Development Plan (UDP) policies, the adopted Local Plan Core Strategy policies and other SPDs. This SPD has been produced in accordance with Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and the National Planning Policy Framework (MHCLG, 2021). The guidance in this SPD is a material consideration in determining planning applications. The full range of documents comprising the Local Plan is available online at www.knowsley.gov.uk/localplan .

1.2 The Town Centre Uses SPD² explains the Council's approach to the development of hot food takeaways; pay day loan shops; pawnbrokers; and gambling uses, namely betting offices, bingo halls, casinos and elements including the concentration of fixed-odds betting terminals, Adult Gaming Centres (AGC), and Amusement Arcades or Centres (AAC). This SPD is reflective of updates to the Use Classes Order and General Permitted Development Order. It also considers the changing function of retail centres following trends such as the increase in the numbers of people working from home, online shopping and the acceleration of these changes in the 2020s due to the Covid-19 pandemic. Hence, there is a focus upon the development of appropriate retail and leisure uses which can enhance the vitality of the centres. The SPD sets out guidance relating to:

- Appropriate residential development in the borough's retail centres.
- The protection of residential amenity.
- The appropriate grouping of hot food takeaways, pay day loan shops, pawnbrokers and gambling uses in the borough's retail centres.
- The control of odours/cooking smells, waste disposal and hours of operation for hot food takeaways.
- Accessibility and transport provision, including parking provision for all modes of

¹ For the purposes of this SPD, throughout the document the term 'Retail Centres' will be used when referring to: town, district and major or medium local centres, or local shopping centres/parades.

transport.

- 1.3** The SPD has been prepared to provide clarity to developers, business operators, residents and decision-makers, setting out where premises will be considered appropriate for the uses covered by the SPD along with the measures required to minimise any adverse impacts which may arise. The SPD will be used by the Council when assessing future proposals involving the specific uses covered. The guidance cannot be applied retrospectively to any of these uses already operating lawfully or premises with existing planning permission. The SPD was adopted on 7 September 2022 and supersedes the 2016 Town Centre Uses SPD.

2. Context

National Planning Policy

- 2.1** The revised National Planning Policy Framework (NPPF) was published by the Government on 20 July 2021. Its purpose is to contribute to the presumption of sustainable development, which comprises of three dimensions – economic, social, and environmental. The social dimension includes supporting strong, vibrant, and healthy communities, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.
- 2.2** The NPPF requires planning policies to be positive, promote competitive town centre environments which provide consumer choice and a diverse retail offer and set policies for the growth, management, and adaptation of centres over the Local Plan period. Policies should require a suitable mix of main town centre uses and allow them to evolve and diversify in response to rapid changes in retail and leisure activities (NPPF 2021, para. 86).
- 2.3** A core planning principle of the NPPF (para. 8b) is to “support strong, vibrant and healthy communities”. In the specific context of Town Centres the NPPF implies that this will be achieved “by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural wellbeing”.

Local Planning Policy

- 2.4** Knowsley’s development plan is set out in a number of different planning policy documents which together make up the ‘statutory development plan’. The Local Plan comprises of documents including a ‘Policies Map’ and a ‘Local Plan Core Strategy’, which sets out a vision, key objectives and strategic planning policies. The Local Plan is also comprised of Saved Policies of the Knowsley Replacement Unitary Development Plan (UDP) and the Merseyside and Halton Joint Waste Local Plan. The Local Plan is supported by a range of other documents including SPDs.
- 2.5** This SPD is consistent with the aims of policies set out in the Local Plan Core Strategy (including policies SD1, CS2, CS4, CS6, CS7, CS9, CS10, CS12, CS13, CS14, CS19, CS20 and CS26) and the Merseyside and Halton Joint Waste Local Plan (policies WM8 and WM9). This guidance also supports saved policies from the UDP (including policies S2, S7, S9, S10, ENV2, and ENV3) incorporating requirements concerning change of use and new developments within retail centres.

- 2.6** This SPD provides guidance to help developers interpret and implement these policy requirements when developing proposals. For clarity Saved UDP Policy S2, 'The Diversification of Uses Within Existing Centres' states:

POLICY S2: DIVERSIFICATION OF USES WITHIN EXISTING CENTRES

1. Proposals for new buildings, or for the change of use or alteration of existing buildings, to provide town centre uses (as defined in Appendix 7) within existing town and district centres will be permitted provided that the following criteria are met:

- a) The proposal would be compatible with the scale and role of the centre and would not have a detrimental impact on the retail function of the centre;*
- b) The proposal would not result in a grouping of uses which would have a negative impact on the character of the centre;*
- c) The use would not (by reason of smells, noise, visual intrusion or general disturbance) have a detrimental impact on the environment of the surrounding area; or on the amenity of any neighbouring residents; and*
- d) The proposal would not cause or exacerbate on-street parking, traffic or amenity problems.*

Food and drink uses

2. Proposals for new buildings, or for the change of use or alteration of existing buildings, to provide food and/or drink uses (use classes A3, A4 and A5) within existing centres will be expected to meet the criteria listed above in relation to other non-retail uses and the following additional criteria:

- a) Any external ventilation and extractor systems which are necessary would be provided without causing harm to the external appearance of the building or street scene and would not harm the amenity of neighbouring properties through noise or odour; and*
- b) The proposal will not be permitted in a local centre or in any property (either within or outside an existing centre) that is close to existing or proposed residential uses unless the applicant has submitted convincing evidence that the impact on residential amenity would be acceptable.*

Residential uses

3. In the case of proposals for residential use, the applicant must demonstrate that existing uses in properties near to, above or below the application property would not cause significant problems of noise, smells or general disturbances to future occupiers.

- 2.7** It should be noted that Saved UDP Policy S7, 'Local Centres and Parades', extends the provisions of Policy S2 to Local Centres and Parades. Policy S7 states:

POLICY S7: LOCAL CENTRES AND PARADES

The Council will grant planning permission for the re-use or re-development of properties within local shopping centres or parades for small scale town centre uses within Use Classes A1, A2, A3, A4, A5, B1, C3, D1 and other miscellaneous town

centre uses (see appendix 7) provided that:

a) The development accords with policy S2; and

b) Local shopping needs would still be met by existing shopping facilities within safe and convenient walking distance of where people live in the surrounding area.'

- 2.8** The classification of retail centres in Knowsley as detailed in the Local Plan are: town, district, major and medium local centres, and local shopping centres / parades. Table 1 has been created for the SPD and lists all retail centres within this classification whilst Appendix 2 provides maps to indicate their location.

Table 1: Knowsley's Approved Retail Centres

Retail Centre	Retail Centre Type	Policy
Huyton Town Centre	Town Centre	Core Strategy Policy CS6
Prescot Town Centre	Town Centre	Core Strategy Policy CS6
Kirkby Town Centre	Town Centre	Core Strategy Policy CS6
Halewood (Ravenscourt)	District Centre	Core Strategy Policy CS6
Liverpool Road / Page Moss	District Centre	Core Strategy Policy CS6
Stockbridge Village	District Centre	Core Strategy Policy CS6
Bewley Drive / Broad Lane	Major Local Centre	Core Strategy Policy CS6
Greenes Road	Major Local Centre	Core Strategy Policy CS6
Hillside Road	Major Local Centre	Core Strategy Policy CS6
Kingsway / Gentwood Parades	Major Local Centre	Core Strategy Policy CS6
Pilch Lane	Major Local Centre	Core Strategy Policy CS6
Tarbock Road	Major Local Centre	Core Strategy Policy CS6
Admin Road/South Boundary Road*	Medium Local Centre	Core Strategy Policy CS6
Baileys Lane	Medium Local Centre	Core Strategy Policy CS6
Copple House Lane	Medium Local Centre	Core Strategy Policy CS6
Page Moss/Dinas Lane	Medium Local Centre	Core Strategy Policy CS6
Dragon Drive	Medium Local Centre	Core Strategy Policy CS6
Glovers Brow	Medium Local Centre	Core Strategy Policy CS6
Hampton Drive	Medium Local Centre	Core Strategy Policy CS6
Longview Drive	Medium Local Centre	Core Strategy Policy CS6
Mackets Lane	Medium Local Centre	Core Strategy Policy CS6
Manor Farm Road	Medium Local Centre	Core Strategy Policy CS6
Molyneux Drive	Medium Local Centre	Core Strategy Policy CS6
Moorfield	Medium Local Centre	Core Strategy Policy CS6
Old Rough Lane	Medium Local Centre	Core Strategy Policy CS6

Park Brow Drive	Medium Local Centre	Core Strategy Policy CS6
Rimmer Avenue	Medium Local Centre	Core Strategy Policy CS6
Sugar Lane	Medium Local Centre	Core Strategy Policy CS6
Swanside Parade	Medium Local Centre	Core Strategy Policy CS6
Warrington Road	Medium Local Centre	Core Strategy Policy CS6
Byron Avenue/Milton Avenue	Local Shopping Centre / parade	Saved UDP Policy S7
Greystone Road	Local Shopping Centre / parade	Saved UDP Policy S7
James Holt Avenue	Local Shopping Centre / parade	Saved UDP Policy S7
Kennelwood Avenue	Local Shopping Centre / parade	Saved UDP Policy S7
Loweswater Way	Local Shopping Centre / parade	Saved UDP Policy S7
Merrivale Road	Local Shopping Centre / parade	Saved UDP Policy S7
Old Farm Road	Local Shopping Centre / parade	Saved UDP Policy S7
Richard Hesketh Drive	Local Shopping Centre / parade	Saved UDP Policy S7
Scotchbarn Lane	Local Shopping Centre / parade	Saved UDP Policy S7

* The buildings within the retail centre have been demolished since its inclusion within the Local Plan Core Strategy.

2.9 In recent years there have been various council-led interventions to ensure the long-term sustainability and cultural vibrancy of town centres in the borough. It is intended that the Town Centre Uses SPD is in synergy with these positive interventions which are reflected by the following strategies, policy documents and initiatives including:

- Prescot Town Centre Masterplan SPD – development of a cultural, mixed-use retail centre.
- Huyton Village Masterplan SPD – the development of a new civic, mixed use retail centre (with open space).
- Kirkby Town Centre – new retail development and cinema proposal.
- Shakespeare North Playhouse in Prescot.
- New shopfront schemes in Huyton.
- Townscape Heritage Initiative and public realm improvements in Prescot.

3. Planning Application Process

- 3.1** As the Local Planning Authority, Knowsley Council is responsible for determining all planning applications within the borough. Other individuals, Council departments and external organisations also input into the planning process and influence the final decision on planning applications.
- 3.2** Individuals wishing to open hot food takeaways; pay day loan shops; pawnbrokers; and gambling uses; namely betting offices, bingo halls, casinos and elements including the concentration of fixed odds betting terminals, Adult Gaming Centres (AGC), and Amusement Arcades or Centres (AAC) are advised to read this SPD. Planning permission will not be required for a change to any other use within the same use class but will be required for proposals seeking a sui generis use. Therefore, you are also advised to contact the Council's Planning Service at an early stage through the pre-application process for guidance on how to prepare planning applications appropriately. In addition to planning permission, proposals for the above uses may also require other approvals under separate legislation.
- 3.3** However, the Town and Country Planning (General Permitted Development Order) 2020 (amended) permits the change of use of certain retail and sui generis uses to residential use subject to certain criteria being satisfied, specifically:
- Transport impacts of the development.
 - Contamination risks in relation to the building.
 - Flood risk.
 - Impacts of noise from nearby commercial premises.
 - Changes of use within a conservation area.
 - The provision of natural light into habitable rooms.
 - Fire safety impacts.
- 3.4** External building works or alterations that materially change the appearance of premises such as the building of an extension or installation of a new shop front to the premises will usually require planning permission. It is recommended that advice is sought from the Council before a formal planning application is prepared and submitted.
- 3.5** Planning permission will be required for any external shutters and grilles proposed on buildings. When placed on shop fronts these have a significant negative impact on the appearance of the premises and its locality. Further guidance about appropriate designs for shutters, shop fronts and signage can be obtained from the Council's Shopfront and Signage Design SPD. It is noted that the Council requires shutters and grilles to be placed internally, which would then negate the need for planning permission.

External shutters are only to be allowed in exceptional circumstances and with planning permission.

- 3.6** Separate 'advertisement consent' is sometimes required if it is intended to display shop advertisements. For example, consent would be required for signs above fascia level, including projecting signs or banners, and illuminated signs of any kind. Pre-application advice can be sought from the Council.
- 3.7** Further information is available from the Council's Planning Service via the following website:
<https://www.knowsley.gov.uk/residents/building-and-planning/planning-permission>

4. Use Classes

- 4.1** The Government's Town and Country Planning (Use Classes) Order 1987 (as amended) subdivides different uses of buildings and land into separate classes. As noted in the previous section planning permission is not normally required for change of use of a building or land from one use to another within the same use class. However, permission is normally required to change from a use in one class to a use in different class. The exception to this rule occurs when the change is specifically identified as being permitted under the Government's Town and Country Planning (General Permitted Development) (England) Order. Since the adoption of the Town Centre Uses SPD in 2016 an amendment has been made to the Town and Country Planning (Use Classes) Order 1987 on 1st September 2020. The changes to the Use Class Order, permitted development and prior approvals from 2020 through to August 2021, means that a number of updates to this SPD are now required.
- 4.2** Use Class 'A' was revoked from the 1st of September 2020. Consequently, Class A1 (Shops), Class A2 (Financial and Professional Services) and Class A3 (Restaurants and Cafes) are effectively replaced by new Use Class 'E' (Commercial, Business & Service), parts (a), (b) and (c) which are defined as:
- E(a) Display or retail sale of goods, other than hot food
 - E(b) Sale of food and drink for consumption (mostly) on the premises
 - E(c) Provision of:
 - o E(c)(i) Financial services,
 - o E(c)(ii) Professional services (other than health or medical services), or
 - o E(c)(iii) Other appropriate services in a commercial, business or service locality.
- 4.3** Class B1 (Business) is also replaced with Class E (part g) which stipulates the following uses which can be carried out in a residential area without detriment to its amenity:
- E(g) (i) Offices to carry out any operational or administrative functions,
 - E(g) (ii) Research and development of products or processes
 - E(g) (iii) Industrial processes.
- 4.4** Other changes relevant to this SPD include:
- Class D1 (Non-residential Institutions) replaced by Class E (parts e-f) and Class F (learning and non-residential institutions).

- Class D2 (Assembly & Leisure) has been replaced with Class E (part d) and F2 (local community).

4.5 Furthermore, there are also newly defined 'Sui Generis' uses as follows:

- Public houses, wine bars, or drinking establishments - previously Class A4.
- Drinking establishments with expanded food provision - previously Class A4.
- Hot food takeaways (for the sale of hot food where consumption of that food is mostly undertaken off the premises) - previously Class A5.
- Venues for live music performance - newly defined.
- Cinemas - previously Class D2(a).
- Concert halls - previously Class D2(b).
- Bingo halls - previously Class D2(c).
- Dance halls - previously Class D2(d).

Hot Food Takeaways

4.6 Establishments whose primary business is for the sale of hot food for consumption off the premises do not fall within any use class (they are a sui generis use). In determining the dominant use of the premises to determine the appropriate use class, consideration will be given to:

- the proportion of space designated for food preparation and other servicing in relation to designated customer circulation space; and
- the number of tables or chairs to be provided for customer use.

4.7 Any operator who wishes to change the use of their premises will be expected to demonstrate that the use proposed will be the primary business activity for their proposal. Table 2 provides examples for distinguishing between uses that would either fall into Use Class E or be sui generis. Please note that this list is not exhaustive.

Table 2: Examples of uses within Use Class E and 'sui generis' (in a class of its own)

Examples of Use Class E (commercial, business and service)	Sui Generis Use
Shop retail sale of goods (other than hot food) e.g. pawnbroker.	Cinemas, theatres, nightclubs, dance and concert halls, venues for live music.
Café or restaurant (food consumed on premises).	A hot food takeaway (for the sale of hot food where consumption of that food is mostly taken off the premises).
Financial and professional services.	Public houses or drinking establishment (with food provision).
Clinics, health centres and day centres.	Gambling Uses (betting offices, bingo hall, amusement arcades and casinos) and pay day loan shops.
Gymnasiums and indoor recreation.	Beauty salons e.g. nail bars.

Pay Day Loan Shops, Pawnbrokers and Gambling Uses

4.8 The SPD provides guidance on the restriction in the development of pay day loan shops, pawnbrokers and gambling uses because the proliferation of these uses can be detrimental to the principle of supporting vibrant retail centres. Following changes to the Use Class Order 'gambling uses' includes all the gambling activities named in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 as being Sui Generis, namely:

- Amusement arcades/Adult Gaming Centres or Family Entertainment Centres.
- Betting office.
- Bingo hall.
- Casino.

4.9 Betting offices require a premises license under the Gambling Act (2005), which is administered by the Council but separate from the requirement for planning permission. Under license terms, the definition of a betting office is normally that the primary activity on the premises must be betting services. The license will be valid for an indefinite period once granted and can only be repealed if the proprietor breaks the terms and conditions of the license.

Use Classes: General Advice

- 4.10** Any proposed change of use, other than for permitted changes and changes where both uses fall within the same use class, will constitute a material change of use and require planning permission.
- 4.11** Any individual who wishes to change the use of their premises and is unsure about the Use Classes Order, should contact the Council's Planning Service for written advice. The Council encourages prospective applicants to take full advantage of the pre-application service before a formal planning application is submitted. Early dialogue with the Council can have considerable benefits, including improving the standard of application and the possibility of a successful outcome for a planning application. Pre-application advice can be found at:
<https://www.knowsley.gov.uk/residents/building-and-planning/make-a-planning-application/get-planning-application-advice>

Use Class Order Changes

- 4.12** The current Use Classes were last updated on 1 September 2020. Following the introduction of the new Use Class E (Commercial, Business and Service Use Class) the Government confirmed an amendment to the Town and Country Planning (General Permitted Development) (England) Order 2015, which saw the introduction of a new Permitted Development right to allow the change of use in England from any use within Class E to residential use (Class C3). This new right is known as 'Class MA' and came into force on 21st April 2021 and seeks to support housing delivery, economic recovery and high street regeneration. The restrictions which apply to Class MA are:

- The building must have been in commercial, business and service use for two years before benefiting from the right. Time served in the uses in former use classes now within the Commercial Business and Service use class, such as A1 (shops), and D1 (b) (non-residential institutions – crèche, day nursery or day centre), will count towards this period.
- The building must have been vacant for three continuous months immediately before the date of application for prior approval.
- No more than 1,500 sq. m. of floorspace in any building may change use. Part of the building may change use under the right, including where the lower floors are in commercial, business and service use and the upper floors residential.

- The right will apply in Conservation Areas, but not in other land listed in Article 2(3) of the General Permitted Development Order.
- In accordance with the Secretary of State's announcement on the 30th September 2020, under Article 3 (9A) of the General Permitted Development Order, the homes delivered are required to meet, as a minimum, the nationally described space standards.

The permitted development right will be subject to prior approval by the Local Planning Authority and assessed in respect of:

- Flooding.
- Transport impacts of the development, particularly to ensure safe site access.
- Contamination impacts of noise from existing commercial premises.
- Adequate natural light in all habitable rooms.
- The impact of the loss of ground floor commercial, business and service use on the character and sustainability of a conservation area.
- Impact on future residents from the introduction of residential use in an area that the authority considers is important for heavy industry, waste management, storage and distribution, or a mix of such uses; and
- Impact of the loss of health centres and registered children's nurseries on the provision of local services.

4.13 It is noted that the reclassification of a number of former Class A and Class D retail centre uses as 'sui generis' mean that planning permission is now required for the alternative use of public houses, wine bars, hot food takeaways, and cinemas, consequently giving greater control over their use.

5. Retail & Leisure

- 5.1** The Council will encourage retail, commercial and leisure uses in its retail centres, where they do not have a detrimental impact upon the vitality and viability of the centre. In its retail centres the Council will support the following:
- Introduction of uses that promote and encourage the night-time economy.
 - The re-development of sites for mixed-use development.
 - Improvements to existing shopfronts to ensure that the borough's retail centres are vibrant and welcoming focal points.
- 5.2** Due to the recent changes in the Use Classes there is a far greater degree of flexibility to change uses without the need to obtain planning permission. The new approach is intended to allow for greater diversification in response to the rapidly changing role of retail centres, with less emphasis on traditional retail uses as their primary focus.
- 5.3** It will be vital that Knowsley's retail centres offer a suitable range of uses including community facilities, whilst creating new businesses opportunities and making them 'destination' places of social and cultural interest. In recent times there have been several council-led projects and initiatives which have reflected this, such as the Shakespeare North Playhouse in Prescot.
- 5.4** With all this change taking place in our retail centres it is more important now than ever to ensure development in our retail centres is of an excellent design quality. This is not restricted purely by individual developments but also in consideration of other key design elements necessary for the creation of successful vibrant centres. These include:
- Access – excellent permeability for walkability, cycling, public transport (including quality) and disabled access.
 - Green spaces, including seating and tree planting.
 - Suitable development and high-quality building type and public realm.
 - Consideration of the demographic/socio-economic nature of the area.

6. Residential Development within Retail Centres

- 6.1** The recent use class changes may lead to an increase in residential usage within retail centres. Residential development can assist in the growth of sustainable retail centres where people will live, work and socialise, with other potential positive impacts, such as a reduction in crime, anti-social behaviour and creating or enhancing the night-time economy. The following guidance set out below outlines how Knowsley Council will support planning applications for residential development subject to the proposed development not having a detrimental impact on the vibrancy and vitality of retail centres.

Guidance: Residential Development Within Retail Centres

1. The provision of residential development within town, district, major or medium local centres, or local shopping centres / parades will generally be supported when it is demonstrated the residential use will not be detrimental to the vitality and viability of the centre, including through:

- i. the conversion of under-utilised upper floors of commercial buildings into residential properties;**
- ii. the inclusion of new homes as part of town centre mixed-use development schemes; and**
- iii. the potential redevelopment of existing sites.**

2. Proposals for new residential accommodation in the retail centre should not unreasonably restrict existing businesses and community facilities and should integrate effectively with them.

3. Proposals for residential accommodation in the retail centre should ensure:

- i. appropriate and safe access arrangements and provide appropriate parking provision where necessary;**
- ii. well designed and accessible cycle parking;**
- iii. appropriate and well-located waste and recycling facilities; and**
- iv. an appropriate level of residential amenity is provided for prospective residents.**

4. Proposals to change the use of ground floor retail premises to residential use should ensure any external alterations to the ground floor frontage is designed to ensure the character of the centre is not harmed and allows the premises to be easily converted back to retail use in the future.

5. Proposals to change the use of ground floor retail premises to residential use within a conservation area (whether as part of planning application or if prior approval is required) will only be supported where they do not adversely impact the character or the overall sustainability of the conservation area within the town centre.

7 Hot Food Takeaways

The Issues

7.1 Hot food takeaways are increasingly common within retail centres: they can complement the retail function of a centre, contributing to its vitality and viability and ensuring a mix of day and evening uses. However, an over concentration of hot food takeaway uses can also undermine the role and function of retail centres; and it is recognised that hot food takeaways have a greater potential than retail uses to have a detrimental impact on residential amenity, environmental quality, and the health of the local population.

Health

7.2 There is a growing body of evidence linking the prevalence of unhealthy food in a local area with poor nutritional diets, weight gain, socio-economic disadvantage and lower levels of education^{2,3}. Predominantly, food sold from hot food takeaways is high in fat and salt and low in fibre, fruit and vegetables and, therefore, provides little nutritional value for the calories it contains. Over consumption of this type of food can lead to a range of health conditions, including excess weight and obesity. The government have set out a plan to halve childhood obesity by 2030⁴ and have noted that planning authorities can restrict numbers of hot food takeaways around schools and areas where there is already an over-concentration⁵. Similarly, there are numerous policy papers, strategies and guidance documents setting out the possible options for using the planning system to control over-proliferation of these outlets. Specifically, both the NPPF and National Planning Practice Guidance (NPPG) advocate for planning policies and decisions which create healthy places and reduce health inequalities.

7.3 The majority of adults in England are now deemed either overweight or obese, with a substantial number of children on the same trajectory. Obesity is recognised as an

² [Does neighborhood fast-food outlet exposure amplify inequalities in diet and obesity? A cross-sectional study | The American Journal of Clinical Nutrition | Oxford Academic \(oup.com\)](#)

³ [Spatial Planning for Health: an evidence resource for planning and designing healthier places \(publishing.service.gov.uk\)](#)

⁴ <https://www.gov.uk/government/news/new-measures-announced-to-halve-childhood-obesity-by-2030>

⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/296248/Obesity_and_environment_March2014.pdf

increasing threat to the health of individuals and communities and is linked to health inequalities. Excess weight is a leading cause of type 2 diabetes, heart disease, stroke and high blood pressure and can also have negative effects on mental wellbeing and quality of life. The cost of the rising numbers of people being overweight and obese to society and the economy has been estimated at almost £27bn. If the rise in obesity rates continue unchecked, there is the potential for the costs to reach just under £50bn by 2050⁶.

- 7.4** In Knowsley, obesity is a significant issue, with 66% of residents classed as being overweight or obese. In addition, rates of childhood obesity are rising faster than in other, less deprived areas. In 2019/20, 27.2% of year 6 students were classed as obese, much higher than both North West (22.8%) and national (21%) rates⁷. Although measured on a smaller sample in 2021, Local National Child Management Programme (NCMP) data shows a concerning rise in overweight and obesity for children at both Reception and Year 6 age. These high rates of obesity amongst the population are not only created by, but also a result of long-standing health inequalities.
- 7.5** Early national research indicates that rates of consumption of hot food takeaways has risen during the pandemic⁸. Combined with other factors impacting food choices and physical activity during this time have caused a faster growth in overweight and obesity levels than seen in previous years. However, this has been unequal with rates in the more deprived areas rising faster than in the least deprived. As one of the most deprived areas in England this is particularly significant for Knowsley.
- 7.6** An additional cause for concern in relation to hot food takeaways is the cost, particularly for Knowsley where nearly a quarter of children in Knowsley live in a low-income household (this is likely to increase steeply following fuel and tax increases in 2022). Nationally, the average annual spend on hot food takeaways is estimated at £641 per person with consumers indicating that this is unlikely to reduce in the future⁹. Whilst hot food takeaways cannot be held solely responsible for poverty and obesity problems, the availability of food which is often served in large portions and is higher in fat, sugar, salt and calories and more expensive than a homemade meal is a contributing factor and needs to be taken into account alongside other system-wide approaches.

⁶ [Health matters: obesity and the food environment - GOV.UK \(www.gov.uk\)](https://www.gov.uk) 2017

⁷ [Public health profiles - OHID \(phe.org.uk\)](https://phe.org.uk)

⁸ [Pandemic drives households to increase spend - KPMG United Kingdom \(home.kpmg\)](https://home.kpmg)

⁹ [Pandemic drives households to increase spend - KPMG United Kingdom \(home.kpmg\)](https://home.kpmg)

Concentration of Hot Food Takeaways in Retail Centres

- 7.7** The borough's retail centres are currently facing many challenges as a result of changing shopping patterns and behaviour, including reduced levels of spending following the recession, increasing levels of internet shopping, and the role of large supermarkets in meeting local needs. Due to these changes in shopping patterns, many retail centres in England are experiencing high proportions of vacant units. Filling these units with non-retail uses including hot food takeaways can benefit a centre by bringing the units back into use.
- 7.8** However, an over proliferation of hot food takeaways could potentially have an adverse impact on the centre's vitality and viability. Vitality refers to how busy a centre is at different times of the day, whilst viability is about the centre's capacity to attract new investment. Hot food takeaways are also often closed in the daytime, which can result in the appearance of "dead" frontages with a resultant negative impact on the character and vibrancy of a centre. This is particularly apparent where there is a concentration of takeaways, i.e., two or three such uses adjoining one another or located close together.
- 7.9** Hot food takeaways also have the potential to raise residential amenity and anti-social behaviour issues, as well as health concerns. This is because such uses can generate levels of noise, traffic, odours and litter which are detrimental to residential amenity.
- 7.10** Across Knowsley's 39 retail centres (Table 3), currently 31 contain 1 or more hot food takeaway within it. Some of the centres have a much higher percentage of hot food takeaway uses in them than others. In 2021, there were 62 hot food takeaways operating in Knowsley's approved retail centres.
- 7.11** In terms of the applications approved in the period of 2016/17 to 2020/21, 1,024m² of floorspace was granted planning permission for hot food takeaways. Whilst over the same period 504m² of hot food takeaway floorspace was completed following the granting of planning permission.
- 7.12** On the following page, Table 3 provides data (where it exists) for the number of hot food takeaways in 2016 and 2021 to help illustrate the variation in their prevalence in each retail centre.

Table 3: Changes in the number of Hot Food Takeaways (HFT) Uses 2016 - 2021

Retail Centre	Type of Centre	No of HFT Uses (2016)	No of HFT Uses (2021)
Kirkby Town Centre	Town Centre	3	3
Huyton Town Centre	Town Centre	1	5
Prescot Town Centre	Town Centre	5	7
Liverpool Road / Page Moss Centre	District Centre	3	5
Halewood (Ravenscourt)	District Centre	1	1
Stockbridge Village Centre	District Centre	1	1
Greenes Road, Whiston	Major Local Centre	2	4
Pilch Lane, Huyton	Major Local Centre	0	0
Kingsway Gentwood, Huyton	Major Local Centre	3	2
Glovers Brow, Kirkby	Medium Local Centre	2	3
Hillside Road, Huyton	Major Local Centre	1	1
Park Brow Drive, Kirkby	Medium Local Centre	2	2
Bewley Drive / Broad Lane Kirkby	Major Local Centre	2	2
Tarbock Road, Huyton	Major Local Centre	1	2
Old Rough Lane, Kirkby	Medium Local Centre	1	1
Copple House Lane, Fazakerley	Medium Local Centre	1	1
Page Moss / Dinas Lane, Huyton	Medium Local Centre	3	2
Rimmer Avenue, Huyton	Medium Local Centre	0	0
Baileys Lane, Halewood	Medium Local Centre	0	0
Mackets Lane, Halewood	Medium Local Centre	0	0
Longview Drive, Huyton	Medium Local Centre	1	1
Admin Road/South Boundary Road, Kirkby	Medium Local Centre	0	0
Manor Farm Road, Huyton	Medium Local Centre	1	1
Molyneux Drive, Prescot	Medium Local Centre	2	2
Dragon Drive, Whiston	Medium Local Centre	1	1
Hampton Drive, Cronton	Medium Local Centre	0	0
Moorfield, Kirkby	Medium Local Centre	1	1
Sugar Lane, Knowsley Village	Medium Local Centre	1	1
Swanside Parade, Huyton	Medium Local Centre	1	2
Warrington Road, Whiston	Medium Local Centre	3	3

Byron Avenue/Milton Avenue, Prescot	Local Shopping Centre / parade	-	2
Greystone Road, Huyton	Local Shopping Centre / parade	-	0
James Holt Avenue, Kirkby	Local Shopping Centre / parade	-	1
Kennelwood Avenue, Kirkby	Local Shopping Centre / parade	-	1
Loweswater Way, Kirkby	Local Shopping Centre / parade	-	1
Merrivale Road, Halewood	Local Shopping Centre / parade	-	1
Old Farm Road, Kirkby	Local Shopping Centre / parade	-	1
Richard Hesketh Drive, Kirkby	Local Shopping Centre / parade	-	1
Scotchbarn Lane, Prescot	Local Shopping Centre / parade	-	0

The Guidance

7.13 This section of the SPD provides guidance for applications seeking planning permission for a hot food takeaway use within Knowsley's retail centres.

Guidance for Appropriate Concentration of Hot Food Takeaways in Retail Centres

1. Planning permission for a hot food takeaway within town, district, major or medium local centres, or local shopping centres / parades will not be granted if it causes an unacceptable grouping of hot food takeaways which would have a negative impact on the character of the centre.

2. In operating this requirement, the following thresholds should not be exceeded:

- a) More than 5% of units within town centres being hot food takeaways; or**
- b) More than 10% of units within district, major or medium local centres, or local shopping centres / parades being hot food takeaways; and**
- c) More than two directly adjoining hot food takeaways in a single centre's or parade's frontage; and**
- d) Less than two non-hot food takeaway units between individual or groups of hot food takeaway units in a centre or parade.**

Exceeding these thresholds would be considered as creating an unacceptable grouping of hot food takeaways which would have a negative impact upon the character of the centre.

3. When applying the thresholds set out in part 2 above:

- a) Only ground floor non-residential units will be counted; and**
- b) When rounding percentages, they should be rounded down.**

Justification

7.14 Whilst it is recognised that hot food takeaways can provide a popular service for local communities and add to the diversity of uses within retail centres, it is important to ensure that hot food takeaways do not detract from the primary retail function of a centre in line with saved UDP Policy S2: Diversification of Uses.

- 7.15** The grouping of hot food takeaways can lead to unattractive vacant frontages during the daytime when hot food takeaways are closed, which can undermine the retail function and general attractiveness of a retail centre. An unacceptable grouping of hot food takeaway uses can potentially have an adverse impact upon the amenity of the surrounding area to the detriment of local residents, contrary to the aims of Local Plan Core Strategy Policy CS19: Design Quality and Accessibility in New Development.
- 7.16** Therefore, this SPD seeks to control the grouping of hot food takeaways in the borough's designated town, district, major or medium local centres, or local shopping centres / parades. This is identified in the adopted Local Plan Core Strategy. The purpose of the guidance is to protect the vitality and viability of centres and ensure an appropriate mix of uses within centres which is consistent with Core Strategy Policy CS6: Town Centres and Retail Hierarchy and saved UDP Policy S2: Diversification of Uses within Existing Centres and S7: Local Centres and Parades.

Guidance for Hot Food Takeaways: Protecting Residential Amenity

- 1. To protect residential amenity, the Council will apply the following guidance in considering planning applications for new hot food takeaways:**
 - a) Proposals close to residential properties 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;**
 - b) Applications for hot food takeaways are unlikely to be approved if a party wall is shared with a residential dwelling; and**
 - 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. If a residential dwelling were to be approved, this would be a condition in terms of the occupancy.**

Justification

- 7.17** There is a clear need to consider the potential detrimental impact on the living conditions of any residents living near to a proposed hot food takeaway use, including properties above the proposed use. This is supported in criterion 2 of Policy CS19: Design Quality and Accessibility in New Development in the Knowsley Local Plan Core Strategy and Saved UDP Policy S2: Diversification of Uses within Existing Centres, criterion 1 (c).
- 7.18** Noise and odours caused by hot food takeaways can have an extremely detrimental impact on the quality of the local environment. This is supported further by Principle 4 of Policy CS2: Development Principles in the Knowsley Local Plan Core Strategy and Saved UDP Policy ENV2: Noise and Vibration.
- 7.19** Noise in hot food takeaways is generally caused by equipment, which can cause significant local disturbance if located incorrectly, especially with late evening operating hours. This is supported by Principle 4 of Policy CS2: Development Principles in the Knowsley Local Plan Core Strategy and Saved UDP Policy ENV2: Noise and Vibration.
- 7.20** Any planning application submitted for a new hot food takeaway development would have to demonstrate how odour, noise, visual intrusion, or other general disturbance will be mitigated as to not adversely impact on residential amenity. Examples of how this could be achieved include the careful design and siting of kitchen equipment for extraction purposes and consideration of waste facilities and operating hours. This is supported further by Principle 4 of Policy CS2: Development Principles in the Knowsley Local Plan Core Strategy and Saved UDP Policy ENV2: Noise and Vibration.
- 7.21** Further guidance on the mitigation of the impact of odours and cooking smells is provided in the section Guidance for Hot Food Takeaways: Odours and Cooking Smells.

Guidance for Hot Food Takeaways: Highway Safety

1. In determining planning applications for new hot food takeaways, the Council will consider the impact on the safety of pedestrians and road users with regard to:

- a) The existing or previous use;**
- b) Existing traffic conditions;**
- c) Accessibility by public transport, cycling and walking;**
- d) The availability of public parking provision near to the premises, including on-street parking;**
- e) Provision for delivery staff parking if the premises offer a delivery service. This includes all modes of transport and allowing for the increase in delivery vehicles following the growth in popularity of food delivery services;**
- f) Proximity to traffic controls, junctions, and crossings; and**
- g) The availability of safe and legal loading areas near the premises.**

Justification

7.22 The potential impact of a hot food takeaway on highway safety will be an important consideration in the determination of a planning application. A high proportion of customers who visit hot food takeaways to purchase and collect food orders travel by car and require short stay parking, often at peak times such as lunch time and evenings. Delivery vehicles associated with hot food takeaways can also add to this peak time vehicle activity. All vehicle movements have a potential to interrupt traffic flows on the nearby road network and to increase demand for on street parking, especially where there is insufficient local parking. This can create nuisance for other road users and pedestrians, as well as neighbouring residents. Where possible, businesses are advised to manage the parking of mopeds, e-bikes, etc. This approach is supported by Knowsley's Local Plan Core Strategy Policies CS2: Development Principles and CS7: Transport Networks and UDP Saved Policy T5: Location of Major Traffic Generating New Development which aims to enhance road safety and improve the health and wellbeing of local people.

7.23 The Council's Highways Development Management officers will be consulted on all applications for hot food takeaways. Applicants for planning permission will need to demonstrate as part of any planning application that suitable car parking arrangements will be available or are proposed as part of proposals. If parking demand is deemed to obstruct visibility, cause danger to pedestrians/cyclists, planning permission will only be granted if appropriate mitigation measures will be implemented.

Guidance for Hot Food Takeaways: Hours of Operation

1. When determining the appropriate hours of opening for hot food takeaways regard will be had to:
 - a) The likely impacts on residential amenity;
 - b) The existence of an established late-night economy in the area;
 - c) The existence of a primary or secondary school within close proximity of the proposal; and
 - d) The character and function of the immediate area.
2. Within an area that is primarily residential in character, all new hot food takeaway hours of opening will normally be restricted to close at 11pm Monday to Saturdays, with earlier closing hours 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.

Justification

7.24 In comparison with other uses within retail centres, it is acknowledged that hot food takeaways often need to operate later than normal daytime opening times compared to retail uses. It is recognised that evening opening hours are often required to ensure the commercial success of the hot food takeaway business model. In the borough's retail centres where there is a greater emphasis on commercial activity, hot food takeaways can complement the other establishments and form part of an evening economy. However, it is essential that late opening hours do not adversely impact on residential amenity. In comparison to other retail uses, hot food takeaways can generate a higher degree of noise and disturbance, which would be contrary to the aims of Local Plan Core Strategy Policy CS19: Design Quality and Accessibility in New Developments.

7.25 Accordingly, in order to minimise the adverse impacts on residential amenity from longer operating hours, it is important to ensure that such uses are located in areas where there is minimal harm. Where planning permission is granted, the Council will use planning conditions to place restrictions on opening hours having regard to the

criteria outlined in the above guidance, in line with Knowsley Local Plan: Core Strategy Policy CS19: Design Quality and Accessibility in New Developments.

7.26 Where a hot food takeaway development is proposed near a primary or secondary school, consideration will be made regarding its proximity to the school site, with the encouragement of suitable opening hours e.g. an hour following the end of the school day as a condition of the development's approval. Each planning application will be considered on a case-by-case basis.

7.27 The proposed hours and days of opening should be specified as part of the planning application for the proposed hot food takeaway.

Guidance for 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 (as a material alteration to the external appearance);**
- 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) Be installed within the building wherever practicable. This is particularly important where the proposal is within a Conservation Area, Historic Park or Garden or within the setting of a Listed Building; and**
- f) Minimise physical impacts to the appearance or physical fabric of any Listed Building, Historic buildings within a Conservation Area or a Registered Historic Park or Garden.**

Justification

7.28 Cooking smells from hot food takeaways can cause amenity problems, particularly where such premises are located close to residential properties. An effective system for the extraction and dispersal of cooking odours must be provided.

- 7.29** The design of the fume extraction/ventilation equipment should ensure that odours, fumes, or noise cause no nuisance or disturbance to nearby properties. Regular cleaning and maintenance will be necessary to any equipment, including the flue stack, to prevent the possibility of fires due to grease build up and also to prevent the generation of smoke from the flue. This is in line with Knowsley Local Plan: Core Strategy Policy CS2: Development Principles and Saved UDP Policy ENV3: Light Pollution.
- 7.30** Consideration must also be given to the visual impact of flues and care should be taken to design and locate them where they will not appear prominent. The Council will take into account issues of visual amenity in deciding whether or not a proposed extraction system is acceptable, particularly relating to properties within or adjacent to Conservation Areas or where the work affects a Listed Building or its setting. In such cases flues should be designed and located sensitively in accordance with Local Plan: Core Strategy Policy CS20: Managing the Borough's Historic Environment.
- 7.31** Applicants for planning permission must submit details of the size, design, siting, finish material, acoustic treatment and odour abatement techniques of the flue extraction system with all planning applications for hot food takeaway establishments. This is supported further by Saved UDP Policy ENV2: Noise and Vibration. For further information on the suitability of extraction systems please contact the Council's Environmental Health Department.

Guidance for 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 (with appropriate signage) and must be emptied on a regular basis, including the picking up of litter where necessary;**
 - b) Bins for commercial waste must where possible be contained within the premises. Where this is not possible, secure structures (e.g., fenced and/or lockable compounds) should be provided on site and bins should be stored so as to:**
 - i. Not cause odour nuisance;**
 - ii. Be convenient for refuse collection; and**
 - iii. Be sited in a concealed location or if this is not possible, suitably 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; and**
 - d) Grease traps are installed on all drains for takeaways to prevent sewer blockages and potential flooding.**
- 2. For applicable developments planning conditions will be imposed to ensure compliance, specifically in relation to the provision and retention of signage and the allocation of bins.**

Justification

7.32 Hot food takeaways can generate a significant volume of litter and waste, and the disposal of this will be a consideration in all planning applications. Inadequate facilities for the storage and disposal of litter and waste can result in harm to visual amenity and can pose a risk to public health. It is therefore important to ensure that there is sufficient physical space to accommodate commercial bins and enable safe collection by licensed operators. Bins provided must be of a suitable size and appropriately sited to meet local requirements for refuse collections and for the protection of visual amenity. Any screening required must be of an appropriate design, taking into account the area's character.

7.33 Hot food takeaways can generate large amounts of litter, both in their immediate vicinity and further afield. Litter is unsightly, it can detract from the appearance of an area and can raise concerns in respect of attracting pests and vermin. Although proprietors have little control over where customers drop litter, they can act to reduce its occurrence through the provision of litter bins within or adjacent to their premises. It is the business owners' responsibility to ensure bins are emptied and maintained.

7.34 The disposal of fat and grease can block the local drains and potentially the wider sewer system. The installation of grease traps is, therefore, necessary to avoid leaking of foul sewage and flooding. All the above justifications are supported by Local Plan Core Strategy Policy CS26: Waste Management and the Merseyside and Halton Joint Waste Local Plan Policies WM8 & WM9.

Guidance for 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; and**
- 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.**

Justification

7.35 Crime or anti-social behaviour, or the fear of this, can be a material consideration in the determination of planning applications. Whilst the majority of hot food takeaways operate without any problem, in some cases hot food takeaways attract gatherings of people and can become hot spots for anti-social behaviour, especially at night. Where there are concerns over crime and anti-social behaviour in the area in which the proposal is to be located, the applicant may be asked to contribute towards safety and security measures or install safety and security measures such as CCTV systems. This is in line with Local Plan Core Strategy Policy CS19: Design Quality and Accessibility in New Development and with the Design Quality and New Development SPD.

8 Pay Day Loan Shops, Pawnbrokers and Gambling Uses

The Key Issues

8.1 This SPD aims to address the social, economic and health impacts of pay day loan shops, pawnbrokers and gambling uses on places and people. The guidance seeks to encourage a mix of retail centre uses by managing the number of these developments in an attempt to contribute to the promotion of healthy and sustainable communities.

Health and Other Issues

8.2 In 2016, the Gambling Commission estimated that there were 340,000 problem gamblers in England and a further 1.8 million who were at low or moderate risk¹⁰. Since this survey rates have been steadily increasing. In 2021, it was estimated that the annual cost to society from harmful gambling was approximately £1.27billion¹¹. Gambling associated risks and harms are commonly considered to be a public health issue.

8.3 In the United Kingdom there are an estimated 8,320¹² gambling related businesses. Although this is a slight decline since 2012 (i.e. estimated 8,400) it should also be considered that there are a significantly large number of gamblers who also gamble online. The proliferation of fixed odd betting terminals in betting offices is still a factor in the increasing rate of problem gambling, along with the diversification of centres which encourage gambling, such as amusement arcades. Gambling addiction has been linked to a range of health and social problems including exacerbation of psychological issues, alcoholism, substance abuse and crime. Rates of depression and attempted suicide among problem gamblers are considerably higher than the national average with one in five problem gamblers reporting they had made a suicide attempt in 2019, compared with 4% of non-problem gamblers/non-gamblers.

8.4 In September 2021, Public Health England published an evidence review of gambling related harms. The report found that these harms are wide-ranging and involve not just

¹⁰ House of Lords - Gambling Harm—Time for Action - Select Committee on the Social and Economic Impact of the Gambling Industry (parliament.uk)

¹¹ Gambling-related harms evidence review: summary - GOV.UK (www.gov.uk)

the gambler themselves, but their family and friends, local community, and wider society. It includes financial, emotional, cultural and social harm in addition to negative impacts on mental health and employment or education. These harms are not only during the relatively short-term crisis points but are also legacies with negative impacts for several years, if not their whole lives.

- 8.5** The report states that Knowsley had the highest levels of gambling participation of all upper-tier local authorities at 78.6%. As Knowsley has high rates of deprivation this finding is particularly concerning, and it appears that those Knowsley residents who gamble are more likely to be experiencing problem gambling.
- 8.6** Although robust local evidence relating to problem gambling is difficult to obtain, using Public Health England figures it is estimated that at least 6,600 Knowsley residents are at risk of problem gambling, although this is likely to be much higher. Similar to gambling, pay day loans are also associated with poor mental health and have a negative impact on overall wellbeing¹². Research finds that those who have used at least one pay day loan experience higher rates of stress and anxiety, are more likely to consume more alcohol as a result of their debt, eat less healthily and do less exercise. The use of pay day loan shops and pawnbrokers has pushed many further into debt and led to a greater reliance on foodbanks. All of these harms related to gambling, pay day loans and pawnbrokers can have long-lasting implications for the community. These activities negatively impact the wider determinants of health and therefore sustain and exacerbate health inequalities.
- 8.7** In terms of vitality and viability, the Council has and continues to expend considerable efforts and resources to regenerate its town centres, such as Huyton¹³. This involves the creation of a more diverse range of uses, encouraging independent retail, leisure, food and drink and services and active shop frontages in the centres, and a comprehensive programme to animate the centres and attract all members of the community. A proliferation of gambling uses, pay day loan shops and pawnbrokers is not considered compatible with the positive outcomes sought through town centre regeneration and often places these uses in close proximity to residential uses.

¹² RSPH | Payday loans named unhealthiest form of credit

¹³ <https://councillors.knowsley.gov.uk/documents/s64698/Item%204%20-%20Appendix%20One%20-%20Knowsley%202030%20draft%20for%20consideration%20-%20Better%20Together%20Board.pdf?StyleType=standard&StyleSize=none>

Concentration Issues within Retail Centres

8.8 As of 2021, there were 30 units operating within Knowsley's retail centres as a gambling use i.e. betting office, bingo hall, casino, Adult Gaming Centres or Amusement Arcades or Centres. This compares well to the 41 betting offices reported in the 2016 SPD. However, Knowsley continues to have problems with gambling uses, for example, Huyton has 6 of the 30 premises in its town centre (Table 4). The borough is labelled the 'gambling capital' of the United Kingdom, with approximately 80% of people in Knowsley having gambled in a 12-month period compared with 42% of people in the whole of the United Kingdom¹⁴. This aligns with debt issues in the borough where 40.7% of the total population struggles with debt¹⁵, the 4th highest level of household debt in England.

Table 4: Number of units in a gambling use within the approved retail centres

Retail Centre Name	Type of Centre	No. of units in a gambling use
Huyton Town Centre	Town Centre	6
Prescot Town Centre	Town Centre	4
Kirkby Town Centre	Town Centre	4
Halewood (Ravenscourt)	District Centre	1
Liverpool Road / Page Moss	District Centre	1
Stockbridge Village	District Centre	1
Bewley Drive / Broad Lane	Major Local Centre	0
Greenes Road	Major Local Centre	1
Hillside Road	Major Local Centre	1
Kingsway / Gentwood Parades	Major Local Centre	2
Pilch Lane	Major Local Centre	1
Tarbock Road	Major Local Centre	0

¹⁴ <https://lordslibrary.parliament.uk/public-health-england-gambling-related-harms-review/>

¹⁵ MAS (2013) <https://www.moneyadvice.service.org.uk/files/indebted-lives-the-complexities-of-life-in-debt-november-2013-v3.pdf>

Admin Road/South Boundary Road	Medium Local Centre	0
Baileys Lane	Medium Local Centre	0
Copple House Lane	Medium Local Centre	1
Page Moss/Dinas Lane	Medium Local Centre	1
Dragon Drive	Medium Local Centre	0
Glovers Brow	Medium Local Centre	1
Hampton Drive	Medium Local Centre	0
Longview Drive	Medium Local Centre	0
Mackets Lane	Medium Local Centre	1
Manor Farm Road	Medium Local Centre	0
Molyneux Drive	Medium Local Centre	0
Moorfield	Medium Local Centre	1
Old Rough Lane	Medium Local Centre	0
Park Brow Drive	Medium Local Centre	1
Rimmer Avenue	Medium Local Centre	0
Sugar Lane	Medium Local Centre	0
Swanside Parade	Medium Local Centre	1
Warrington Road	Medium Local Centre	0
Byron Avenue/Milton Avenue	Local Shopping Centre / parade	0
Greystone Road	Local Shopping Centre / parade	0
James Holt Avenue	Local Shopping Centre / parade	1
Kennelwood Avenue	Local Shopping Centre / parade	0
Loweswater Way	Local Shopping Centre / parade	0
Merrivale Road	Local Shopping Centre / parade	0
Old Farm Road	Local Shopping Centre / parade	0
Richard Hesketh Drive	Local Shopping Centre / parade	0
Scotchbarn Lane	Local Shopping Centre / parade	0

The Guidance

The following provides guidance for applications seeking planning permission for pay day loan shops, pawnbrokers, and gambling uses within Knowsley's retail centres.

Guidance for Appropriate Concentration of Pay Day Loan Shops, Pawnbrokers, and Gambling Uses in Retail Centres

- 1. This guidance should be applied to town, district, major or medium local centres, or local shopping centres / parades.**
- 2. This guidance will apply to pay day loan shops, pawnbrokers and gambling uses, namely: betting offices; bingo halls; casinos; amusement arcades and adult gaming centres;.**
- 3. Planning permission for a pay day loan shop, pawnbrokers or gambling use within a retail centre will not be granted if it causes an unacceptable grouping of uses which would have a negative impact on the character of the centre.**
- 4. An unacceptable grouping of uses that would have a negative impact on the character of the centre occurs when the following thresholds are exceeded:**
 - a. Within a town centre: more than 5% of the number of ground floor non-residential units being in a pay day loan shop use, pawnbroker use, gambling use, or a combination of these uses.**
 - b. Within a district, major or medium local centre, or local shopping centre / parade: more than 10% of the number of ground floor non-residential units being a pay day loan shop use, pawnbroker use, gambling use, or a combination of these uses.**
 - c. In all locations: two or more adjoining pay day loan shop uses, pawnbroker uses, gambling uses, or a combination of these uses in a frontage.**
 - d. In all locations: less than two units (in uses other than pay day loan shop use, pawnbroker use, or gambling use) between gambling uses, pay day loan shop use, pawnbroker use, or a combination of these uses.**
- 5. When applying the thresholds set out in part 2 above:**
 - a. Only ground floor non-residential units will be counted; and**
 - b. When rounding percentages, percentages should be rounded down.**
- 6. In calculating the percentages of existing or proposed percentage of units, pay day loan shops and pawnbrokers will be considered together with gambling uses.**
- 7. In all cases, proposals shall provide active shop frontages, especially on prominent corner locations and avoid the provision of inactive frontages that are detrimental to the character and vitality of the Borough's retail centres.**

Justification

- 8.9** The prevalence of gambling uses displaces other high street uses and has the potential to impact on the vitality of retail centres within the borough. The proliferation and grouping of these uses within the centres may lead to social, economic and health implications for centres and surrounding communities. Inactive frontages are detrimental to the character and vitality of the Borough's centres as they lack visual interest when compared to typical retail displays. It is important that the Borough's retail centres provide a vibrant and attractive proposition to customers and inactive frontages portray a negative image for these retail centres.
- 8.10** Consequently, to ensure that designated retail centres are diverse and balanced, applications for pay day loan shops, pawnbrokers and gambling uses will be assessed for their cumulative impact using the thresholds in the above guidance box. Planning permission will normally be refused where these thresholds are exceeded. This is consistent with Saved Policy S2 criterion 1. b) of the UDP, which aims to prevent groupings of uses which would have a negative impact on the character of the centre being formed.

Guidance for Pay Day Loan Shops, Pawnbrokers, and Gambling Uses: Crime and Anti-Social Behaviour

In determining any planning application for all pay day loan shops, pawnbrokers, and gambling uses the Council will consider any issues concerning community safety, crime, and disorder.

Proposals for new pay day loan shops, pawnbrokers, and gambling uses 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.

Justification

- 8.11** Crime or anti-social behaviour, and/or the fear of this, can be a material consideration in the determination of planning applications. In some cases pay day loan shops, pawnbrokers, and gambling uses attract gatherings of people and can potentially encourage anti-social behaviour, especially at night. Where there are concerns over crime and anti-social behaviour in the area in which the proposal is to be located, the

applicant may be asked to contribute towards safety and security protection or install measures such as CCTV systems and/or security staff. This is supported by Local Plan: Core Strategy Policy CS19: Design Quality and Accessibility in New Development alongside relevant guidance within the adopted Design Quality and New Development SPD.

Appendix 1: Glossary

Amusement Arcade or Centre - A Sui Generis use. This is the use of an indoor premises where people can play gambling games on electronic 'gaming machines' for a charge (the machines have traditionally been coin or token operated and commonly called "Fruit Machines"). The Gambling Act 2005 allows licenses to be granted for Adult Gaming Centres and Family Entertainment Centres, that would be classified as an Amusement Arcade or Centre in planning, and they are allowed different types and amounts of gaming machines

Betting Office - Also known as a betting shop or a bookmakers. These are premises, not on a racecourse, licensed under the Gambling Act for gambling through the placing of bets and the payment of winnings. They may also have a certain amount of gaming machines inside of them.

Bingo Hall - An establishment that hosts games of bingo. A bingo hall may also contain a certain number of certain types of gaming machines.

Casino - An establishment that hosts casino games, which are games of chance such as roulette, cards and dice where the odds of winning vary. The Gambling Act 2005 allows four casino sizes: regional, large, small and below the minimum size for a licensed casino. There are currently no regional casinos in England, and only 8 Local Authorities have permission for a large casino and eight for a small casino, and Knowsley is not one of those authorities.

Conservation Area - An area defined in the Planning (Listed Buildings and Conservation Areas) Act 1990 as "an area of special architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance."

Fixed Odds Betting Terminal - A type of electronic gaming machine on which players may bet on the outcome of various simulated games and events (such as roulette, blackjack, bingo, and horse races), the odds offered being fixed from game to game.

Gambling Uses - "Gambling uses" are taken to be the gambling uses that are identified as 'Sui Generis' in Use Class Order (as amended in 2020), namely:

- Amusement Arcades or centre (also known as Adult Gaming Centres or Family Entertainment Centres).
- Betting Offices.
- Bingo Halls.
- Casinos.

Gaming Machines - The Gambling Act 2005 defines these as a machine designed or adapted for use by individuals to gamble – whether or not it can also be used for other purposes. Most gaming machines are of the reel-based type. These are also known as fruit, slot, or jackpot machines. There are several different categories of gaming machines based

on the maximum stake and maximum payout, and all include an element of chance. The definition of Gaming Machine does not include “skill with prize machines” e.g., where a grab is operated to attempt to retrieve a prize.

Historic Parks and Gardens – These Parks and Gardens of special historic interest are contained in the “Register of Parks and Gardens of special historic interest in England” compiled and maintained by Historic England. These parks and gardens, which by reason of their historic layout, features and architectural ornaments, are of special interest and an essential part of the nation's heritage. Entries are graded I, II* (II star), or II. As yet these listed parks and gardens do not have legal protection comparable to that of listed buildings, but the Council must consult interested expert parties on planning applications affecting them.

Hot Food Takeaway - A restaurant or shop selling cooked food to be eaten elsewhere. In planning terms, there is a distinction between a shop (Class E), a restaurant or Café (Class E), a drinking establishment (Sui Generis) and a hot food takeaway (Sui Generis).

Listed Building - Buildings included in the statutory list of buildings of special architectural or historic interest. Listing decisions are made by the Secretary of State for Culture, Media and Sport and the listing system is administered by Historic England.

Local Plan - The plan for the future development of the local area, drawn up by the Local Planning Authority in consultation with the community. The Local Plan includes "Development Plan Documents" adopted under the Planning and Compulsory Purchase Act 2004. In Knowsley, this includes Local Plan Core Strategy and Merseyside and Halton Joint Waste Local Plan, accompanied by a Local Plan Proposals Map Policies Map. The Local Plan also includes the Saved Policies of the Knowsley Replacement Unitary Development Plan (2006).

Local Plan: Core Strategy - A document which forms the central part of the Knowsley Local Plan and sets out the long-term spatial vision, objectives and strategic policies for the Borough. The Local Plan Core Strategy has the formal status of a Development Plan Document.

Merseyside and Halton Joint Waste Local Plan - Prepared jointly on behalf of six local City Region authorities, this plan sets out waste management policies for the sub-region. The policies include site allocations and development management policies. The document forms part of the Local Plan for each local authority in Merseyside and Halton.

National Planning Policy Framework (NPPF) - The National Planning Policy Framework was revised on 20 July 2021 and sets out the government's planning policies for England and how these are expected to be applied. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018 and updated in February 2019. The policies of the NPPF will be applied alongside those in Knowsley's Local Plan (and the supplementary guidance in this SPD).

Pawnbroker shop – A premises where a pawnbroker loans money to customers secured on the customer's pawned items (surrendered to the pawnbroker). If the loan is not repaid, the pawnbroker can sell the goods to recover the unpaid loan.

Pay Day Loan Shop – A shop which provides a service to lend relatively small amounts of money at a high rate of interest on the agreement that it will be repaid when the borrower receives their next wage.

Sui Generis – For planning purposes ‘sui generis’ means ‘in a class of its own’. ‘Sui generis’ is not a single use class in itself, it means that ‘sui generis’ uses are not in any of the use classes defined in the Use Class Order. There is not a single definitive list of Sui Generis uses currently published by the government, although the Use Class Order does define some uses as Sui Generis, such as:

- (a) a theatre,
- (b) an amusement arcade or centre, or a funfair,
- (l) as a nightclub
- (m) as a casino,
- (n) as a betting office,
- (o) as a pay day loan shop,
- (q) as a drinking establishment with expanded food provision,
- (r) as a hot food takeaway for the sale of hot food where consumption of that food is mostly undertaken off the premises,
- (s) as a venue for live music performance,
- (t) a cinema,
- (u) a concert hall,
- (v) a bingo hall,
- (x) a dance hall.

Supplementary Planning Document (SPD) - A planning policy document which provides supplementary information in respect of the policies contained in the Local Plan, and which focus on particular issues or places. They are subject to consultation but are not subject to an independent examination.

Viability - The capacity of a retail centre to attract new economic and/or community investment.

Vitality - How busy a retail centre is at different times of the day. This can be measured in various ways e.g. foot traffic via pedestrian counts.

For more information log on to
www.knowsley.gov.uk/LocalPlan

You can also get this information in other formats.
Please phone Customer Services on 0151 443 4031 or
email customerservices@knowsley.gov.uk



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