

**Control of Retail uses with the
potential to cause harm health
Supplementary Planning
Document**

**Strategic Environmental
Assessment
Final Screening Statement**

September 2015

1. Introduction

- 1.1 This report has been produced to determine the need for a:
- I. **Strategic Environmental Assessment (SEA)** in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
 - II. **Habitats Regulations Assessment (HRA)** in accordance with article 6 of the EC Habitats directive 1992, as interpreted by Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 as amended (the habitats regulations).

For the proposed Control of Retail uses with the potential to cause harm health Supplementary Planning Document (SPD). *[This is now the Control of Hot Food Takeaways and Betting Shops SPD].*

2. Policy context

2.1 Government policies and the National Planning Policy Framework (The Framework) promote and recognise that the planning system can have an important role in promoting healthy communities. The NPPF has as one of its key objectives Promoting healthy communities (chapter 8).

2.2 Concentrations of some retail uses have the potential to cause negative harmful effects on health in particular on the health of vulnerable groups and a negative impact on the vitality of the local area.

2.3 The emerging Sefton Local Plan (2015) www.sefton.gov.uk/localplan includes policies EQ1- Planning for a Healthy Sefton and EQ10- Food and Drink.

2.4 The proposed Control of Retail uses with the potential to cause harm health Supplementary Planning Document will expand upon policies EQ1 (Planning for a Healthy Sefton) and EQ10 (Food and Drink) of the emerging Sefton Local Plan. (These policies are shown in Appendix B.) More detail on the scope of the SPD is set out below.

Introduction and Context

2.5 The link between the environment in which people live and their health is widely recognised. One element of this is the availability and concentration of certain uses in close proximity to where people live, work or go to school. Whilst it is expected and normal that people should take responsibility for their own lifestyle choices, an over-supply or concentration of these uses may restrict the ability of many people to exercise this choice. Over concentration of certain uses may also harm the health, character, vitality and viability of a centre or shopping parade.

2.6 The “Control of Retail uses with the potential to Harm SPD” could potentially cover the following uses:

- Takeaways
- Betting Shops
- Payday Loan Shops
- Tanning Salons
- E-cigarette/E-liquid Shops
- Legal High Shops.

2.7 The Supplementary Planning Document will support draft Local Plan policies:

- EQ1- Planning for a Healthy Sefton
- EQ10 –Food and Drink

Purpose and aims

2.8 The aim of the Supplementary Planning Document is to give provide clear guidance on how the Council will deal with planning applications for potentially harmful retail uses. The Supplementary Planning Document will set out the circumstances and locations where the Council will seek to restrict specified uses and the reasons why.

2.9 The document will set out principles and standards with the aim of preventing concentrations of potentially harmful uses that could have a negative impact upon the health of the residents of Sefton whilst at the same time respecting individual choice.

Part 1- SEA Screening

3. Screening

3.1 The requirement for a Strategic Environment Assessment (SEA) is set out in the “Environmental Assessment of Plans and Programmes Regulations 2004”. There is also practical guidance on applying European Directive 2001/42/EC produced by the ODPM (now DCLG)¹. These documents have been used as the basis for this screening report.

3.2 Previously all Development Plan Documents (DPDs) and Supplementary Planning Documents required Sustainability Appraisal. Sustainability Appraisal incorporated the requirements for SEA². However, the regulations were amended in 2009³. These amendments removed the requirement for the sustainability appraisal of supplementary planning documents. These changes were confirmed in the 2012 regulations⁴

3.3 Despite no longer requiring sustainability appraisal, SPDs may still require SEA. The ODPM practical guidance provides a checklist approach based on the SEA regulations to help determine whether SEA is required. This guide has been used as the basis on which to assess the need for SEA as set out below.

¹ A Practical Guide to the Strategic Environmental Assessment Directive (2005) (ODPM)

² The Town and Country Planning (Local Development) (England) Regulations 2004

³ The Town and Country Planning (Local Development) (England) (Amendment) Regulations

⁴ The Town and Country Planning (Local Planning) (England) Regulations 2012

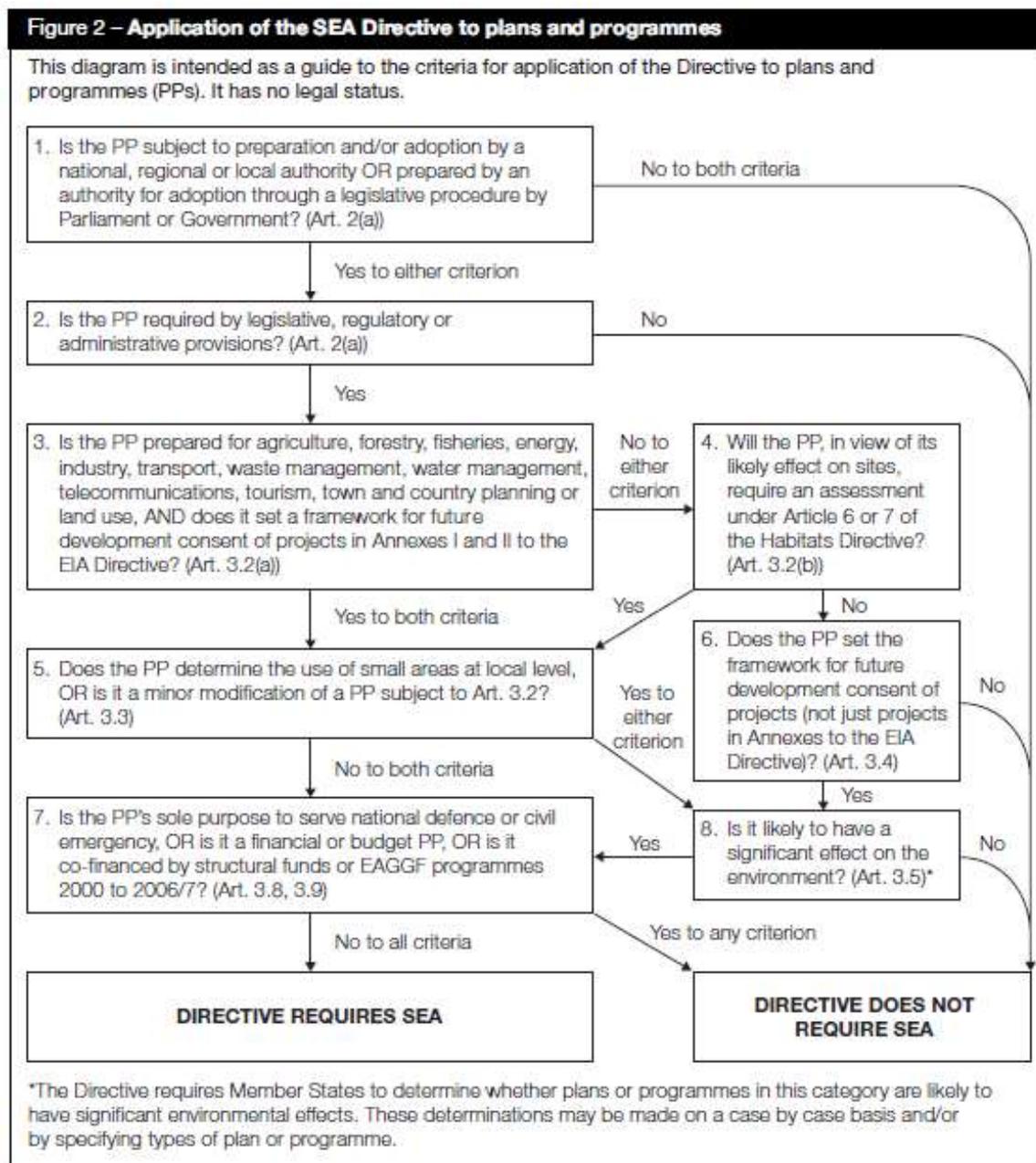


Table 1: Establishing the need for SEA

Stage [from the flowchart above]	Answer	Reason
1. Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of Government? (Article 2(a))	Yes	SPD to be adopted by Sefton Council

Stage [from the flowchart above]	Answer	Reason
2. Is the SPD required by legislative, regulatory or administrative provisions? (Article 2(a))	Yes	The detail that the Council wish to provide to the emerging local plan policy can only be given due weight if it is contained in a Supplementary Planning Document.
3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	No	The SPD is for town and country planning purposes but does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive
4. Will the SPD, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	No	The draft screening statement concludes that an assessment under the Habitats Directive is not required. (*see part 2)
6. Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Article 3.4)	Yes	Although the emerging local plan policies will set the overall framework, the SPD will provide additional guidance on the interpretation of these policies.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	No	See ' Table 2 ' below 'Determining the likely significance of effects'

Table 2: Determining the likely significance of effects on the environment

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)	Sefton Comment
<i>The characteristics of plans and programmes, having regard, in particular, to:</i>	
1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	The SPD will be providing additional guidance on existing policies that set the broad framework.
1b) The degree to which the plan or programme influences other plans and	The SPD can only expand on existing policies and should not introduce new

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)	Sefton Comment
programmes including those in a hierarchy	policies not contained in higher order plans.
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD will promote sustainable development by mitigating or reducing any negative impact on health from new retail development.
1d) Environmental problems relevant to the plan or programme	The SPD is unlikely to be directly relevant in regard to this criterion.
1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The SPD is unlikely to be directly relevant in regard to this criterion.
<i>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</i>	
2a) The probability, duration, frequency and reversibility of the effects	The anticipated effects on the areas covered by the SPD are expected to be positive. The duration of impacts are not likely to be long term or irreversible as retail units can change their use, indeed many uses can change us without a planning application through permitted development.
2b) The cumulative nature of the effects	The cumulative nature of effects on the environment is likely to be positive although relatively minor other than at a local level.
2c) The trans-boundary nature of the effects	None identified.
2d) The risks to human health or the environment (e.g. due to accidents)	The SPD will have a positive effect on human health and the local environment. These effects are expected to be minimal.
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will cover the borough of Sefton, although the SPD is likely to be relevant to urban areas only where there is the potential for retail uses, therefore the impact of the SPD will be on a moderately local level around retail developments.
2f) The value and vulnerability of the area	The SPD will only apply to retail

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)	Sefton Comment
likely to be affected due to: I. Special natural characteristics or cultural heritage, II. Exceeded environmental quality standards or limit values III. Intensive land-use	development that could potentially harm health. Other guidance and policies related to environmental issues are covered in the emerging local plan and emerging SPD guidance.
2g) The effects on areas or landscapes which have a recognized national, Community or international protection status	None identified. This will be dealt with by other policies/guidance.

4. Consultation

4.1 The Council consulted with the three statutory environmental bodies [see below] on this screening report and the determination. The table below provides their responses.

Statutory Body	Comments
Environment Agency	We have no objections with the conclusions of the report and have no other comments to make at this time.
Historic England	In terms of our area of interest, we would concur with your assessment that the document is unlikely to result in any significant environmental effects on the historic environment and will simply provide additional guidance on existing policies which have already been subject to a Sustainability Appraisal. As a result, we would endorse the conclusions that it is not necessary to undertake a Strategic Environmental Assessment of the document.
Natural England	Natural England has no comment to make

5. Conclusion and statement of reasons

5.1 The SPD is supplementing and will provide further guidance on policies EQ1 (Planning for a Healthy Sefton) and EQ10 (Food and Drink) of the emerging Local Plan. The SPD merely expands upon the policies to set out guidance on how to ensure that the health of residents is not negatively affected by concentrations of retail uses. Any impacts on the environment are likely to be local and small scale and positive in nature. The SPD will not allocate any housing sites.

5.2 The views of the statutory consultees are set out above.

5.3 It is considered that the Control of Retail uses with the potential to cause harm health SPD will not give rise to any significant environmental effects. Therefore, it is considered that a Strategic Environmental Assessment ***is not required*** for the proposed Control of Retail uses with the potential to cause harm health Supplementary Planning Document.

Part 2- HRA Screening

6. HRA Screening

6.1 The requirement for a Habitats Regulations Assessment (HRA) in accordance with article 6 of the EC Habitats directive 1992, as interpreted by Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 (as amended) (the habitats regulations). An assessment of the “likely significant effects” of a plan or project on sites of international nature conservation importance (Natura 2000 sites) is required. This part of the document sets out Sefton Council’s screening of the draft Control of Retail uses with the potential to cause harm health SPD in accordance with the habitats regulations.

6.2 The Sefton Local Plan Publication version (2015) was subject to HRA assessment produced by AECOM (formerly URS) (January 2015) that assessed in combination effects taking into account other plans and projects, Local Plan site allocations and policies. The HRA Report (January 2015) was produced by AECOM (formerly URS) included an assessment of in combination effects taking into account other plans and projects as well as Local Plan site allocations, policies and objectives and the impact of the plan as a whole. See <http://www.sefton.gov.uk/planning-building-control/planning-policy/evidence-and-studies/environmental.aspx>

6.3 In terms of the Control of Retail uses with the potential to cause harm health SPD SPD the “parent policies” are policies EQ1 (Planning for a Healthy Sefton) and EQ10 (Food and Drink) of the emerging Local Plan. Policy EQ10 was assessed as part of the HRA of the Local Plan. The policy was “screened out” meaning that there would not need to be an additional HRA assessment. The HRA comments on policy EQ10 are shown below.

EQ10

- *“No implications.*
- *This outlines policy for food and drink use proposals.*
- *There are no impact pathways.”*

However Policy EQ1 was “screened in” as there was potential for increased recreational pressure from increase in physical exercise.

EQ1

- *“HRA implications
This policy includes provision for health. It includes provision to encourage people to take physical exercise such as ‘walking, cycling, outdoor recreation, sport and physical exercise close to where people live’*
- *Impact pathways are: increased recreational pressure.”*

6.4 The SPD is supplementing and will provide further guidance on policies EQ1 (Planning for a Healthy Sefton) and EQ10 (Food and Drink) of the emerging Local Plan. The SPD merely expands upon the policies to set out guidance on how to ensure that the health of residents is not negatively affected by concentrations of potentially harmful, broadly retailing, uses.

6.5 The SPD will cover the borough of Sefton, although the SPD is likely to be relevant to urban areas only where there is the potential for potentially harmful, broadly retailing uses, therefore the impact of the SPD will be on a moderately local level around retail developments. Any impacts on the environment are likely to be local and small scale. Though the HRA of the Sefton Local Plan Publication version identified that an increase in physical exercise could lead to increased recreational pressure, the SPD does not deal with this part of Policy EQ1 (planning for a Healthy Sefton). It will not seek to promote an increase in physical exercise as its scope will be limited to controlling potentially harmful uses. Therefore the SPD will have no potential impacts on increased recreational pressure. Policy EQ10 (Food and Drink) controls air pollution arising from food or drink preparation and the policy has been screened out in the HRA. The SPD will not vary these controls set out in the policy.

6.6 More generally, policy NH2 'Protection of nature sites, priority habitats and species', which has also been subject to HRA, sets out more detailed requirements in relation to Nature 2000 sites and supporting habitats and to planning application stage site-specific HRA where relevant.

6.7 The following Natura 2000 sites are located within Sefton:

- Sefton Coast SAC
- Ribble and Alt Estuaries SPA and Ramsar site
- Mersey Narrows & North Wirral Foreshore SPA and Ramsar site (small part of site is at Seaforth Nature Reserve, the rest is approx. 1km+ away on Wirral).

6.8 In addition the following Natura 2000 sites are located outside of Sefton but were "screened in" to the HRA of the Local Plan publication draft.

- Liverpool Bay SPA
- Manchester Mosses SAC -
However, Sefton's Local Plan HRA Report concluded that Sefton is not adjacent to the M62; that the Local Plan includes proportionate measures to minimise its contribution to M62 vehicle movements; and that Sefton's effect on atmospheric nitrogen deposition on Manchester Mosses SAC is effectively inconsequential. Thus this site is not considered further in this HRA screening document.

6.9 Below is an assessment of potential pathways for impacts to the Natura 2000 site taking into account the HRA of the Publication version of the local plan.

Table 3: Assessment of likely significant effects (taking into account HRA Report for Publication Draft Local Plan (2015))

Potential pathway and Natura 2000 sites affected	HRA assessment regarding likely significant effects	Further comments
Recreational pressure / disturbance <ul style="list-style-type: none"> Sefton Coast SAC Ribble and Alt Estuaries SPA & Ramsar site Mersey Narrows & North Wirral Foreshore SPA and Ramsar site Liverpool Bay SPA (in-combination disturbance of birds through increase in ship movements and recreational pressure) 	No significant impacts.	SPD has no influence on location or number of new homes proposed and hence on recreational pressure, and no influence on ship movements. SPD will have no additional impacts compared to its parent policies EQ10 (Food and Drink) and EQ1 (Planning for a health Sefton) which have been screened out.
Disturbance to qualifying species <ul style="list-style-type: none"> Sefton Coast SAC Ribble and Alt Estuaries SPA and Ramsar site Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts.	SPD will have no additional impacts compared to its parent policies EQ10 (Food and Drink) and EQ1 (Planning for a health Sefton) which have been screened out.
Coastal squeeze <ul style="list-style-type: none"> Sefton Coast SAC Ribble and Alt Estuaries SPA and Ramsar site Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts.	SPD will have no additional impacts compared to its parent policies EQ10 (Food and Drink) and EQ1 (Planning for a health Sefton) which have been screened out.
Direct habitat loss through expansion of the Port at Seaforth <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD has no influence on Port expansion.
Direct habitat loss through mineral extraction	No significant impacts	SPD has no influence on minerals expansion.

Potential pathway and Natura 2000 sites affected	HRA assessment regarding likely significant effects	Further comments
<ul style="list-style-type: none"> Ribble and Alt Estuaries SPA and Ramsar site. 		
Loss of habitat / supporting habitat outside the <i>Natura 2000</i> site boundary <ul style="list-style-type: none"> Sefton Coast SAC Ribble and Alt Estuaries SPA and Ramsar site 	No significant impacts	SPD will have no additional impacts compared to its parent policies EQ10 (Food and Drink) and EQ1 (Planning for a health Sefton) which have been screened out.
Reduction in water quality <ul style="list-style-type: none"> Sefton Coast SAC Ribble and Alt Estuaries SPA and Ramsar site Mersey Narrows & North Wirral Foreshore SPA and Ramsar site Liverpool Bay SPA - potential for 'in combination' effects with other plans and projects (through sewage effluent discharges). 	No significant impacts	. SPD will have no additional impacts compared to its parent policies EQ10 (Food and Drink) and EQ1 (Planning for a health Sefton) which have been screened out.
Reduction in air quality <ul style="list-style-type: none"> Sefton Coast SAC Ribble and Alt Estuaries SPA and Ramsar site Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD will have no additional impacts compared to its parent policies EQ10 (Food and Drink) and EQ1 (Planning for a health Sefton) which have been screened out.
Mineral extraction <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD has no influence on minerals expansion.
Dredging and disturbance of sediments/benthic habitats <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site Liverpool Bay SPA (following Port expansion) 	No significant impacts	SPD has no influence on dredging or disturbance of benthic habitats, or on Port expansion.

6.10 The SPD is unlikely to have any significant effects on a SAC or SPA (Natura 2000 sites) above and beyond any significant effects that the Local Plan is likely to have, either individually or in combination with other plans and projects. The “parent policy” in the Local Plan was screened out meaning no further assessment is needed. The SPD is unlikely to give rise to impacts/significant effects on Natura 2000 sites

7. Consultation

7.1 The Council consulted the statutory body for the purposes of HRA, Natural England. The table below provides their response.

Statutory Body	Comments
Natural England	Natural England has no comment to make

8. Conclusion and statement of reasons

8.1 The SPD is supplementing and will provide further guidance on policies EQ1 (Planning for a Healthy Sefton) and EQ10 (Food and Drink) of the emerging Local Plan. The SPD merely expands upon the policies to set out guidance on how to ensure that the health of residents is not negatively affected by concentrations of retail uses. There are no significant effects on Natura 2000 sites in Sefton.

8.2 The comments of Natural England are set out above.

8.3 On the basis of the above information, Sefton Council is of the opinion and concludes that the proposed plan to which this screening opinion relates – the Control of Retail uses with the potential to cause harm health Supplementary Planning Document - :

a) is not directly connected with or necessary to the management of the site,

b) is not likely to have a significant effect on each of the following sites:

- Ribble and Alt Estuaries Ramsar site
- Ribble and Alt Estuaries Special Protection Area (SPA)
- Sefton Coast Special Area of Conservation (SAC)
- Mersey Narrows and North Wirral Foreshore Ramsar site
- Mersey Narrows and North Wirral Foreshore Special Protection Area (SPA).
- Liverpool Bay SPA.
- Manchester Mosses SPA.

either alone or in combination with other plans or projects.

And accordingly, **no “appropriate assessment” is required** to be made under Regulations 61, 62 and 63 of the Conservation (Natural Habitats &c) Regulations (as amended) before the Council decides to undertake, or give any consent, permission or other authorisation for this plan.

Part 3- Appendices

Appendix A- Contact details

Further information can be obtained from:

Andrew Hunt
Planning Officer
Local Plan Team
Sefton Council
Magdalen House
Trinity Road
Bootle L20 3NJ

Andrew.hunt@sefton.gov.uk
(0151) 934 3827

Appendix B - Extract from Sefton Publication Draft Local Plan (2015): Parent Policies text

HEALTH AND WELLBEING

10.2 Improving health and wellbeing is a corporate priority for Sefton, as set out in 'Living Well in Sefton: Sefton's Health and Wellbeing Strategy 2014-2020' (2014). Addressing health and wellbeing issues is complex and planning plays a role in helping to create a healthy Sefton. This policy sets out how development should contribute to the creation of healthy communities.

EQ1 PLANNING FOR A HEALTHY SEFTON

Development should help maximise opportunities to improve quality of life to make it easier for people in Sefton to lead healthy, active lifestyles, by:

- Improving access to a choice of homes and providing new homes that meet the needs of future occupiers
- Improving access to jobs
- Making adequate provision for safe waste storage or recycling opportunities
- Designing easy to maintain, safe and attractive public areas which minimise the opportunity for crime and reduce the fear of crime, and which promote social cohesion
- Encouraging people to take physical exercise by providing opportunities for walking, cycling, outdoor recreation and sport
- Appropriately locating food and drink shops, hot food takeaways, drinking establishments, restaurants, cafes and other non food and drink uses, having regard to other land uses in the local area
- Having regard to accessibility of homes, education, jobs, public transport services, health and other services, recreational opportunities and community, cultural and leisure facilities
- Encouraging measures to achieve affordable warmth
- Managing air quality and pollution.

National /regional context

- 'The Marmot Review: Fair Society, Healthy Lives' (2010)
- 'Healthy Lives, Healthy People' (White Paper 2011)

Explanation

10.3 While the planning process has only an indirect effect on health generally, it can have more influence on environmental inequalities which affect health and quality of life. The main aim of this policy is to set a strategic planning framework which will help the Council to achieve its corporate priorities. Health and wellbeing is a high corporate priority in Sefton. The policies in this chapter will help to achieve these priorities.

- 10.4 Sefton has higher than national average levels of people who live in poor health with life expectancy lower than the national average and deprivation, unemployment and child poverty higher than the national average. Sefton has significantly higher than the national average levels of people with excess weight and higher than average levels of childhood obesity in addition to high numbers of residents with a range of long term health conditions and/or mental health problems. Many of the latter are predicted to worsen due to an ageing population. Inequality of health varies significantly across the borough.
- 10.5 Part of the aspiration of 'Living Well in Sefton' is, by 2020, to:
- Improve the care, health and wellbeing of all Sefton residents and narrow the gap between those communities with the best and worst health and wellbeing outcomes
 - Promote independence and help build personal and community resilience.
 - Work with parents and carers so that all children and young people have opportunities to become healthy and fulfilled adults
 - Create a place where older people can live, work and enjoy life as valued members of the community.
 - Improve opportunities and support residents to make choices so that people are able to live, work and spend their time in a safe and healthy environment
 - Provide early support so that people can remain independent for longer.
- 10.6 The 2012 Joint Strategic [Health] Needs Assessment recognised the need to improve health and well-being, especially for those in the poorest parts of Sefton, by promoting access to local, affordable and healthy food, smoke-free environments like playgrounds, safe and accessible routes for walking and cycling, and regular physical activity.
- 10.7 The '2014 Sefton Strategic Needs Assessment – Environmental' document emphasises that the quality of people's living environment has a profound effect on their health and wellbeing (the wider determinants of health). The document states that health inequalities in Sefton are linked to the unequal impact of environmental influences on health and wellbeing. It identifies particular quality of life issues relating to the environment, including: air quality and pollution, climate change, energy and affordable warmth, housing decency and affordability, transport and accessibility, waste management, and greenspace.

FOOD AND DRINK

10.77 Food and drink uses are important economically and socially for all of Sefton's communities. However they can also be harmful to the living conditions of residents and a proliferation of certain uses can undermine the vitality and viability of local centres and parades. Too many food and drink uses in an area may also encourage unhealthy lifestyle choices for residents. This policy sets out how these issues will be balanced.

EQ10 FOOD AND DRINK

1. Proposals for food and drink uses in the town, district and local centres will only be permitted where they are located so as to meet all of the following criteria:

- They would not cause significant harm to local amenity
- They would not result in unacceptable groupings of similar uses where they would harm the character of the area or harm public health, and
- Any external ventilation and extractor systems do not:
 - Significantly harm the external appearance of the building or the street scene
 - Harm the residential amenity of neighbouring properties through noise or odours.

2. Proposals for food and drink uses in or adjacent to Primarily Residential Areas and/or close to school and educational establishments will not be permitted where they cause significant harm to living conditions for local people, encourage unhealthy lifestyle choices in local people or harm the residential character of the local area.

Key Policy Links:

- ED2 Development in town, district and local centres and shopping parades
- HC3 Residential development and development in Primarily Residential Areas

Explanation

10.78 Food and drink uses have the potential to have particular impacts upon the visual and residential amenity of an area and to the health of local communities. They may be acceptable within the Primarily Residential Area, if they do not harm residential amenity. This policy specifically refers to food and drink uses as covered by classes A3-A5 of the Use Classes Order, that is, Restaurants and cafes, drinking establishments and hot food takeaways. This policy does not apply to shops [Use Class A1] which sell food, such as groceries or sandwiches and other cold food, for consumption off the premises.

10.79 In order to protect the amenity of neighbouring occupiers, conditions will be used to restrict opening hours.

10.80 Details of external flues and extractor systems must be submitted with all applications. Conditions may be used to restrict opening hours where appropriate.

10.81 The Council intends to prepare supplementary guidance on this issue. Where evidence that proliferation of food and drink uses are potential causing harm localised areas, the Council will consider restricting the scope to change uses under 'permitted development rights' through an Article 4 Direction.

Appendix C – Natura 2000 sites in Sefton

