

Hot Food Takeaway SPD Consultation Comments and Responses Schedule May 2022

ID	Organisation	Document Section / Page	Comment	Change(s) Required	Council response and proposed changes to the SPD
HFT_SPD7	Private individual	1.1	<p>How can any committee, possibly conceive, that there are not enough fast-food outlets in Batley Town centre? This planning section notes that all impacts must be considered, including health, and highways! None of this is being considered in the slightest.</p>		<p>No change.</p> <p>Comment noted.</p> <p>This SPD provides guidance on health and highways impacts, that must be considered as part of any planning application for a hot food takeaway.</p>
HFT_SPD8	Natural England	1.1	<p>Thank you for your consultation on the above dated 9 November 2021, which was received by Natural England on 9 November 2021.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure, and access to and enjoyment of nature.</p> <p>Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.</p> <p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p>		<p>No change.</p> <p>The requirement for Strategic Environmental Assessment (SEA) was fully considered through the Screening Statement and Determination Statement, which can be viewed at: Hot food takeaway Supplementary Planning Document Consultation Kirklees Council</p>

			<p>Strategic Environmental Assessment/Habitats Regulations Assessment</p> <p>A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p> <p>Please send all planning consultations electronically to the consultation hub at consultations@naturalengland.org.uk.</p>		
HFT_SPD9	Historic England	1.1	<p>Thank you for your consultation email of 9 December 2021.</p> <p>Our specialist staff have considered the information submitted and we do not have any comments to make on the proposals.</p> <p>Please do not hesitate to contact us again if you require any further information or have any future proposals for us to consider.</p>		<p>No change.</p> <p>Comment noted.</p>
HFT_SPD10	Environment Agency	1.1	<p>Thank you for consulting the Environment Agency on the above SPD.</p> <p>We will not be making any comments on this document as it does not relate directly to any of the issues within our remit.</p>		<p>No change.</p> <p>Comment noted.</p>
HFT_SPD11	The Coal Authority	1.1	<p>Thank you for your notification received on the 9th November 2021 in respect of the above consultation.</p> <p>The Coal Authority is a non-departmental public</p>		<p>No change.</p> <p>Comment noted.</p>

			<p>body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.</p> <p>Our records indicate that within the Kirklees Council area there are recorded coal mining features at surface and shallow depth including; 3885 mine entries, shallow workings, surface mining activity and reported surface hazards. These features pose a potential risk to surface stability and public safety.</p> <p>However, we note that this current consultation relates to a Hot Food Takeaway SPD and can confirm that the Planning team at the Coal Authority have no specific comments to make on this document.</p>		
HFT_SPD3	Private individual	2.8	<p>What has been said is correct in every particular. What hasn't been mentioned is that hot food takeaways are endemic in most countries; yet they don't have as great an obesity problem. This policy is moving towards a nanny state.</p>		<p>No change.</p> <p>The SPD is part of a package of measures to promote and support healthy eating choices.</p>
HFT_SPD14	Kentucky Fried Chicken	3.3	<p>Amendments to the Use Classes Order in 2020 seem to remove the possibility of ancillary hot food takeaway activity and, therefore, of mixed uses that comprise it. Instead, the threshold for such a use falling outside Class E is either when sale is no longer principally to visiting members of the public or when consumption of hot food sold there is mostly (i.e. more than half) off the premises. It is for the applicant to decide what to apply for, but guidance as to how premises may trade and thus what ought to be applied for will certainly reduce the chances of unlawful development.</p>	<p>In deciding what to apply for, applicants must consider the likely proportions of visiting members of the public and of hot food consumed off the premises. Experience from similar premises elsewhere will be most useful in predicting these, but in the absence of this, the proportion of space for hot food preparation</p>	<p>Comment noted.</p> <p>Proposed Modification: <u>3.3 It is for the applicant to determine whether their business will trade as a hot food takeaway which sell hot food where the consumption of that food is mostly undertaken off the premises and apply for planning permission for the correct use. In deciding whether an application is for a hot food takeaway, consideration will be given to the proportion of space designated for hot food preparation. To help with this, key considerations of how the business will operate are set out in paragraph 3.5. Where</u></p>

				and the number of tables and chairs can be useful predictors. Applicants should be aware that it is their responsibility to apply for the correct use.	clarification is required, applicants are advised to consult with Kirklees Council. Restaurants and cafes often have an ancillary takeaway element and hot food takeaways can have ancillary eat in facilities.
HFT_SPD15	Kentucky Fried Chicken	Table 4 Examples of Hot Food Takeaway Sui Generis Use	We do not consider that the list of uses is accurate or useful, as many of the uses listed are often combined with a restaurant within the same planning unit and the proportion of visiting members of the public and of hot food consumed off the premises can vary both from site to site and seasonally. Drive-throughs in particular can be difficult to categorise, as customer behaviour (e.g. eating in the restaurant or their car whilst still on site, taking-away from the counter then eating in their car, eating some in their car whilst still on site and then driving away) can all affect how premises are categorised.	Ideally delete table, but at least replace "fast food" with "Some" before "Drive Through" and pluralise latter.	Comment noted. Table 4 sets out examples of uses which are considered to be hot food takeaways, and those which are not. This list is not exhaustive. It is the applicant's responsibility to apply for the correct use. Proposed Modification: Fast Food <u>Some Drive Throughs</u>
HFT_SPD16	Kentucky Fried Chicken	Policy HFT1 Public Health Toolkit	We are concerned that this is not truly supplementary to policies of the development plan, not least because, if it were, then the relevant policy would have required the scale of its effect to be mapped with evidence for why the particular scoring has been used. It is also unreasonable to the extent that it seems to lay the responsibility for poor scores entirely on hot food takeaways, when nutritional quality in the rest of the food and drink sector (now within Class E) is very often worse (Robinson et al, 2018). Attached: Robinson et al (2018) (Over)eating out at major UK restaurant chains: observational study of energy content of main meals.		Comment noted. No change. SPDs are produced to add clarity in relation to the application of planning policies set out in the Local Plan. The Hot Food Takeaway SPD provides clear guidance about how the council will implement Local Plan policies LP16 and LP47 and how decisions will be made which balance the need to consider the vitality and viability of centres whilst promoting healthy, active and safe lifestyles. The Public Health Toolkit is one way in which the local authority is working to reduce obesity. It is recognised that there are a range of factors which influence obesity and

					<p>the obesogenic environment, as highlighted in the SPD.</p> <p>The scores used in the tool cover a range of indicators which demonstrate the levels of obesity and associated indicators at local level.</p> <p>A range of indicators are used so it's not unfairly weighted if it performs badly in one area.</p> <p>These indicators are as follows:</p> <ul style="list-style-type: none">• Deprivation• Diabetes• Coronary Heart Disease• Adults Overweight• Adults Obese• 5-year-olds with excess weight• 11-year-olds with excess weight <p>The tool is proportionate, if the scores are significantly above Kirklees average for each indicator, then Public Health Improvement will advise consideration over the application, whilst recognising other mitigating factors.</p> <p>In Kirklees we are taking a whole systems approach, through the application of a range of policy drivers, working with our partners and stakeholders to coproduce measures which enable communities to access the support they need and through creating health promoting environments where healthy choices are the easy choice.</p> <p>Alongside the work we are undertaking</p>
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					<p>concerning hot food takeaways, there are a broader set of system wide actions which support our healthy weight ambition:</p> <ul style="list-style-type: none"> • Heathy Weight Declaration Commitments being delivered • Work to ensure that good quality food and nutrition is available to everyone irrespective of where they live and what they earn • Working with schools to ensure that good quality nutritional meals are provided to children, along with good quality opportunities to be physically active. These opportunities are extended into the Holiday Activity and Food programmes and enrichment activities supported by the schools. • Working with Early Years to ensure that children and families are equipped to lead healthy lives in terms of food, joyful movement, good quality sleep, etc. • Joint working between Planning and Public Health to ensure that the built environment is conducive to health • Working with Transport Strategy and Policy to ensure that the transport schemes, existing and the new transport networks is conducive to health by way of active travel • Working with stakeholders to ensure that good quality opportunities to be physically active are offered to those not currently active.
HFT_SPD17	Kentucky Fried Chicken	Policy HFT2 Town Centre Vitality and Viability	We appreciate the recognition in the higher percentages for smaller centres that hot food takeaways are often a lower-order use in the retail hierarchy. However, as the mapping shows, this will often be rendered irrelevant as the lower-order		<p>Comment noted.</p> <p>No change.</p> <p>Policy HFT3 proximity to schools sets out</p>

		Table 5 Shopping Centre Hierarchy Hot Food Takeaway Threshold	centres are not excluded from the effect of draft HFT3, which covers large swathes of settlements.		conditions that limit opening hours of new hot food takeaways that are within 400m of primary and secondary schools. The policy does not seek to refuse applications in these areas and therefore the higher percentages allowed for in the smaller centres are still valid.
HFT_SPD19	Private individual	Policy HFT2 Town Centre Vitality and Viability Table 5 Shopping Centre Hierarchy Hot Food Takeaway Threshold	<p>We wish to comment on the Hot Food Takeaway Supplementary Planning Document.</p> <p>We have attempted to use the Online System to comment, but it is just way too long & complex, so we are emailing you instead.</p> <p>This policy is well overdue. There is an obvious need to restrict the number of hot food takeaways in a given area – both from a nuisance & public health perspective.</p> <p>However, the policy is useless unless it is enforced by KMC.</p> <p>We live in Marsh, so this area is of particular interest to us. In appendix 2, Marsh is classed as a District Centre. By our reckoning, the numbers for takeaways are a little low. Do you only include the premises on the main road? Surely the fish & chip shops on Jim Lane & Smiths Ave should be included? If it does only include the main road, then surely this policy would serve to drive new hot food takeaways in Marsh, but away from the main road.</p> <p>The KFC in Marsh expanded some time ago into a 2nd shop unit. Presumably it only counts as one hot food takeaway in your counts? What is to stop someone merging a whole row of shops into a single unit, which inside has multiple stalls selling different</p>		<p>Support.</p> <p>The boundary of Marsh district centre is defined in the Kirklees Local Plan which was adopted on 27 February 2019.</p> <p>Marsh District centre boundary encompasses the area on Westbourne Road that is predominately occupied by retail, leisure and other commercial uses and has been defined in accordance with the National Planning Policy Framework. It does not include the fish and chip shops on Jim Lane and Smiths Avenue as these are separated from the district centre by residential properties.</p> <p>The purpose of policy HFT2 is to ensure that the introduction of a new hot food takeaway within a defined centre is not harmful to its vitality and viability.</p> <p>Local Plan policy LP16 Food and drink uses, and the evening economy sets out several criteria that will be considered for a planning application including those located outside of defined centres which have been supplemented by policies the Hot Food Takeaway SPD.</p>

			<p>takeaways – would this only count as 1?</p> <p>In any event, Marsh exceeds the 15% threshold for District Centres, so we would expect the policy to allow refusal of further hot food takeaways in the area.</p> <p>We do not understand why the threshold is 10% in Town Centres, and 15% elsewhere. Why not 10% everywhere?</p> <p>The fact that new takeaway applications will be subject to stricter requirements on Noise Abatement & Odours, Waste Disposal, Design & Highway Safety is a good thing.</p>		<p>KFC in Marsh is counted as one unit and is a fast-food restaurant rather than a hot food takeaway. It is classed as a fast-food restaurant because the proportion of the premise used for the hot food takeaway element (as oppose to a seating area) is equal to or smaller than the non-hot food takeaway element.</p> <p>Where adjacent shop units are occupied by different uses such as hairdressers, opticians, convenience store, hot food takeaway for example, planning permission is required to merge units into one and as such the proposal would be subject to local and national planning policy.</p> <p>The threshold is 15% for district and local centres because these smaller centres have less shop units within them. When calculating the percentage of hot food takeaways within a defined centre boundary, one or two hot food takeaways could equate to 10%. For example, a local centre with 20 units surveyed that has 2 hot food takeaways would equate to 10%. District and local centres serve residential areas, hot food takeaways are a part of the local economy, they are part of the mix of uses within centres and provide consumer choice. Therefore, the threshold is slightly higher to allow for consumer choice and to support the local economy.</p>
HFT_SPD21	Kentucky Fried Chicken	Policy HFT2 Town Centre Vitality and Viability	We appreciate the recognition in draft HFT2 that hot food takeaways are often a lower-order use in the retail hierarchy with the higher percentages therein for smaller centres.		<p>Support.</p> <p>No change.</p> <p>Comment noted.</p>

		Table 5 Shopping Centre Hierarchy Hot Food Takeaway Threshold			
HFT_SPD18	Kentucky Fried Chicken	Policy HFT3 Proximity to Schools	<p>We appreciate the recognition in draft HFT2 that hot food takeaways are often a lower-order use in the retail hierarchy with the higher percentages therein for smaller centres. However, as the mapping shows, this will often be rendered irrelevant as lower-order centres are not excluded from the effect of draft HFT3. This would be in direct conflict with the sequential approach and result in progressively less sustainable development patterns and loss of footfall for co-located lower-order uses (e.g. convenience stores).</p> <p>Similarly, we appreciate some of the thinking behind the different time restrictions for primary and secondary schools, but appeal decisions (see 2159082 attached) and Local Plan Inspector's reports have consistently indicated that not only is there no evidence that the (weak and often conflicting) correlation between proximity and incidence implies causality, but that furthermore there is in the case of primary schools no mechanism by which causality could occur as primary school children are accompanied.</p> <p>As there are about four or five primary schools for each secondary school, it can easily be seen that the downside impacts are far greater in scale from such a policy where primary schools are included than they are for one that does not.</p>	Include exemptions for all town centres and delete references to primary schools throughout.	<p>HFT2 would be the first principle that any planning application would need to comply with, if it does and is within 400m of a school restricted opening hours would apply, as per HFT3.</p> <p>Supporting information and evidence for HFT3 can be found in Appendix 3 of the SPD, including further evidence supporting a restrictive buffer around schools and evidence for using a 400m-walking-distance restrictive buffer.</p> <p>Our approach is proportionate and demonstrates flexibility. If the scores are significantly above Kirklees average for each indicator then Public Health Improvement will advise consideration over the application, whilst recognising other mitigating factors.</p> <p>There are many appeal decisions which indicate that hot food takeaways close to schools exacerbate health and well-being issues in the area, as an example:</p> <p>A 2021 dismissed appeal decision is of particular relevance from Bristol City Council (APP/Z0116/W/21/3267875 100 Newquay Road, Knowle, Bristol). The inspector had regard to the location of the site within 400</p>

					<p>metres of a primary school and an access to a planned secondary school. In the inspector's view, an additional takeaway alongside the existing convenience store and fish and chip shop would be likely to attract young people to the parade and may also attract parents looking for a quick meal or snack option after school or following after-school activities. In this location, the takeaway would not promote healthy lifestyles and would be likely to influence behaviour harmful to health, contrary to development plan policy.</p> <p>The obesity rates and percentage of children carrying excessive weight in primary schools as identified in the National Child Measurement Program (NCMP, 2018/19). In Kirklees 24.6% of reception children are overweight or obese and 36.7% of Year 6 children are overweight or obese. This demonstrates a need for the 400m restrictive zones around all schools in the Kirklees District.</p> <p>The percentages of overweight and obese reception and year 6 children have increased since the previous year which were 23.2% and 35.5% respectively.</p> <p>YouGov report that the average age for a child to begin walking themselves to school is 10. For most children this is the last year of primary school. The most common time for children to purchase fast food is after school on the journey home, with many children skipping lunch in order to spend the money outside the school gate (Caraher, 2014).</p>
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					<p>Nutritional surveys show that primary school age children eat takeaways regularly. According to a 2017 resident survey in Southwark 2% of primary school age children were reported to have eaten a takeaway on the way home from school. Given a choice children will choose to purchase the food which they find most pleasurable to eat with little regard for nutritional or health related factors (Macdiarmid et al, 2015).</p> <p>There is evidence that the food environment, including the physical accessibility of fast-food outlets, influences the types of food consumed, and may in turn contribute to obesity levels. Placing a takeaway right next to a school produced a 5.2% increase in obesity among students, linking obesity levels in schoolchildren to the proximity of fast-food restaurants to schools (Pathania, V. 2016)</p> <p>Researchers have also successfully identified the link between the presence of a hot food takeaway within 400m of schools and childhood obesity (Fraser et al, 2010 & Barrett et al, 2017).</p>
HFT_SPD22	McDonald's Restaurants LTD	Policy HFT3 Proximity to Schools	<p>Objection</p> <p>We have considered the proposed Supplementary Planning Document, with regard to the principles set out within the Framework. We fully support the documents' aim of promoting healthier living and tackling obesity. However, the proposed guidance in HFT3 and its approach is unsound.</p> <p>Restricting the opening hours of restaurants that are within 400m of schools has no proven impact on obesity. Neither does restricting restaurants within</p>	Planware Ltd would welcome and support proposals for a wider study of the causes of obesity and their relationship with development, including examination of how new development can best support healthy lifestyles and the	<p>This SPD seeks to provide a framework to support a balanced and fair approach to supporting local business and economic growth whilst also taking steps to ensure our environments support the health and wellbeing of our residents.</p> <p>Paragraph 92 of the Framework states that planning policies and decisions should enable and support healthy lifestyles, especially where this would address</p>

		<p>400m of schools. Primary & middle school children are almost always accompanied by adults and therefore any visits to restaurants will be a matter of choice for a responsible adult. If primary children are unaccompanied, they are unlikely to have the financial capacity to purchase a meal. Closing a restaurant for 2 hours in the afternoon is prohibitive, especially as the guidance makes no allowance for when schools are closed (almost half the year, or approximately 170 days per year).</p> <p>McDonald's and most other restaurants do not choose to locate near schools as a matter of choice or principle. However, with the predominance of primary schools it is almost impossible to find locations for new restaurants that are in sustainable locations close to the residential population. Schools are located near residential populations too. Requiring a restaurant to closed for 2 hours in the afternoon will preclude good quality restaurants and encourage those that just serve the evening economy such as kebab or pizza takeaway. Such takeaways have less of an incentive to consider healthy eating. The diversion of jobs and investment to less restrictive and less sustainable areas will occur.</p> <p>The guidance is also unclear on the matter of takeaway from drive-thrus or deliveries from those stores as it references counter sales. Drive-thru lanes are not typically used by unaccompanied children as one must use a vehicle to use the lane. Delivery is age restricted in the app and by purchase method.</p> <p>The SPG guidance takes no account of food sold from other retail establishments, such as supermarkets, filling stations, local shops and CNT's.</p>	<p>tackling of obesity. When a cogent evidence base has been assembled, this can then inform an appropriate policy response. That time has not yet been reached.</p> <p>It is considered until such a time has been reached, HFT3 should be removed. At the very least, reference to primary schools and the associated restrictions on opening hours should be removed</p>	<p>identified local health and wellbeing needs, for example access to healthier food.</p> <p>NPPG offers further guidance in that SPDs can seek to limit the proliferation of particular uses where evidence demonstrates this is appropriate. Having regard to:</p> <ul style="list-style-type: none"> • proximity to locations where children and young people congregate such as schools, community centres and playgrounds • evidence indicating high levels of obesity, deprivation, health inequalities and general poor health in specific locations • over-concentration of certain uses within a specified area • odours and noise impact • traffic impact • refuse and litter <p>The Government's Healthy Lives, Healthy People: A call to action on obesity in England (2011) recognises the role that the planning system can play in supporting public health and creating a healthier built environment, by for example, developing supplementary planning policies.</p> <p>Promoting healthy weight in children, young people and families: A resource to support local authorities (PHE, 2018) makes recommendations for local government, including a 'whole systems' approach to achieving aims such as improving the availability of healthy food. The report suggests that planning authorities should make full use of planning powers to restrict</p>
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		<p>located within 400m of a secondary school unless it can be clearly demonstrated that the proposal will not have a negative impact on health and well-being the criterion and justification should therefore be deleted/amended.</p> <p>The inspector at Rotherham stated “Policy SP25 sets out various criteria against which proposals for hot food takeaways will be assessed. One of the criteria is designed to prevent hot food takeaways within 800 metres of a primary school, secondary school or college when the proposed site is outside a defined town, district or local centres. Having carefully considered the material before me and the discussion at the Hearing I do not consider there is sufficient local evidence to demonstrate a causal link between the proximity of hot food takeaways to schools and colleges and levels of childhood obesity. Although I accept that levels of childhood obesity need to be tackled by both local and national initiatives I do not consider there are sufficient grounds at the present time to include this particular aspect of land use policy in the RSPP”.</p> <p>In Guildford, the inspector stated “Finally, the submitted Plan contains a requirement common to Policy E7 Guildford town centre, E8 District Centres and E9 Local Centres and isolated retail units that resists proposals for new hot food takeaways within 500 metres of schools. However, the evidence indicates that childhood obesity in Guildford is lower than the average for England. Childhood obesity may be a product of a number of factors, not necessarily attributable to takeaway food; takeaways often sell salads as well as nutritious foods; not all kinds of takeaway food are bought by children; children have traditionally resorted to shops selling sweets and fizzy drinks, which would be untouched by the</p>		<p>authority has also committed to a range of other measures to contribute towards tackling obesity.</p> <p>In Kirklees we are taking a whole systems approach, through the application of a range of policy drivers, working with our partners and stakeholders to coproduce measures which enable communities to access the support they need and through creating health promoting environments where healthy choices are the easy choice.</p> <p>Alongside the work we are undertaking concerning hot food takeaways, there are a broader set of system wide actions which support our healthy weight ambition:</p> <ul style="list-style-type: none"> • Heathy Weight Declaration Commitments being delivered • Work to ensure that good quality food and nutrition is available to everyone irrespective of where they live and what they earn • Working with schools to ensure that good quality nutritional meals are provided to children, along with good quality opportunities to be physically active. These opportunities are extended into the Holiday Activity and Food programmes and enrichment activities supported by the schools. • Working with Early Years to ensure that children and families are equipped to lead healthy lives in terms of food, joyful movement, good quality sleep, etc. • Joint working between Planning and Public Health to ensure that the built environment is conducive to health
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			<p>policy; and the policy would have no bearing on the many existing takeaways. In this context there is no evidence that the requirement would be effective in safeguarding or improving childhood health. It would be an inappropriate interference in the market without any supporting evidence and would therefore be unsound”.</p> <p>Planware Ltd considers there is no sound justification for proposed Policy HFT3 which imposes commercial restrictions on restaurants that include an element of hot food takeaways within a 400m radius from a primary or secondary school. Policy HFT3 should therefore be removed to provide consistency and to abide by the Framework.</p>		<ul style="list-style-type: none"> • Working with Transport Strategy and policy to ensure that the transport schemes, existing and the new transport networks is conducive to health by way of active travel • Working with stakeholders to ensure that good quality opportunities to be physically active are offered to those not currently active • Working to develop a ‘weight neutral’ approach to focus on healthy behaviours rather than weight, shape and body size. <p>There are many appeal decisions which indicate that hot food takeaways close to schools exacerbate health and well-being issues in the area, as an example:</p> <p>A 2021 dismissed appeal decision is of particular relevance from Bristol City Council (APP/Z0116/W/21/3267875 100 Newquay Road, Knowle, Bristol). The inspector had regard to the location of the site within 400 metres of a primary school and an access to a planned secondary school. In the inspector's view, an additional takeaway alongside the existing convenience store and fish and chip shop would be likely to attract young people to the parade and may also attract parents looking for a quick meal or snack option after school or following after-school activities. In this location, the takeaway would not promote healthy lifestyles and would be likely to influence behaviour harmful to health, contrary to development plan policy.</p> <p>In conclusion, the SPD is supported by robust</p>
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					evidence based on Kirklees health indicators. The policy approach is proportionate and flexible through the consideration of material considerations which seek to balance health and economic aims.
HFT_SPD20	Private individual	Policy HFT4 Noise Abatement & extraction of Odours	<p>We wish to comment on the Hot Food Takeaway Supplementary Planning Document.</p> <p>We have attempted to use the Online System to comment, but it is just way too long & complex, so we are emailing you instead.</p> <p>This policy is well overdue. There is an obvious need to restrict the number of hot food takeaways in a given area – both from a nuisance & public health perspective.</p> <p>However, the policy is useless unless it is enforced by KMC.</p> <p>We live in Marsh, so this area is of particular interest to us. In appendix 2, Marsh is classed as a District Centre. By our reckoning, the numbers for takeaways are a little low. Do you only include the premises on the main road? Surely the fish & chip shops on Jim Lane & Smiths Ave should be included? If it does only include the main road, then surely this policy would serve to drive new hot food takeaways in Marsh, but away from the main road.</p> <p>The KFC in Marsh expanded some time ago into a 2nd shop unit. Presumably it only counts as one hot food takeaway in your counts? What is to stop someone merging a whole row of shops into a single unit, which inside has multiple stalls selling different takeaways – would this only count as 1?</p> <p>In any event, Marsh exceeds the 15% threshold for</p>		<p>Support.</p> <p>No change.</p> <p>Comment noted. See response to HFT_SPD19.</p>

			<p>District Centres, so we would expect the policy to allow refusal of further hot food takeaways in the area.</p> <p>We do not understand why the threshold is 10% in Town Centres, and 15% elsewhere. Why not 10% everywhere?</p> <p>The fact that new takeaway applications will be subject to stricter requirements on Noise Abatement & Odours, Waste Disposal, Design & Highway Safety is a good thing.</p>		
HFT_SPD4	Private individual	Policy HFT5 Waste Disposal	<p>Litter in the vicinity of hot food takeaways is a major problem. Food debris attracts vermin; and the streets are a mess. All premises should be obliged to provide lidded bins, which owners should empty. They also should clear up outside their premises. Whilst only a small percentage of food is consumed in the immediate area, it is obvious by the amount of litter that these customers seem particularly negligent about disposing of their litter.</p>		<p>No change.</p> <p>Comment noted.</p> <p>This SPD requires applicants to submit a Waste Strategy as part of any planning application.</p>
HFT_SPD12	Historic England	Policy HFT5 Waste Disposal	<p>Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.</p> <p>Thank you for consulting Historic England on the above document. Our comments are confined to the following:</p> <ul style="list-style-type: none"> • We support the first bullet reference under HFT 5 Waste Disposal to bin stores external to the building 		<p>Support.</p> <p>No change.</p> <p>Comment noted.</p>

			<p>needing to be adequately screened in a manner and location that does not detract from the street scene or the character of the area.</p> <p>If you have any queries or would like to discuss anything further, please do not hesitate to contact me.</p>		
HFT_SPD23	Private individual	Policy HFT5 Waste Disposal	<p>We wish to comment on the Hot Food Takeaway Supplementary Planning Document.</p> <p>We have attempted to use the Online System to comment, but it is just way too long & complex, so we are emailing you instead.</p> <p>This policy is well overdue. There is an obvious need to restrict the number of hot food takeaways in a given area – both from a nuisance & public health perspective.</p> <p>However, the policy is useless unless it is enforced by KMC.</p> <p>We live in Marsh, so this area is of particular interest to us. In appendix 2, Marsh is classed as a District Centre. By our reckoning, the numbers for takeaways are a little low. Do you only include the premises on the main road? Surely the fish & chip shops on Jim Lane & Smiths Ave should be included? If it does only include the main road, then surely this policy would serve to drive new hot food takeaways in Marsh, but away from the main road.</p> <p>The KFC in Marsh expanded some time ago into a 2nd shop unit. Presumably it only counts as one hot food takeaway in your counts? What is to stop someone merging a whole row of shops into a single unit, which inside has multiple stalls selling different takeaways – would this only count as 1?</p>		<p>Support.</p> <p>No change.</p> <p>Comment noted. See response to HFT_SPD19.</p>

			<p>In any event, Marsh exceeds the 15% threshold for District Centres, so we would expect the policy to allow refusal of further hot food takeaways in the area.</p> <p>We do not understand why the threshold is 10% in Town Centres, and 15% elsewhere. Why not 10% everywhere?</p> <p>The fact that new takeaway applications will be subject to stricter requirements on Noise Abatement & Odours, Waste Disposal, Design & Highway Safety is a good thing.</p>		
HFT_SPD13	Historic England	Policy HFT6 Takeaway Design and Community Safety	<p>Historic England is the Government’s statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England’s historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.</p> <p>Thank you for consulting Historic England on the above document. Our comments are confined to the following:</p> <ul style="list-style-type: none"> • We note that HTF 6 Takeaway Design and Community Safety is restricted to the control of the design of takeaways as it relates to safety and residential amenity. However, we would suggest that the supporting text highlights that policies within the Local Plan covering design and the historic environment (namely policies LP24, LP25 and LP35) will continue to control all other aspects of a 		<p>Comment noted.</p> <p>Proposed Modification: Add: <u>LP24, LP25, LP35</u> To the ‘Relevant Local Plan Policy’ Box</p>

			<p>proposals design and interaction with heritage assets.</p> <p>If you have any queries or would like to discuss anything further, please do not hesitate to contact me.</p>		
HFT_SPD24	Private individual	Policy HFT6 Takeaway Design and Community Safety	<p>We wish to comment on the Hot Food Takeaway Supplementary Planning Document. We have attempted to use the Online System to comment, but it is just way too long & complex, so we are emailing you instead.</p> <p>This policy is well overdue. There is an obvious need to restrict the number of hot food takeaways in a given area – both from a nuisance & public health perspective.</p> <p>However, the policy is useless unless it is enforced by KMC.</p> <p>We live in Marsh, so this area is of particular interest to us. In appendix 2, Marsh is classed as a District Centre. By our reckoning, the numbers for takeaways are a little low. Do you only include the premises on the main road? Surely the fish & chip shops on Jim Lane & Smiths Ave should be included? If it does only include the main road, then surely this policy would serve to drive new hot food takeaways in Marsh, but away from the main road.</p> <p>The KFC in Marsh expanded some time ago into a 2nd shop unit. Presumably it only counts as one hot food takeaway in your counts? What is to stop someone merging a whole row of shops into a single unit, which inside has multiple stalls selling different takeaways – would this only count as 1?</p> <p>In any event, Marsh exceeds the 15% threshold for</p>		<p>Support.</p> <p>No change.</p> <p>Comment noted. See response to HFT_SPD19.</p>

			<p>District Centres, so we would expect the policy to allow refusal of further hot food takeaways in the area.</p> <p>We do not understand why the threshold is 10% in Town Centres, and 15% elsewhere. Why not 10% everywhere?</p> <p>The fact that new takeaway applications will be subject to stricter requirements on Noise Abatement & Odours, Waste Disposal, Design & Highway Safety is a good thing.</p>		
HFT_SPD25	Private individual	Policy HFT7 Highway Safety	<p>We wish to comment on the Hot Food Takeaway Supplementary Planning Document. We have attempted to use the Online System to comment, but it is just way too long & complex, so we are emailing you instead.</p> <p>This policy is well overdue. There is an obvious need to restrict the number of hot food takeaways in a given area – both from a nuisance & public health perspective.</p> <p>However, the policy is useless unless it is enforced by KMC.</p> <p>We live in Marsh, so this area is of particular interest to us. In appendix 2, Marsh is classed as a District Centre. By our reckoning, the numbers for takeaways are a little low. Do you only include the premises on the main road? Surely the fish & chip shops on Jim Lane & Smiths Ave should be included? If it does only include the main road, then surely this policy would serve to drive new hot food takeaways in Marsh, but away from the main road.</p> <p>The KFC in Marsh expanded some time ago into a 2nd shop unit. Presumably it only counts as one hot food</p>		<p>Support.</p> <p>No change.</p> <p>Comment noted. See response to HFT_SPD19.</p>

		<p>takeaway in your counts? What is to stop someone merging a whole row of shops into a single unit, which inside has multiple stalls selling different takeaways – would this only count as 1?</p> <p>In any event, Marsh exceeds the 15% threshold for District Centres, so we would expect the policy to allow refusal of further hot food takeaways in the area.</p> <p>We do not understand why the threshold is 10% in Town Centres, and 15% elsewhere. Why not 10% everywhere?</p> <p>The fact that new takeaway applications will be subject to stricter requirements on Noise Abatement & Odours, Waste Disposal, Design & Highway Safety is a good thing.</p>		
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