

FOOD RELATED PLANNING POLICY IN YORKSHIRE AND HUMBER

A report for the Yorkshire and Humber Planning
Healthy Places Community of Improvement

Uchenna Anikwu
Karen Horrocks

September 2024

Contents

Introduction	2
Background.....	3
Method	3
Findings.....	5
The Policies	5
North Lincolnshire	5
North East Lincolnshire	8
Hull	11
East Riding of Yorkshire	12
York	13
North Yorkshire	14
Barnsley	19
Doncaster	24
Sheffield	26
Rotherham	28
Leeds	31
Bradford	35
Calderdale	38
Kirklees	42
Wakefield	46
Synopsis.....	47
References	49

Introduction

This report was written for the [Yorkshire and Humber Planning Healthy Places Community of Improvement](#) (COI). The COI forms part of the work of the Yorkshire and Humber Association of Directors of Public Health to develop capacity and capability within in the Yorkshire and Humber Public Health workforce.

Increasingly, Local Authority Public Health teams are engaging with partners in spatial planning, urban design, transport and regeneration to improve health by creating healthier, better designed places. In Yorkshire and Humber, we have Public Health practitioners whose roles focus on this work and have made good progress over recent years. Their aim is to utilise policy and system levers to improve health and wellbeing by addressing the social, economic, environmental determinants of health. Areas of focus include active travel environments, green space, retail, workplaces, food environments, leisure environments and improving quality, affordability, and suitability of housing.

In Yorkshire and Humber, colleagues in some Local Authorities have been working together to develop Local Plan policies and supplementary planning documents (SPD) that aim to reduce the prevalence of unhealthy retail, such as Hot Food Takeaways (HFT), and to improve the food environment.

The aim of our COI is to provide a platform for colleagues to support each other, collaborate, and share learning. A key part of this is to understand what practice already exists. There is a diversity within Y&H in relation to Planning and Health practice, with different levels of knowledge and skills, practice, and partnerships. This presents an opportunity to share learning and develop evidence and tools to support work in this area. To support this, we have mapped food related planning policy for each Local Authority in the Yorkshire and Humber to create a useful resource for colleagues who want to understand the regional picture and see examples of policies across the region.

Whilst developing this document we have worked with members of the COI to get feedback and refine it. They have told us that the resource will be useful in many ways, including for creating and improving their own policies, understanding what works, and making the case with decision makers in their own organisations. We hope this resource will strengthen work to develop healthy planning policy, creating a stronger regional approach where learning and success can be shared and replicated.

Does any part of this report need updating? Contact Karen.horrocks@DHSC.gov.uk

Background

In England and other countries, takeaway outlets are fast becoming a more common type of food retail establishment (Carmichael *et al.*, 2019). Keeble *et al.* (2021) noted that most takeaway restaurants offer hot meals that may be consumed outside of the restaurant, with little or no sitting. Jaworowska *et al.* (2012) further expressed that the typical food items available for purchase in a hot food takeaway outlet include hamburgers, deep-fried chicken, fish and chips, and pizza.

It is well established that our health and wellbeing is influenced by societal and environmental factors, including the places in which we live, work, socialise and learn. Our food environment plays an important role in this and has gained increasing attention as part of a Whole Systems Approach to individual weight and nutrition (Public Health England, 2019). Utilising spatial planning powers to prevent over proliferation of hot food takeaways should form part of a whole systems approach by improving the food environment. Where Planning policy is concerned, we have found that the two main areas focus are hot food takeaways and food growing.

The growing concentration of takeaway food outlets poses a threat to the vibrancy and economic sustainability of the neighbourhood. This is primarily due to the closure of daytime shops, as takeaway food outlets often operate only in the evenings. Additionally, this trend has led to an increase in litter and anti-social conduct (Keeble *et al.*, 2021). As recorded by Burgoine *et al.* (2014) research indicates that increased proximity to fast food establishments is linked to higher likelihood of becoming overweight or obese and demands for regulation of these outlets have been raised (Turbutt *et al.*, 2019). There have been efforts to restrict new takeaway food establishments through planning. The National Planning Policy Framework in England establishes requirements that local government planning policies must meet, and it argues that planning can help promote healthy eating environments (National Planning Policy Framework, 2012; Planning Practice Guidance, 2019).

Agriculture is the major land use in the UK, accounting for approximately 77% of total area, compared to an average of 50% in the EU27 (Angus *et al.*, 2009). In recent years, there has been an increase in the demand for land rented from local authorities in the UK specifically for the purpose of food cultivation, in the form of allotment plots (Campbell and Campbell, 2011). In addition, Baldock *et al.* (2019) stated that research has shown that urban agriculture greenspaces could serve as an ecosystem for biodiversity. The Planning system can also support local healthy food growing, and examples of policies can be found in this report. It should also be considered that food growing might be promoted through non-planning local authority policy (e.g. a local food plan or strategy) and through local projects.

Method

This project seeks to explore the hot food takeaway policies and food growing policies in Local Plans in the Yorkshire and Humber, which consist of North and North-East Lincolnshire, East Riding of Yorkshire, Hull, York and North Yorkshire, South Yorkshire and West Yorkshire. The local plans of every local authority under each of these regions was carefully read through to extract the policies on hot food takeaways and food growing. There are some local authorities who have an SPD, those documents were secured and read through also. HFT policies were extracted from Barnsley, Bradford, and Rotherham SPDs. There were some local authorities who had neither a HFT policy nor a food growing policy. This project was done with guidance from Michael Chang's census of Local Plans 2023 (unpublished).

In 2023 the 7 district councils in North Yorkshire were replaced by a new single tier, unitary Council: North Yorkshire Council. A new Local Plan will be developed. The planning policies of the former district councils have been reviewed for this work.

Details of when each policy was adopted, or what stage of the planning cycle it is at are given. Where possible, we also provide links to any non-Planning food policy. It is important to note that this document provides a snapshot of the region at publication only.

Findings

The main part of this report includes links to and includes excerpts from policies in each area.

All the local authorities in North Yorkshire, do not have any hot food takeaway policy except Selby. However, it is worth noting that agriculture is a major part of the economy in North Yorkshire especially in Hambleton, Richmondshire, and Ryedale. The city of York, in its old plan of 2005, presents a policy on food and drinks. East Riding of Yorkshire local authority did not present with any policy on HFT, but it instead has a policy on fast food. Bradford (West Yorkshire), Barnsley and Rotherham (South Yorkshire) and Leeds (West Yorkshire) presented their HFT policies in a supplementary planning document SPD. Rotherham however presented the general HFT policy on its local plan and further presented policy on HFT around schools in its SPD. Northeast Lincolnshire discussed its food growing policies in Allotment strategy 2011. Craven and Richmondshire presents with no food growing policies.

For a detailed comparison of each Local Authority, see the Synopsis section at the end of this report.

The Policies

North Lincolnshire

This policy document is in Publication since October 2021. Yet to be adopted.

Hot food takeaway policies.

Policy TC1: retail hierarchy and town centre and district centre development

6. Proposals for hot food takeaways (Sui Generis) need to demonstrate that account has been taken of:

- a. the impact on the amenity of nearby residents; and,
- b. the impact on highway safety; and,
- c. the relationship with any school located within 400m of the proposed Sui Generis use; and,
- d. whether the proposal would result in an unacceptable concentration of Sui Generis uses in the centre; and
- e. that appropriate measures to prevent the discharge of Fats, Oil and Grease to the sewerage network have been implemented and will be maintained in perpetuity.

Policy CSC12: restaurants and hot food takeaway establishments

1. Proposals for restaurant and hot food takeaway establishments will be permitted in town, district and local centres subject to the following criteria:

a. the premises are not located where individually or cumulatively they would have an adverse impact on the occupiers of nearby residential properties by reason of noise and disturbance, litter or on-street parking;

b. the development must not create a road safety hazard or create traffic congestion, due to it being located on a bend, junction, hill or any other restriction on the public highway;

c. suitable off or on-street parking is available on or near the premises so as to avoid detriment to road safety or residential amenity;

d. a suitable fume extraction system and refuse storage area is installed to ensure that the amenity of nearby residents is protected from the emission of smells and fumes;

e. when planning permission is granted for restaurants and hot food takeaway establishments, the council will consider whether it is desirable to impose conditions, including limiting the hours that the premises may remain open, so as to avoid possible loss of amenity to nearby residents resulting from noise and disturbance;

f. it has been demonstrated that account has been taken of whether the proposal would result in an unacceptable concentration of hot food takeaway uses in the centre (total units must not exceed 10%) and in order to promote healthy lifestyles in young people, proposals for hot food takeaway uses will not be permitted outside of a defined centre and proposals within 400m of an existing or proposed school or college building will be resisted.

g. a Health Impact Assessment has been carried out, and where an unacceptable adverse impact on health is established, permission should not be granted; and,

h. it has been demonstrated that appropriate measures to prevent the discharge of Fats, Oil and Grease to the sewerage network have been implemented and will be maintained in perpetuity.

Justification:

11.103 Takeaway food establishments and restaurants can add to the quality and attractiveness of existing centres and provide a useful service to shoppers and local residents. However, at the same time they can cause a nuisance both in the immediate area of the facility itself, through problems with noise, smell, traffic and litter, as well as further away. The policy is that a 400 metres restriction buffer is defined around schools and colleges as this represents a reasonable distance given that it broadly represents a 10-minute walk (5 minutes each way), taking into account physical barriers on any route. This is deemed to be the distance that a young person will walk from school and back to purchase fast food.

11.104 Dietary risk factors for obesity include high energy density foods, diets high in fat and low in fibre, sugar-rich drinks, and consumption of large portion sizes. The proportion of food eaten outside the home has increased in recent years. This is an

important factor contributing to increasing levels of obesity. Food eaten outside the home is more likely to be high in calories and hot food takeaways tend to sell food that is high in fat and salt, and low in fibre, fruit and vegetables. Studies show that regular consumption of energy dense food from hot food takeaways is associated with weight gain.

11.106 In 2008 the Government published Healthy Weight, Healthy Lives which encouraged councils to use planning powers to control more carefully the rising numbers of fast-food takeaways. Whilst this document is now dated, the 2013 Public Health reforms were based upon returning much of the responsibility for local public health to individual councils and health and well-being boards. There remains a clear message highlighting that local planning authorities should work with public health leads and organisations to understand and take account of the health status and needs of the local population. It is appropriate, therefore, to consider what steps can be taken here. Currently, both recorded and estimated levels of adult excess weight in North Lincolnshire are above the national average, with an estimated 70% of adults obese or overweight, compared with 65% nationally. The risk of childhood obesity is therefore likely to be higher locally, and as adult rates increase, so does the risk amongst children.

11.107 The council's aim is to assist local communities in providing restaurants and hot food takeaway establishments within the neighbourhoods they serve, while protecting the amenity of residents in these areas.

Food growing policy.

One of the key sectors of growth in Lincolnshire is food as explained below

2.23 Another of our key sectors for growth is food. This will help to increase our brand image through the supply of high-quality food products. Greater Lincolnshire region grows 12% of the England's total food and is home to an even greater proportion of the country's food processing industry. Our advantageous location, easy access to the motorway and rail networks and proximity to the UK's busiest port makes it ideal to support the growth of this sector. A specific Perishable Hub for the food industry is available at Humberside Airport. We also offer logistical support and a mature supply chain for the sector. We have a number of national and international haulage firms in the area that designed to meet the sector's needs. Our supply chain ranges from bespoke training providers, recruitment specialists and packaging specialists to appropriate storage facilities.

Policy CSC4: allotments.

The council will not grant planning permission for development that would result in the loss of allotments unless:

- a. the allotment is badly located and a suitable replacement is provided nearby of at least equal size and quality but to a higher visual amenity standard;
- b. the replacement of allotments should cover a greater area when located in an area with an identified shortfall;
- c. the allotment is under-used and no longer meets an important local need and there is unlikely to be a future rise in demand for allotment plots; and,
- d. the enhancement of nearby existing allotments by a developer may be acceptable, instead of the provision of new replacement allotments.

Justification.

11.60 Allotment gardening or involvement in community food growing projects can increase overall levels of physical activity and fitness, contribute to healthy weight, increase healthy fruit and vegetable consumption, improve mental health, contribute to improved social interactions and community cohesion, and reduce stress.

11.61 An adequate supply of allotments will be maintained to meet existing and likely future demand, and their development will not be permitted unless the allotment is no longer required to meet a local need, or the condition of the allotment has deteriorated to such a degree that its refurbishment is not feasible.

11.62 The aim of these policies are to ensure that North Lincolnshire's open space, sports and recreation facilities and allotments are sustained and improved so that they continue to make an important contribution to the health and wellbeing of local people

North East Lincolnshire

This policy document was adopted on the 22nd of March 2018.

Hot food takeaway policy

Policy 23 Retail hierarchy and town centre development

5. Proposals for hot food takeaways (Use Class A5) need to demonstrate that account has been taken of:

- A. the impact on the amenity of nearby residents; and,
- B. the impact on highway safety; and,
- C. the relationship with any school located within 400m of the proposed A5 use; and,
- D. whether the proposal would result in an unacceptable concentration of A5 uses in the centre.

Justification

A study undertaken by the Public Health team in the Council identified that around 50% of fast-food takeaways were located in the five wards with the highest levels of childhood obesity in reception year pupils. A recommendation from this study states: "In order to tackle the proliferation and health impact of fast food takeaways within the locality, a combination of three approaches could be taken: Regulatory and planning measures could be used; fast food exclusion zones around schools have been successfully implemented by other local authorities and it is recommended by the Academy of Medical Royal Colleges that planning decisions should be subjected to a health impact assessment. Other regulations such as restricting opening times of takeaways to prevent them targeting their food at school children can also be adopted; As planning measures will not affect existing fast food takeaways, it would also be beneficial to work with the local food industry and local takeaways to help them make their food healthier: there is the potential to expand the work carried out under the Council's Healthy Choices Award; Likewise, there is also potential to work with local schools to promote healthy lifestyles and eating habits amongst children.

14.53 A number of councils have restricted further development of hot food takeaways close to school premises by introducing a 400m 'exclusion zone'. It is considered appropriate, given the drive to improve health in the Borough, to adopt a similar approach. The approach to controlling the proliferation of takeaways is supported by the Director of Public Health in North East Lincolnshire and sits alongside other activities to improve nutrition and physical activity inside schools. The location of the hot food takeaway will be measured from the main entrance to the school building. This consideration will carry less weight where the proposed location of the hot food takeaway is within a defined town, district or local centre boundary and would not result in an unacceptable concentration of A5 uses in the centre.

14.54 Analysis of the current distribution of hot food takeaways in relation to school sites has highlighted that the majority of hot food takeaways are located in existing town and local centres. It has also highlighted that some schools are located within 400m of town and local centres. Consequently, a number of existing hot food takeaways are located within 400m of schools. There is clearly a balance to identifying suitable locations for hot food takeaways and considering the health of school children.

14.55 The Council accepts that some A5 uses offer healthier alternative foods; however, the importance of promoting healthier lifestyles is a key local objective. Whilst the Plan cannot influence the existing location of A5 uses, or ultimately the choices made by individuals, it is considered important not to compound existing unsatisfactory relationships by allowing further hot food takeaways close to schools.

14.56 It is acknowledged that primary school children (4 to 13 years) do not leave school grounds at lunchtime however, it is the age at which healthy eating behaviours can be influenced by the actions of their parents and carers. Additional planning control in such circumstances would be of very limited value. The Policy therefore will not apply to primary schools. Secondary school children (14 to 16

years) have much more autonomy over their food choices. The most popular time for secondary school children to purchase food is after school and some secondary schools allow children to leave school premises at lunchtime. The Policy does not apply to further education establishments and specific training facilities, these facilities serve a broad age range which is typically considered to be of 'adult' status. The Policy therefore applies to secondary schools.

14.57 The Policy refers to consideration being given to an 'unacceptable concentration' of A5 uses. This reflects the possible detrimental impacts on the vitality and viability of the centre and potential harm to residential amenity that may result from an increasing concentration of A5 uses. When applying this consideration regard will be paid to:

1. the number of existing hot food takeaways in the area and their proximity to each other. (The Council will seek to prevent more than two hot food takeaways locating adjacent to each other, with at least two units between them.);
2. the role and character of the centre and the balance of other shops and services that would remain in the centre; and,
3. the level of vacancy and general health of the centre.

Food growing policy

It is worth acknowledging that:

12.23 The Humber LEP, together with the Council have recently signed a Memorandum of Understanding (MOU) with the Malaysian Government, who are seeking to establish a UK base for food production. The MOU commits all parties to securing a location for a food business park, anticipated to be up to 80ha.

Food growing policy is discussed in the allotment strategy 2011

14.235 The Council has prepared an Allotment Strategy which sets out the Council's approach to delivering and managing allotment facilities. The Strategy examines issues such as perceived underutilisation of allotment land, alternative uses of vacant allotment land, security and vandalism on all allotment sites and includes methods of encouraging an increased number of allotment tenants. The Strategy offers long term direction to allotment provision in the Borough. It is clear that the successful implementation of the Strategy will be dependent on the ability to rationalise some sites and reinvest in improved sites. Capital receipts received from rationalisation will be used to improve allotment sites and support self-management and community improvement initiatives.

Allotments	0.5ha/1,000 households (National Society of Allotment and Leisure Gardeners)	<i>Allotment Strategy</i> (2011)	0.2ha/1,000 population	No local standard has been set	All development of 250 units or more (on or offsite)
------------	--	----------------------------------	------------------------	--------------------------------	--

Hull

This policy document was adopted on the 23rd of November 2017.

Hot food takeaway policy

Policy 12 District, Local and Neighbourhood Centres.

10. In the city's neighbourhood centres, development that leads to the loss of food shops will not be supported when that loss would lead to a lack of easy access to food shops within easy walking distance of surrounding residential neighbourhoods.

11. In areas outside of defined centres, the Council will not support conversion or change of use of corner shops and local convenience stores to other uses where this would lead to a lack of easy access to food shops within easy walking distance of surrounding residential neighbourhoods.

Food & drink, drinking establishments and hot food takeaways

12. Development of food and drink, drinking establishments or hot food takeaway outlets (A3 – A5) will be permitted within centres where they do not lead to an over-concentration of inactive frontages within stretches of properties that would undermine vitality and viability or would harm local amenity.

13. Development to accommodate hot food takeaway (A5) use will not be supported in local or neighbourhood centres where a threshold of 20% of all units would be or has already been reached, to prevent over-proliferation where this could undermine objectives to promote healthy eating in the city.

14. Development to accommodate hot food takeaway (A5) use will not normally be supported within 400m of a secondary school or sixth form college or playing fields.

Hull also presents a [Healthy Places, Healthy People Supplementary Planning Document 14](#) which was adopted in February 2021. This plan draws out the key health issues contained in the Hull Local Plan and provides further guidance to developers, applicants and other interested parties.

Food growing policy.

Policy 46 Local food growing

1. The use of land and buildings as new allotments, orchards and for local food growing spaces and production will be supported, including the temporary use of

vacant or derelict land or buildings and the use of amenity green space on housing estates and other open space areas, where this does not conflict with other policy objectives or land use priorities.

2. The incorporation of community gardens, allotments, orchards and innovative spaces for growing food, including green roofs, will be encouraged and supported in new development where possible and appropriate, particularly where there is demand for food growing space in the vicinity of the application site.

3. The inclusion of productive trees and plants in landscaping schemes will be encouraged where appropriate.

12 Food & drink, drinking establishments, and hot food takeaways	4	Prevent over-concentration of uses	Numbers of units and location within these uses in centres	No over-concentration
12. Food & drink, drinking establishments, and hot food takeaways	4	Prevent over-proliferation of hot food takeaways and reduce access to hot food takeaways by school children	Proportion of hot food takeaways within centres. Number of hot food takeaways within 400m of schools, sixth form colleges or playing fields	None above threshold Reduce from current baseline
			on appeal that were originally refused because they were considered contrary to this policy	
46. Local food growing	7,9	Give residents the opportunity to participate in local food growing projects	Number of developments allowed on appeal for local food growing schemes	None

East Riding of Yorkshire

This policy document was adopted in April 2016.

Hot food takeaway policy

There is no hot food takeaway policy in this plan.

However, this paragraph below gives an important information about fast food.

8.8 Proposals should, through the layout and design of new development, consider the needs of users, including equality of access, and how these needs would change for individuals and families through the different stages of their life. It will also be important to consider whether the proposal would contribute to improving healthy lifestyles and help to reduce health inequalities. Where adverse impacts are identified, for example, the implications of fast-food takeaway outlets, particularly in deprived areas and areas of poor health, the development will be expected to demonstrate how it will address or mitigate against health inequalities. These could include: Reducing the proliferation of any land use which reduces people's ability to

be healthy; Promoting higher levels of regular exercise by increasing awareness of local sports and recreational facilities; and Supporting opportunities to widen the East Riding's cultural, sport, recreation, and leisure offer.

Food growing policy

Policy C3: Providing public open space for leisure and recreation

Proposed open space, including open space required to make up existing shortfalls in provision, will be identified in the Allocations Document or a Neighbourhood Development Plan.

Allotments is 0.3 hectares per 1000 people with a quality standard of upper quartile.

York

Old local plan of 2005.

There is no policy on hot food takeaway. However, there is a policy on food and drink.

Policy S6 Control of Food and Drink (A3) Uses

Planning permission for the extension, alteration or development of premises for A3 uses (food and drink) will be granted provided:

- i) any likely impact on the amenities of surrounding occupiers as a result of traffic, noise, smell or litter would be acceptable; and
- ii) the opening hours of hot food takeaways and premises where alcohol is consumed are to be restricted where this is necessary to protect the amenity of surrounding occupiers.

Food growing policy.

Policy L2: Allotments

Planning permission for development, which will result in the loss of allotments, will only be granted where a replacement area is provided of an equivalent size and standard in the immediate vicinity.

Explanation:

11.20 Allotments are an important resource within the community, especially for those people with small gardens, or who lack a garden altogether. In addition, they can have a significant amenity and nature conservation role. Although demand has reduced over the last few years, regard must be had to future community leisure needs. Once developed for an alternative use, there is an irreversible loss of the facility. In assessing any development proposals, the level of occupancy of the allotment site, and opportunities to relocate users to similar facilities of equal or better standard in the immediate vicinity will be taken into account.

York Local plan, publication draft of February 2018.

This policy document is on publication since February 2018. Yet to be adopted.

Hot food takeaway policy

There is no hot food takeaway policy.

Food growing policy

Policy GI5: Protection of Open Space and Playing Fields.

Development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance unless the open space uses can be satisfactorily replaced in the area of benefit and in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost. Where replacement open space is to be provided in an alternative location (within the area of benefit) the replacement site/facility must be fully available for use before the area of open space to be lost can be redeveloped. Development proposals will be supported which:

- provide allotments and productive land, to encourage local food production, and its benefits to education and healthy living.

North Yorkshire

Craven.

This policy document was adopted on the 12th of November 2019.

No policy on hot food takeaway and food growing.

Hambleton.

This policy document was published in July 2019 and adopted in February 2022.

It is important to note that a vital part of Hambleton economy is agriculture, as explained below.

3.52 An important part of the economy in Hambleton is the agriculture as is the related food sector. In recognition of this, The Local Plan takes into account the economic and other benefits of the best and most versatile agricultural land. Due to its predominantly rural character, the district has a significant amount of agricultural land, much of which is of high quality. Given the importance of agriculture to the local economy, the Council will protect the best and most versatile land from development unless such needs cannot be accommodated on agricultural land of lower quality

Economy:

Key economic strengths in Hambleton lie in agriculture, food manufacture, professional services, manufacturing, distribution and retail. Future opportunities for the Hambleton economy include accommodation and food services linked to the tourism sector, health, media activities and other private services. There are a broad range of businesses, many are small and medium sized enterprises with a strong loyalty to the area. Companies have local supply chains and also an international presence.

Hot food takeaway policy.

There is no policy on hot food takeaway.

Food growing policy.

Policy CI 3: Open Space, Sport and Recreation.

The Council will seek to protect and enhance open space, Local Green Space and sport and recreational facilities in order to support the health and wellbeing of local communities.

7.33 The purpose of this policy is to protect and enhance open space, outdoor recreation facilities, allotments and areas of garden land that provide amenity value.

[Richmondshire.](#)

This policy document was adopted on the 9th of December 2014.

Hot food takeaway policy

There is no hot food takeaway policy

Food growing policy

There is no food growing policy. However, in North Richmondshire, the lands are used predominantly for agriculture. Also, employment within the area is predominantly agriculture.

Ryedale.

This policy document was adopted on the 5th of September 2013

The majority of land in the district is in agricultural use and agricultural land in the area of Ryedale covered by this Plan generally falls within grades 2 and 3. Grade 2 Best and Most Versatile Land is predominantly located to the east and northeast of Malton and Norton and also along the Great Wold Valley. Although agricultural land is a plentiful resource in the District, climate change places an increasing emphasis on the need to support local food production and it is important that as a resource, the loss of productive land, particularly the loss of the Best and Most Versatile Land is carefully managed and avoided when balanced against other sustainability considerations which will need to be taken into account in guiding new development.

Hot food takeaway policy

There is no hot food takeaway policy.

Food growing policy.

Policy sp11 community facilities and services

Allotments	0.51 hectares per 1000 population	15 minutes walk time - 720 metres (urban) 15 minutes drive time (rural)
Open Spaces	Not standard	Not standard

Harrogate

This policy document was adopted on the 4th of March 2020.

Hot food takeaway policy.

There is no hot food takeaway policy.

Food growing policy.

Policy HP6: Protection of Existing Sport, Open Space and Recreation Facilities

8.74 This policy provides protection for a wide range of indoor and outdoor sport, open space and recreation facilities in public ownership or in educational use, including parks, gardens, allotments, playing fields, tennis courts, cricket grounds, bowling greens, sports halls, swimming pools, gyms, natural and semi-natural green spaces (including urban woodland), play areas, and golf courses.

Policy NE5: Green and Blue Infrastructure.

9.50 Green and blue infrastructure refers to a multi-functional linked network of green and blue spaces that provide opportunities for biodiversity and recreation. It includes Allotments and community gardens.

Scarborough

This policy document was adopted on the 3rd of July 2017.

No hot food takeaway policy

Food growing policy talks about allotments in **policy HC 14** open space and sport facilities.

6.120 Allotments are important facilities for local communities; they provide the opportunity for people to grow their own produce, enjoy a healthier lifestyle and a healthier diet. Over recent years national reports have suggested that demand for allotments has been increasing and this is borne out by the latest local statistics that suggest there are considerable waiting lists for Borough Council-run allotment sites. The most recent information suggests that there are 236 people on waiting lists for allotments in Scarborough and 15 on the waiting list for the site at Staithes.

Selby

This policy document is a publication draft plan of 2022. Once adopted the Local Plan will replace the existing Selby District Core Strategy Local Plan (2013) and the Selby District Local Plan (2005).

Hot food takeaway policy is **Policy EM9**

Policy EM9 – Hot food takeaways

A. Proposals for hot food takeaways will only be permitted in locations where they satisfy other relevant policies of the plan and the following criteria:

1. They do not lead to clustering or proliferation of such uses where they undermine objectives to promote healthy living and the vitality and viability of the Shopping and Commercial Centres; and

2. They do not have a negative impact upon the amenity and safety of residents and other businesses in the area; to include highway safety and parking, hours of operation, control of odours, and litter and waste disposal; and

B. Subject to meeting the above criteria, hot food takeaways which are located within 400 metres of a secondary school or further education college will not be supported unless the opening hours are restricted until after 17:00 on weekdays.

Justification:

5.48 The aim of this policy is to respond to concerns about the impact of hot food takeaways on eating behaviour and obesity, particularly childhood obesity. Selby District, along with the rest of the UK, has high levels of obesity. Data from the NHS finds that 29% of adults within England are classified as obese, along with 20% of Year 6 children. It is commonly considered that there is a link between unhealthy food choices and obesity and one of the ways in which the Council can help to address obesity is through the control of hot food takeaways which tend to be dominated by high fat, salt or sugar foods.

5.49 The Town and Country Planning (Use Classes) Order 1987 (as amended) defines a hot food takeaway as a premises where the primary purpose is the sale of hot food for consumption off the premises (Use Class A5). Whilst accessibility to unhealthy food is not just confined to hot food takeaways and they can play an important role in providing a popular service to local communities, they are also commonly associated with a negative impact on the retail character and health of town centres and local parades of shops, along with the amenity of residents.

5.50 Hot food takeaways are often closed during the day, causing the visual amenity of the street to be adversely affected by shutters being down during the day, creating dead frontages. Furthermore, the success of town centres and shopping parades is linked to the range and variety of shops and services that can be found there. Hot food takeaways are also commonly associated with adverse impacts on the amenity of residents and can be associated with noise, odours, litter and anti-social behaviour. Policy EM9 aims to reduce the clustering and proliferation of such uses in one area in order to ensure that hot food takeaways do not detract from the prime shopping function of centres and parades, and to protect the amenity of local residents.

5.51 While Selby has a level of takeaway outlets per 100,000 population below the average for England (Data from Feat) the level of takeaways by population is increasing, with North Yorkshire as a whole seeing takeaway numbers increase by

11.9% (Data from Feat). The latest Town Centre and Retail Survey 2018 also highlights a growing trend for takeaway within the High Street and shows that within the defined Town Centres for the three towns, takeaways account for approximately 5% of ground floor units in Selby, 14% of units in Sherburn in Elmet and 3% in Tadcaster. Proposals for hot food takeaways will be monitored through future Town Centre and Retail Surveys to ensure that the level of takeaway provision within the three defined Town Centres does not lead to a proliferation of such uses and hot food takeaways are distributed equally to ensure clustering of such uses does not undermine the vitality and viability of the centres and does not undermine healthy living objectives.

5.52 When a hot food takeaway is considered to comply with planning policy, it will often be necessary to condition the planning consent to control the impacts it has on surrounding areas. Conditions could relate to opening hours to prevent night-time noise disturbance. Policy EM9 also requires that opening hours are restricted to after 5pm for hot food takeaways proposed within 400 metres (five-minute walk) of a secondary school or further education college. This will be measured as the crow flies from the school gates. Research undertaken by North Yorkshire County Council into the healthy and active lifestyle behaviour of 11–15-year-olds found that there are 20 hot food takeaways within a one-mile radius of Selby High school, four of which are located within a five-minute walk of the school site. During interviews with school staff, one of the main barriers identified to healthy eating and lifestyles was considered to be the influence of high fat, salt or sugar foods. It is important to encourage children to make healthy lifestyle choices and restricting their access to unhealthy foods around their schools will help achieve this objective. This research was undertaken as part of a broader strategy to tackle childhood obesity across North Yorkshire and supports the North Yorkshire Healthy Weight, Healthy Lives Strategy.

Food growing policy

Policy IC3 - Protection and Creation of New Open Space, Sport and Recreation Provision (Strategic Policy)

Allotments	0.25 ha		1.2km	15
Indoor and Outdoor Sports	0.25 ha	<i>Refer to the Playing Pitch Strategy and Action Plan</i>		

Barnsley

This policy document was adopted on the 3rd of January 2019.

Policy Poll1 Pollution Control and Protection, explains that further guidance on managing hot food takeaways will be discussed in the **SPD** and **Planning advice note**.

The hot food takeaway policies are found in the [SPD](#) and [planning advice note](#) below (both documents adopted 28th of May 2019).

SPD

Policy Poll 1 Pollution Control and Protection

Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people;

We will not allow development of new housing or other environmentally sensitive development where existing air pollution, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against; and

Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

Permissions:

4.3 It is recognised that hot food takeaways pose particular difficulties because activities are often at their peak in the evening and late at night when background noise levels tend to be low. The disturbance that can be caused by traffic and associated car parking should not be underestimated.

4.4 Planning permission for hot food takeaways is, therefore, unlikely to be granted where premises are located outside of defined shopping centres or concentrations of shops, or where the living conditions of the occupants of nearby residential accommodation would be significantly affected. In particular, planning permission is likely to be refused where premises share a party wall with an adjoining house.

4.5 When determining planning applications, the Council will have regard to the general character of the area, including levels of commercial and vehicular activity.

4.6 The presence of residential accommodation over the property or neighbouring shops, however, would not necessarily preclude a hot food takeaway use, where this is primarily a commercial area.

4.7 To protect the street scene, achieve a diverse mix of shops and maintain good standards of design, planning permission will not be granted for A5 uses where it would result in a clustering of A5 uses to the detriment of the character, function or vitality of a centre/parade of shops, or if it would have an adverse impact on the standard of amenity for existing and future occupants of land and buildings.

Therefore, in order to avoid clustering, there should be no more than one A5 use in any one length of frontage.

4.8 A5 uses will not be permitted where they share a party wall with a residential property. The discharge stack/extraction system must be located and designed so as to prevent noise and odour nuisance to neighbouring premises.

4.9 If planning permission is granted it may be necessary to restrict opening hours to avoid causing noise and disturbance at anti-social hours. For instance, within shopping centres or parades of shops it may be necessary for premises to close at 11pm/11.30pm. The proposed hours and days of opening should be specified when submitting a planning application.

4.10 The extent of the impact of cooking smells is largely dependent on the location of the premises, the adverse effects being less acceptable in predominately residential areas or in local shopping areas containing flats. Details of the design and siting of a fume extraction system will be required to be submitted before any work is commenced on site. Consideration will also be given to the visual impact of flues and care should be taken to locate them where they will not appear prominent.

4.11 Suitably sized, sited and screened refuse stores should be provided and be accessible at all times. Full details of any waste storage systems should form part of a planning application.

4.12 Hot food takeaways tend to generate significant volumes of traffic, short term on street parking and associated vehicle turning movements. Where on-street parking would lead to highway safety problems, planning permission may be refused.

4.13 Any proposal for the extension of a property will be viewed on its merits, taking into account any increased trading that will result from the extension and therefore the effect on such factors as the amount of servicing left available to the property, the increase in traffic and the effects on any neighbouring residential properties.

4.14 Alterations that materially change the appearance of the building such as the installation of a new shop front require planning permission.

4.15 Some signs require advertisement consent and operators should contact Planning Services for guidance.

Planning Advice Note: This Planning Advice Note sets out the Council's priorities and objective in relation to the planning control of hot food takeaways. It elaborates upon existing and emerging policy in relation to health and wellbeing.

Health

5.1 Levels of obesity and excessive weight are a health concern in Barnsley. 73.1% of Barnsley adults are either overweight or obese which is 12% higher than the national average. Over a third of Barnsley's 10–11-year-olds are overweight or obese and 18% of 4- to 5-year-olds carry excess weight (Public Health England 2018). BMBC has revised its Public Health Strategy (2018-2021) with food as one of the priorities. A food plan has been introduced to improve and diversify the local food environment, increase access to healthy, good quality food, reduce obesity levels

and improve obesity related health outcomes, such as diabetes and cardiovascular disease.

5.2 People who are overweight or obese have a higher risk of getting type 2 diabetes, heart disease and certain cancers. Excess weight can also affect self-esteem and mental health. The Government is spending £5billion a year to tackle obesity. The wider cost to the economy is estimated to be £20 billion a year once factors such as lost productivity and sick days are taken into account.

5.3 In 2018 Public Health England (PHE) emphasised that local physical surroundings have a large impact on the population as residents are now living in an environment which encourages unhealthy behaviours, such as eating more high calorie food and exercising less. One of the biggest factors influencing our choices is the density of hot food takeaways.

5.4 PHE also advise that many of our streets are saturated with fast food outlets, selling food such as chips, burgers, kebabs, fried chicken and pizza. The sheer density of these outlets makes it easier for us to consume too much, too often – and the fact that most outlets have no or limited nutrition information in store can make informed choices difficult. While not all fast food is unhealthy, it is typically high in saturated fat, salt and calories. Excess calorie consumption is the root cause of the obesity crisis, with overweight or obese children consuming up to 500 extra calories per day, depending on their age and sex.

5.5 PHE (2018) also advises that children with excess weight are more likely to be overweight or obese as adults, increasing their risk of preventable diseases such as type 2 diabetes, heart disease and some cancers. With a third of Barnsley's children leaving primary school overweight or obese, shaping our food environment is an important part of supporting healthier lifestyles.

5.6 Both the built and natural environments can have an influence on our health and wellbeing. Children may find it more difficult to make healthier choices when exposed to so many fast-food options, whether on their way to and from school or out with friends.

5.7 Continuing to permit school children access to food sold in hot food takeaways, often high in fat, salt and sugar, will perpetuate poor food choice. Restricting the development of hot food takeaways within a ten-minute walking distance of the school (i.e. a 400m radius) will limit children's exposure.

Guidance

6.1 As set out in the Hot Food Takeaway Supplementary Planning Document, planning permission is required to build new premises for an A5 use. The Town and Country Planning (Use Classes) Order 1987 (as amended) subdivides different development types into separate classes of use. The Order also provides details on when planning permission is required to change from one particular use to another.

6.2 Where a property currently has permission for use as a hot food takeaway, planning permission is not usually required to use the property for any other type of hot food takeaway. However, the conditions attached to the previous planning

permission, such as restrictions on opening hours, will still apply. External building works or alterations that materially change the appearance of an existing hot food takeaway, such as the building of an extension or the installation of a new shop front to the property will usually require planning permission.

Planning application considerations:

1. Over Proliferation

In assessing applications for an A5 use, consideration will be given to the number of hot food takeaways already present in each ward. The NPPF states that “planning decisions should aim to achieve healthy, inclusive and safe places which: enable and support healthy lifestyles”. The greater the number of hot food takeaways within a ward the more likely it therefore is that proposals for further A5 uses would be in conflict with this part of the NPPF.

2. Proximity to Schools

Outside District or Local Centres, proposals for Hot Food Takeaways within 400m of a secondary school or Advanced Learning Centre (ALC), will have regard to guidance from Public Health England on the link between childhood obesity and proximity to Hot Food Takeaways. District and Local Centres are areas of shopping and services as outlined in the Local Plan and will be measured as a circular buffer taken from the centre of the school or ALC.

3. Location where there are high levels of obesity

In assessing applications for an A5 use, consideration will be given to levels of excess weight of 10-11 year old pupils. The NPPF states that “planning decisions should aim to achieve healthy, inclusive and safe places which: enable and support healthy lifestyles” Proposals for hot food takeaways within a ward where more than 32% of 10-11 year old pupils are classed as having excess weight are therefore more likely to be in conflict with this part of the NPPF.

4. Health Impact Assessment

Applications for A5 uses will be required to include a Health Impact Assessment (HIA). The HIA will be taken into consideration during assessment of the application

Food growing policy found on the **local plan** is as follows

Policy GS1 Green Space.

Doncaster

This policy document was adopted on the 23rd of September 2021

Policy 24: Food and Drink Uses

Food and Drink Uses such as restaurants, cafes, pubs, bars and hot food takeaways will be directed towards town, district and local centres.

Food and Drink Uses will be supported so long as they:

- A) satisfy the requirements of the sequential approach set out in Policy 22 (Locating Main Town Centre Uses);
- B) do not have a negative impact upon the amenity and safety of residents and other businesses in the area; to include highway safety and parking, hours of operation, control of odours and cooking smells and litter and waste disposal; and
- C) do not undermine the vitality and viability of the centre, in particular where there would be an over concentration of inactive units within a parade of Main Town Centre Uses. Subject to first meeting the above criteria, where the proposal is solely for a hot food takeaway, development will only be supported where:
- D) there is no clustering or cumulative impact resulting from an over concentration of hot food takeaways in an area. Clustering will occur where more than 10% of units, in a parade of Main Town Centre Uses, will be used as a hot food takeaway; and
- E) the number of approved hot food takeaways within the ward is less than the UK national average of hot food takeaways per 1,000 population; Proposals solely for a hot food takeaway, which are located within 400 metres of a school, sixth form college, community centre or playground will not be supported unless the opening hours are restricted until after 1700 during weekdays and there are no over the counter sales before that time.

Explanation:

8.24. The policy aims to ensure town centres have a suitable mix of uses to create a balance along parades (rows or frontages) of Main Town Centre Uses within designated town, district, local centres and neighbourhood shopping parades so that they provide a greater mix of uses, increase footfall, and bring community uses closer to communities. Such uses can affect the local amenity of a centre through extended opening hours, increased traffic and on-street parking, generation of cooking odours, smells, litter and discarded food waste, produce nighttime noise and general disturbances and other community safety issues. Appropriate conditions will be applied to the granting of planning permission in the interests of protecting the amenity of surrounding occupants and the vitality and viability of the immediate area.

8.25. Food and drink use should be located within easily accessible locations, preferably within or next to existing centres which can be reached on foot, or on bike and via public transport. Such uses are generally not acceptable within residential

areas and there will be some instances where it will be appropriate to resist them on existing frontages where there are residential uses above them.

8.26. Unhealthy diets, inactivity and the availability of high energy foods are major factors in the rise of obesity across the UK. Obesity is a complex issue and not solely affected by individual behaviours but influenced by a number of social and environmental issues. There are around 260 existing hot food takeaways across Doncaster (2017 data) with 89.3% of the population living within 1 km of a takeaway. As such, there are concerns regarding the combination of the proliferation of hot food takeaways in the Borough and the Borough's high levels of obesity. Planning permission will not be granted for new hot food takeaways where the number of approved establishments, within the ward, equals or exceeds the UK national average per 1,000 population. The information on hot food takeaways is regularly monitored by Doncaster Public Health and Planning. When assessing planning applications the most up to date data will be used; this can be found on the Council's website.

8.27. Childhood obesity is a growing threat to children's health and Doncaster's proportion of children identified at risk of obesity is a cause for concern. Unhealthy weight gradually increases throughout people's lives, and almost three quarters (74.8%) of Doncaster's adult population have an unhealthy weight, which is the second highest in England. This policy seeks to manage and control the provision of hot food takeaways particularly within specific areas (i.e. within a 400-metre walking distance of a school, college or playground).

8.28. The numbers of hot food takeaway establishments are particularly high within district, local centres and neighbourhood shopping parades where people seek easy access to such food. In order to support other Borough strategies, planning permission will not be granted for hot food takeaways where it would result in a clustering and proliferation of such uses to the detriment of the character and function, or vitality and viability, of a centre, or if it would have an adverse impact on the standard of amenity (living conditions) for existing and future occupants of land and buildings. In order to avoid clustering and proliferation, hot food takeaways should balance out the mix of uses within the parade (row or frontage) and not dominate the centre. In order to assess future applications for such uses the policy sets out the appropriate criteria and thresholds to achieve the objective of not saturating centres with one particular use as well as helping to achieve the Borough's healthy eating objective.

Food growing policy (contained within):

Policy 26: Green Infrastructure (Strategic Policy)

This policy will provide well designed and accessible, sport, recreation and children's play space and food growing opportunities.

10.3. National planning policy requires new development to protect, restore, maintain, create, enhance and extend green infrastructure and improve connectivity

within the network. Development is also required to be sustainable and compensate for damage to the environment whilst expecting the natural environment to function as an integrated network of habitats. Access to high quality green infrastructure, including open space for sport, recreation, biodiversity and food growing (such as allotments, community gardens or orchards) makes an important contribution to the health and well-being of communities. The policy provides for economic, social and environmental benefits, and help address local GI needs, implement and deliver targets set out in our various local strategies.

Doncaster also has an Environment and Sustainability Strategy, that makes reference to food growing in page [28](#).

Sheffield.

This policy document is a publication draft of 14th December 2022. Once adopted, the new Sheffield Plan will make a major contribution to the future development of the city and will guide development over the next 15-20 years.

As of August 2024, this is a draft policy subject to further examination.

Policy NC12 Hot food takeaways

a) New hot food takeaways, extensions to, or increases in the opening hours to existing hot-food takeaways, will not be permitted where the application is within 800 metres of a secondary school and where it would be open for business anytime between 8am and 5pm.

b) New hot food takeaways (or extensions into adjoining units) will not be permitted in a District or Local Centre where existing hot food takeaways already make up more than 25% of the units within the centre.

All hot food takeaways should provide suitably sized, screened waste storage systems, appropriate extraction systems for the removal of odours and public waste bins when these are lacking within the vicinity.

Food growing policy.

Section 8. A Green City – responding to the Biodiversity Emergency

8.2 The creation and enhancement of habitats, together with the implementation of nature-based solutions to issues such as land drainage, will deliver wider environmental, social and economic gains for the city. It helps reduce carbon emissions, flooding, pollution and the urban heat island effect, making the city more resilient to the increasing pressures of climate change. It also benefits our own

health and well-being by creating opportunities for recreation, food production and equal access to nature and the outdoor environment for all, while ensuring any negative impacts on biodiversity are avoided.

8.5 The Urban Greenspace Zones shown on the Policies Map cover a range of private and public land which is valuable for recreation or ecology, landscape, heritage, visual amenity, functional floodplain or local food production (allotments, community gardens and urban farms). The areas are predominantly green in character or are in use for outdoor recreation. They include areas of 'open space' (as defined in the National Planning Policy Framework).

Policy GS1: Development in Urban Green Space Zones

In Urban Greenspace Zones, development should:

- a) not result in the loss of open space unless:
 - (i) an assessment has been undertaken which clearly shows the open space and any associated recreational buildings are surplus to requirements; or
 - (ii) the open space that is lost would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - (iii) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use; and
- b) not cause or increase a break in the city's network of blue and green infrastructure; and
- c) safeguard, or not otherwise adversely affect, a greenspace of high amenity or of food growing value; and
- d) not result in loss of access to a local park or to smaller informal public space that is valued or well used by people living or working in the local area; and
- e) not make a greenspace ineffective as an environmental buffer (in locations where it performs that role); and
- f) maintain important views or vistas;

Policy BG1 - Blue and Green Infrastructure and the Local Nature Recovery Network.

Blue and green infrastructure in the city will be protected, managed, enhanced and, wherever possible, extended to help increase biodiversity, provide wider environmental benefits to combat climate change, deliver opportunities for outdoor recreation and active travel, conserve heritage assets, support local food production and strengthen the city's landscape character.

Very significant weight will be given to the protection and enhancement of Sheffield's blue and green infrastructure and the Local Nature Recovery Network especially:

- the main river corridors (Rivers Don, Porter, Sheaf, Rivelin, Loxley and Blackburn Brook) and Sheffield and Tinsley Canal; and

- major parks and green spaces of citywide importance for recreation and/or biodiversity (Concord Park, Parson Cross Park, Norfolk Heritage Park, Graves Park, Ecclesall Woods, Endcliffe Park/Bingham Park/Whiteley Woods, Greno Woods, Millhouses Park, Meersbrook Park, Shirebrook Valley, Parkwood Springs); and
- registered historic parks and gardens; and
- green spaces that form (or have potential to form) wildlife corridors or 'steppingstones' connecting designated ecological sites

Valuable greenspaces will be protected from inappropriate built development and are shown on the Policies Map as either **Urban Green Space Zones (see Policy GS1)**, or **Green Belt** (where they perform the purposes of Green Belt) (**see Policy GS2**) or designated ecological or geological sites (see **Policy GS5**).

Where new green infrastructure is created, it should comply with the principles and standards set out in Natural England's Green Infrastructure Framework (2023) or any successor document.

Rotherham

This policy document was adopted on the 27th of June 2018.

Policy SP 22 Hot food takeaways.

Hot food takeaways will be permitted within town, district and local centres (but outside of Primary and Secondary Shopping Frontages) where they:

- a. would not result in more than 10% of the ground floor units within a defined town or district centre being hot food takeaways; or
- b. would not result in more than 25% of the ground floor units within a defined local centre being hot food takeaways; and
- c. would not result in more than two A5 units being located adjacent to each other; and
- d. will not negatively impact upon the amenity of surrounding businesses or residents.

Hot food takeaways (including A3 restaurants with takeaway facilities) outside of town, district and local centres will be required to satisfy Core Strategy Policy CS 12 'Managing Change in Rotherham's Retail and Service Centres' and will not be permitted where they would result in more than two A5 units being located adjacent to each other.

Proposals for hot-food takeaways will be considered in light of their impact on amenity and any mitigating measures. This will include taking account of highway safety and parking, hours of operation, control of odours and cooking smells, litter and waste disposal, and crime and anti-social behaviour.

Explanations:

4.95 Policy SP 22 'Hot Food Takeaways' seeks to address the proliferation of takeaways to help maintain the economic vitality and viability of town, district and local centres. Hot food takeaways can contribute to the vitality and viability of centres by providing accessible services and promoting linked trips; however, they are not supported within Primary or Secondary Shopping Frontages, where the retention of the shopping character is considered of central importance. Unless adequately controlled takeaway uses can result in harmful impacts to the vitality and viability of centres, through shutters being closed throughout the day and clustering of premises which detract from an area's character and function. Takeaways will therefore only be permitted where they do not result in more than 10% of the ground floor units within a defined town or district centre, or 25% within local centres being hot food takeaways. To reduce the impact of clustering, proposals will not be permitted where they would result in two or more A5 units being located next to each other.

4.96 The Policy also ensures that permission will only be granted where hot food takeaways will not negatively impact on the amenity of nearby businesses and residents, taking account of issues such as litter, smells, anti-social behaviour, noise and general disturbance, parking and traffic problems.

4.97 Hot food takeaways are considered to be main town centre uses as defined in the National Planning Policy Framework. As such proposals in out of or edge of centre locations will be required to satisfy the requirements of Core Strategy Policy CS 12 'Managing Change in Rotherham's Retail and Service Centres'. To reduce the impact of clustering, proposals outside of defined centres will not be permitted where they would result in two or more A5 units being located next to each other.

Furthermore, the [SPD](#) (adopted on the 15th of June 2020) elaborates on hot food takeaway policy around schools.

Health and equalities guidance 2

Hot food takeaways near schools

Planning permission will not be granted for any new hot food takeaway (Use Class A5) or hybrid uses incorporating A5 uses, where proposals are located within 800 metres of a primary school, secondary school, special school or tertiary college. The exception to this is where proposals also fall within a town, district or local centre (as defined in the Local Plan) and satisfy relevant planning policies.

Primary schools are defined as those which cater for children between the ages of about 5 and 11.

Secondary schools are defined as those which cater for children aged 11 upwards.

Special schools are defined as those which make special educational provision for children or young people whose ages may vary.

Tertiary colleges are defined as colleges which cater for students aged 16 upwards.

31 For the purposes of this policy guidance 800 metres represents a reasonable walking distance; however, account will be taken of barriers such as main roads, rivers and railway lines. The 800 metres will be measured from any school entrance used by pupils.

32 The Local Plan recognises that whilst hot food takeaways can contribute towards the vitality and viability of retail centres, they can also have detrimental impacts, particularly in terms of the shutters which can be closed for large parts of the day and clustering which can have a harmful effect on the character and function of an area. As such Policies restrict hot food takeaways within town and district centres to those areas outside the Primary and Secondary Shopping Frontages.

33 Policy SP22 Hot Food Takeaways also controls the harmful impacts of these uses by ensuring that they do not become dominant within centres, reducing the opportunities for clustering (within or outside of defined centres), and ensuring that consideration is given to highways safety and amenity issues and any appropriate mitigation.

34 Through Policy CS27 Community Health and Safety the Local Plan supports development which protects, promotes or contributes to securing a healthy and safe environment and minimises health inequalities. It is recognised that hot food takeaways may provide some healthy eating options and also that access to unhealthy food is not restricted to A5 uses and could be found within other uses such as restaurants (Use Class A3) and retail (Use Class A1). However, evidence demonstrates the link between fast food takeaways and health concerns for Rotherham's communities, and the scope of this policy guidance is limited to hot food takeaways. Other policy guidance within this SPD and within national and local planning policy promotes healthy communities.

35 Data from Public Health England shows that the number of hot food takeaways within Rotherham has risen, as has the number of takeaways per 100,000 population. Worryingly there is an increasing gap between the number of hot food takeaways by population in comparison to the national level.

36 Rotherham's Health and Wellbeing Strategy 2018-2025 recognises that childhood is an important time in the development of behaviours that will have a lifelong influence on health and wellbeing, including healthy eating. In Rotherham obesity levels double between reception (aged 4-5 years – 11.5% obese, higher than the England average) and Year 6 (aged 10-11 years – 22.2% obese, again higher than the England average). It acknowledges that there will be many contributing factors to this increase: lifestyle and diet choices of the children, their parents, their school, and the local environment.

37 The risk of early death and disability can be effectively reduced by, amongst other things, reducing levels of overweight and obesity.

38 Recognising that planning decisions can have a significant impact on health and wellbeing, the Health and Wellbeing strategy identifies that using planning levers to limit the growth of fast-food takeaways, for example, can contribute to the broader effort to reduce growing levels of overweight and obesity.

Food growing policy.

Policy SP 38 Protecting green space.

Existing Green Space, including open space, sports and recreational land, including playing fields, as identified on the Policies Map or as subsequently provided as part of any planning permission, should not be built on unless:

An assessment has been undertaken which has clearly shown the open space, sports and recreational land to be surplus to requirements and its loss would not detrimentally affect the existing and potential Green Space needs of the local community. The assessment will consider the availability of sports pitches, children's play areas and allotment provision, to determine existing deficits and areas for improvement.

4.206 Allotment gardens provide a valuable recreational resource for the community. Whilst some allotment gardens have statutory protection, but this policy seeks to extend protection, where appropriate to all allotments within the borough. There will be a general presumption against the development of allotment gardens, unless it can be demonstrated that there is no need for the facility in the locality and the site has no other green space value or where suitable and enhanced alternative provision is made.

Leeds.

There is no hot food takeaway policy on the [core strategy](#) (adopted on the 11th of September 2019). However, there is a hot food takeaway policy on the [supplementary planning document](#) SPD (adopted in April 2019).

This Supplementary Planning Document (SPD) aims to control the locations of HFTs that are in close proximity to secondary schools and where clustering of several HFTs can produce negative impacts.

2.5. Leeds, along with rest of the UK, currently has a high level of obesity that has a large effect on people's health and wellbeing, with obesity related illnesses believing to cost the NHS £6.1 billion a year. Tackling the causes of obesity is complex and requires the contribution of different sectors and services.

2.6. Evidence has proven there to be a link between obesity and unhealthy food choices. One of the ways planning can help address obesity is to limit access to unhealthy food choices by managing the locations of Hot Food Takeaways.

2.7. Leeds City Council currently has numerous health initiatives spread across several council services that aim to improve health and well-being. Licensing, public health and environmental health all have the ability to control and regulate HFTs, and have been actively involved in the preparation of this SPD. This SPD will complement other council initiatives in helping to restrict the impact that HFTs can have on both young and old people's well-being and health.

3.5. Environmental Health can be consulted on planning applications where the application may create harmful impacts on noise, odour, litter and light.

3.6. This SPD will provide further clarification on how current Council planning policies can be used to protect against a range of adverse impacts created by HFTs. Ultimately, the SPD will address the following key aims:

- a) Minimise the negative impact on health that HFTs can cause by controlling their proximity around secondary schools;
- b) Minimise the negative impact on health that HFTs can cause by controlling their clustering in centres and parades.

3.7. This SPD only focusses on secondary schools due to increased level of independence and autonomy that secondary school pupils enjoy, compared to younger school children. Secondary school children are more likely to make their own decisions when purchasing food items during lunch time hours and journeys to and from school.

6.1. The Public Health Outcomes Framework has indicators for excess weight in adults and physical activity levels:

- 62.3% of adults in Leeds are classified as overweight or obese and this is not significantly different from the England average;
- 63.8% of adults in Leeds are achieving 150 minutes of moderate physical activity a week and this is above the England average of 57%;
- 23.7% of adults in Leeds are classed as inactive. That is less than 30 minutes of moderate physical activity a week. Leeds performs better than the regional and national average (29.2% and 27.7% respectively)
- The GP Data Audit in January 2015 reviewed the Body Mass Index (BMI) recorded in patient records for the adult population of Leeds (aged 16 years or over). This identified that 22% of the adult population are obese, compared to a 25% national average (BMI >30).

6.4. It is often found that Black and Minority Ethnic (BME) groups have worse health than the general population with higher rates of limiting lifelong conditions. Often these diseases can be linked to diet, such as type 2 diabetes and cardiovascular disease. Wards with the highest number of HFTs also contain large BME populations (City and Hunslet, Gipton and Harehills and Hyde Park and Woodhouse). This SPD has the potential to positively impact the health of these communities.

7.6. Saved [UDP](#) Policy GP5 is the principal policy used in the assessment of applications for HFTs.

7.7. GP5 seeks to avoid danger to health or life, and therefore the key aim of this SPD is to amplify the negative health impact that a clustering and the location of HFTs can generate. The purpose of the following guidance is to supplement UDP policy GP5 and provide further criteria that will be considered by the LPA when determining a planning application for an A5 Use.

HFT 1: Proximity to secondary schools Planning permission will not be granted for new A5 Uses within 400 metres of a secondary school main entrance except within the boundaries of designated centres.

HFT 2: Clustering

A. Planning permission will not be granted where an A5 proposal would result in the clustering of A5 uses which would detrimentally harm the function and vitality of the city centres, town centres, local centres and neighbourhood parades.

B. Planning permission will not be granted where clustering would have a detrimental impact on the amenity of existing and future occupants of the adjacent and connected properties.

C. To prevent clustering, an A5 use will only be permitted when the following criteria are satisfied:

I. No more than two consecutive A5 uses should adjoin each other.

II. Between groups of existing A5 uses, there should be at least two non A5 uses.

III. Where the number of units in a parade or frontage fall within the thresholds in column 1 in the table below, no more than the number of A5 units in column 2 will be permitted in total.

Number of units in parade/frontage	Number of A5 units permitted under HFT 2iii
Fewer than 5	2
5-10	3
11+	4

HFT 3: Amenity Considerations

When considering suitable opening times for HFTs, the following will be taken into account:

A. The impacts on residential amenity;

B. Whether there is an existing night time economy in the area;

C. The existing character and levels of activity and noise in the area.

7.8. Where a HFT application falls within a 400m exclusionary zone and a centre, permission would be granted as long it complies with Local Plan policies and HFT 2 and 3. If any part of a building is in contact with the 400m buffer, then that building will be covered by HFT 1.

7.9. No restriction will apply around primary, first and middle schools as children who attend these schools are generally not allowed out of school at lunch time. It is also expected that primary, first and middle school children will have less independence and autonomy than secondary school students. Only 25% of primary school children travel home from school without a guardian¹⁹, compared to the majority of secondary school students. The 400 metre was chosen as that represents a 10-minute walking distance from the school. Consideration will be given if it can be demonstrated that an applicant's site falls outside of a 10-minute walking trip due to physical or geographical barriers on the ground.

7.10. HFT 1 aims to limit the impact of HFTs around secondary schools.

7.12. Leeds currently has 966 HFT outlets, which results in a density of 126 outlets per 100,000 population. This density ranks Leeds in 15th place out of 325 in terms of highest density and 2nd out of 325 in number of outlets, when compared to other local planning authorities in England By Ward, City and Hunslet (175), Gipton and Harehills (60) and Hyde Park and Woodhouse have the highest number of HFT outlets. A map showing the current locations of HFTs can be found in the appendix.

7.15. HFTs are often open at unusual hours, which can have a negative effect on the visual and functionality of a retail centre. It is important to maintain active frontages within retail centres, and a HFT with shutters down during the day will have a negative impact on these frontages. Therefore, a clustering of HFTs within a centre can have a negative impact on the vitality of that centre by making it less appealing to customers, whilst intensifying the negative effects attached to HFTs. Current and emerging policy exists (UDP BD7 and Site Allocations Plan policy RTC 4) that limits the usage of shutters to exceptional circumstances and ensures that HFTs would need to maintain or enhance the appearance of the existing retail or shopping frontages.

7.16. With delivery vehicles and customers picking up orders, the clustering of HFTs may result in a significant impact on highway safety and further impact the vitality of the centre.

7.17. HFTs are often visited during evening hours when background noise and activity can be considered low, and can result in an increase in noise, disturbances, odour, litter and anti-social behaviour which will be intensified when A5 uses are clustered together.

7.19. When a HFT may be considered to comply with planning policy, it is often necessary to apply planning conditions that can control the nature of use and impacts on the surrounding areas. These will often relate to opening hours in order to prevent late evening and nighttime noise disturbances.

Food growing policy.

Policy G3 Standard for open space, sports and recreation.

Allotments: The policy provides 0.24 hectares of allotments per thousand people, with 960 meters of accessibility.

5.5.18.2 Where new green space is provided it should be openly accessible to the public. Exceptions may be for operational reasons such as security of allotments or membership of sports clubs.

Bradford.

This policy document was adopted on the 4th of November 2014.

Hot food takeaway policy

The purpose of the Hot Food Takeaway SPD is to complement the aspirations of the [Bradford Good Food Strategy](#) and explain the Council's approach to planning applications for new hot food takeaways. It replaces the Cafes, Restaurants and Takeaways Supplementary Planning Document (SPG) which was adopted in 1983.

The Principles in Assessing Planning Applications

Principle 1: Over Concentration

When considering whether a proposed hot food takeaway would result in an over-concentration of such uses to the detriment of the vitality and viability of the city centre, town centre, district centre or local centre, or harm to residential amenity, regard will be had to:

- A. The number of existing hot food takes away establishments in the immediate area and their proximity to each other.
- B. The type and characteristics of other uses, such as housing, shops and public houses.
- C. The importance of the location for local shopping, and the number, function and location of shops that would remain to serve the local community.
- D. The potential benefits of the proposal for the wider community; and any known unresolved amenity, traffic or safety issues arising from existing uses in the area.

Principle 2: Proximity to Schools, Youth Facilities and Parks

With regard to proposals which fall outside the city centre, town centres, district centres and local centres, hot food takeaways will be resisted where the proposal will:

- A. Fall within 400m of the boundary of an existing primary or secondary school or youth centred facility (e.g. YMCA, after school clubs).
- B. Fall within 400m of a Recreation Ground or Park boundary.

Principle 3: Highway Safety

The impact of a proposal on the safety of pedestrians and road users will be considered with regard to:

- A. The existing use of the site;
- B. Existing traffic conditions;
- C. The accessibility of the site by public transport, walking and cycling;
- D. The availability of public parking provision in close proximity to the premises, including on street parking;
- E. Proximity of proposal to junctions, crossings and bus stops;
- F. The availability of easily accessible off-street private parking provision for customers and delivery vehicles;
- G. The availability of safe and legal loading areas in close proximity; and

Where a proposal is considered to have an unacceptable impact on highway safety, planning permission will not be granted.

A delivery and service plan statement will be required for all applications.

Principle 4: Protection of Residential Amenity

Applications for hot food takeaway shops within close proximity to residential units will be refused where it is considered that there may be significant adverse impacts on residential amenity in terms of noise, vibrations, odours, traffic disturbance, litter or hours of operation as a result of the proposed premises. This also applies to application for the change of use of existing premises to hot food takeaways.

Principle 5: Operating Hours

The hours of opening of hot food takeaways will be controlled to ensure that amenity is appropriately protected.

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 character and function of the immediate area, including existing levels of background activity and noise; and

D. the potential benefits of the proposal for the wider community.

Outside designated centres, within an area that is primarily residential in character, the hours of opening will be restricted to 08:00 - 23:00 on Mondays to Saturdays, with no opening on Sundays and bank holidays. Extended hours will only be permitted where it can be clearly demonstrated that there would be no unacceptable impact on residential amenity.

Principle 6: Odour and Cooking Smells

Hot food takeaways must provide appropriate extraction systems to effectively disperse odours. Such systems must:

A. be designed so as to minimise their impact on visual amenity, including in terms of their location and external finish;

B. be acoustically insulated;

C. not have an unacceptable impact on the amenity of neighbouring occupiers, for example by virtue of vibration or odour;

D. be appropriately operated and maintained; and

E. where appropriate, be improved to reflect any subsequent changes in the mode or type of cooking that could increase odours.

Appropriate sound proofing of party walls and ceilings should be provided where necessary to ensure that there is no unacceptable noise disturbance from the hot food take away for residential occupiers directly above or adjacent to the proposed use.

Principle 7: Disposal of Waste Products

Applications for a Takeaway Food Outlet should include details of the design of the following:

A. Waste storage facilities, their location and accessibility.

B. Ventilation and extraction equipment.

C. Grease traps over drains where appropriate.

Suitable grease traps must also be installed on all drains for hot food takeaways to prevent blockages and the flooding of properties.

Details of how recycling will be maximised should also be included in the application

Principle 8: Litter Control and Prevention

All applications for a Takeaway Food Outlet should include details of the following:

A. Litter Picks

- B. Specifying disposal times
- C. Design, type and number of bins provided
- D. Any recyclable food packaging used on the premises and how it will be disposed of.

Principle 9: Safety, Crime and Anti-Social Behaviour

In assessing planning applications for hot food takeaways, the council will consider issues around community safety, crime and disorder.

Proposals for new hot food takeaways which, on the advice from West Yorkshire 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.

Principle 10: Accessibility

Hot food takeaways will be required to provide access for all groups of people and regard will be had to:

- A. Level of inclusive design proposed in the application for the hot food take away and in particular the level of access offered to wheelchair users.

Proposals failing to propose improvements, which can be reasonably made, will be refused.

Food growing policy

Policy EN1: Protection and improvements in provision of Open Space and Recreation Facilities.

5.4.19 Work on updating the position in relation to individual open space typologies is currently ongoing. The Allotments Strategy emphasises the importance of allotments in relation to health, as they encourage people to take responsibility for the sustainable production of food and also contribute towards achieving greater community resilience.

Calderdale.

This policy document was adopted on the 22nd of March 2023 and succeeds the Replacement Calderdale Unitary Development Plan dating from August 2006.

Hot food takeaway policy

Policy HW6 Hot food takeaways.

I. Proposals for hot food takeaways and other sui generis uses such as drive-thru premises will be permitted where they meet the following criteria:

- a. The proposed development is not within 400m walking distance of the principal entry point to a secondary school except where the application site is within the designated town centres of Halifax, Sowerby Bridge, Brighouse, Elland, Hebden Bridge or Todmorden;
- b. No unacceptable environmental, safety or other problems are created (including measures to limit litter generation, through the provision of on site bins or the provision of a litter management plan);
- c. The proposed development would not increase the level of disturbance or nuisance to a level that would be unduly detrimental to the amenities of anyone living in the area;
- d. The proposals would not generate traffic movements or demand for parking that would be unduly detrimental to highway safety or residential amenities;
- e. The proposals make adequate and satisfactory arrangements for the discharge of cooking fumes and smells;
- f. The proposals comply with shopping frontage Policy RT2 'Primary Shopping Areas and Shopping Frontages' which proposes among other that for areas where retail development is concentrated, for a proposal to be permitted, an active ground floor use must be maintained or provided, a positive contribution must be made to the vitality, viability and diversity of the Primary Shopping Area and town centre; and a Retail floorspace must not be lost which would be harmful to the function of the centre.
- g. The development preserves or enhances conservation areas and does not adversely affect listed buildings or their settings where these are material considerations;

II. Where proposals are acceptable, restrictions may be imposed on hours of opening in order to protect the amenity and character of the areas within which the development is located.

Explanation.

15.15 The growth of hot food takeaways over recent decades has revolutionised how and where food ready to eat is purchased. It has affected our diet, our agriculture and food processing as well as the appearance and nature of town centre and local parades. Hot food takeaways are defined as Sui Generis in the Use Classes Order and meet an increasing demand for instant access to hot food and the convenience this brings to our lives.

15.16 Hot food takeaways make a contribution to the local economy and in some local centres make up a significant proportion of the retail offer. They provide a service to the public, jobs and rental income, which are all positive elements. However hot food takeaways can also have negative effects: the traffic generated, the noise and smells associated with food preparation and sales, the high profit

margins relative to their low operating costs, and high rental levels that these uses can generally pay undermining the more traditional convenience or comparison store economy in local centres. Demand for hot food takeaways remains high. Modern living has worked to make our lives more sedentary. As a nation we take less exercise and want more convenience. Less food is prepared from scratch using fresh ingredients. Market forces, demand and the need for standardisation in preparation and product (to save cost), means that more food is pre-cooked and/or pre-packaged than ever before. This standardisation has also resulted in more preservatives, fats, salt, sugar and other additives, sometimes at the expense of nutritional value, such as fibre content.

15.17 Obesity levels for both adults and children have shown significant increases, and obesity is predicted to affect more than half of adults and a quarter of children by 2050. Obesity has significant implications for health, social care, the economy and is also associated with educational attainment. Being obese or overweight increases the risk of developing a range of serious diseases, including heart disease and cancers. The impact of obesity on the health of adults has long been established but rising levels of childhood obesity has consequences for the health of children and young people in both the short and the longer term. In 2012 the adult prevalence of obesity in Calderdale was 27% as compared with England at 24.2%. Among children, 8.7% of 4–5-year-olds (9.5% in England) and 19.2% of 10–11-year-olds (19.2% in England) were classified as obese.

15.18 Research into the link between food availability and obesity is still relatively undeveloped, although a US study has found evidence of elevated levels of obesity in communities with high concentrations of fast-food outlets. There is also strong evidence linking the availability of fast-food outlets and increasing levels of area deprivation.

15.19 There is evidence that the type of food on sale nearest to schools influences the diet of schoolchildren, and that the availability of “unhealthy” foodstuffs makes healthier choices less easy. Continuing to permit school children access to food sold in hot food takeaways, often high in fat, salt and sugar, will perpetuate poor food choices. Managing the development of hot food takeaways within a 400m walking distance of secondary schools will help limit children’s exposure to food choices that could be associated with obesity.

15.20 According to Public Health England the density of fast-food outlets in local authorities ranges from 24 to 199 per 100,000 population, with an average of 88 per 100,000 population across England as whole. At October 2016 Calderdale had a total of 218 fast food outlets which is an average of 105.1 per 100,000 population (Public Health England, 2016). Calderdale therefore has a higher-than-average density of fast-food outlets.

15.21 One of the ten recommendations of the Academy of Medical Royal College's 2013 report on obesity was that “Public Health England should, in its first 18 months of operation, undertake an audit of local authority licensing and catering arrangements with the intention of developing formal recommendations on reducing

the proximity of fast-food outlets to schools, colleges, leisure centres and other places where children gather”

15.22 Hot food takeaways provide choice in the food offer, being popular with local residents and also visitors. However, the siting of businesses can create environmental problems and also contribute to potential health issues. Whilst the Council supports the economic provision of hot food takeaways it considers that it is appropriate to ensure that they are managed to address these issues.

Food growing policies are

Policy HW6 Wellbeing.

The Council and its partners will seek to work together to create and safeguard opportunities for safe, healthy, fulfilling and active lifestyles by:

Promoting the role of communal growing spaces including allotments, garden plots within developments, small scale agriculture and farmers' markets in providing access to healthy, affordable, locally produced food options.

Policy HW5 Sustainable Local Food Production.

I. All new residential developments shall include gardens or communal areas of adequate size, commensurate in scale with the development, to support household food production.

II. Where practical, developments of apartments or specialist accommodation should have some or all of pot/trough space, window box facilities, communal gardens at ground or roof level, pre-built raised beds and sensory gardens.

III. Furthermore, all developers are encouraged to explore ways to incorporate food growing into landscaping schemes and the spaces around their developments.

Explanation:

15.13 Community growing schemes can help people to access sustainable, affordable diets. These also offer a range of other benefits – they provide people with the opportunity to enjoy regular physical exercise, meet new people in their neighbourhood and benefit from a healthier diet, regardless of income. Growing food locally also increases biodiversity, helps to manage rainwater and creates a greener urban landscape.

15.14 There are a wide range of ways to incorporate food production into development. This could range from small scale landscaping with herbs, and planting fruit trees, to providing gardens and allotment space in residential developments.

Policy GN7 Allotments.

I. Development proposals which would result in the loss of, or otherwise adversely affect the continued operation and character of allotments will not be permitted unless:

a. It is demonstrated that this would not result in unmet demand for allotments within reasonable walking distance, and the proposals are for an alternative community use of an open space nature

b. Appropriate alternative allotment provision is made of at least an equivalent standard and in a satisfactory location before the use of the existing allotment ceases, and

c. The proposed development is consistent with other relevant Local Plan policies

II. Proposals for the provision of new allotment sites will be permitted provided that they:

a. Are of a high standard of design and external appearance which is based on ecological principles

b. Provide for suitable pedestrian and vehicular access

c. Do not detrimentally harm the amenity of adjacent residents, and

d. Are consistent with other relevant Local Plan policies

Explanation:

23.20 Allotments are an important community resource that have positive benefits not only for environmental sustainability but also for food production, wildlife and general amenity value. The Council has a statutory duty to provide allotments under the Allotments Acts 1908-1950 if there is unmet demand, and to provide for those citizens within the Borough who wish to use them. The Council also is required to obtain consent from the relevant government department if it wishes to dispose of statutory allotments. Almost all allotments in the Borough are Council-owned, although there remain a number of privately owned sites. The provision of allotments is scattered around the Borough with 34 publicly managed allotment sites holding over 740 plots of varying size. There are about 550 statutory allotment plots and 190 non-statutory plots. The Council has also identified a minimum of 30 allotments in private ownership.

Kirklees.

This policy document was adopted on the 27th of February 2019.

Hot food takeaway policies: These policies are centred on healthy living generally and promoting exercise.

Policy LP16 Food and drink uses and the evening economy.

Proposals for food and drink, licensed entertainment uses, and associated proposals will be supported, provided they are located within a defined centre, and subject to:

- ensuring the concentration of food and drink and licensed entertainment uses are not located in a particular centre or part of a centre, where they would result in harm to the character, function, vitality and viability of the centre, either individually or cumulatively.

In order to assess the potential harm of food and drink and licensed entertainment proposals on a centre, the following criteria will be considered with a planning application:

- a. the number, distribution and proximity of other food and drink uses, including those with unimplemented planning permission in a particular centre;
- b. the impacts of noise, general disturbance, fumes, smells, litter and late-night activity, including those impacts arising from the use of external areas;
- c. the potential for anti-social behaviour to arise from the development, having regard to the effectiveness of available measures to manage potential harm through the use of planning conditions and / or obligations;
- d. the availability of public transport, parking and servicing;
- e. highway safety;
- f. the provision of refuse storage and collection; and
- g. the appearance of any associated extensions, flues and installations.

Proposals for food and drink uses and licensed entertainment uses located outside of defined centres will be subject to criteria b to g set out above and also require the submission of a Sequential Test and Impact Assessment.

Policy justification:

9.29 In recent years there has been a significant growth in food and drink and licensed entertainment uses, nationally and within Kirklees, the majority of which have been located within town, district and local centres. Whilst these uses can make a positive contribution to the centres of Kirklees, adding vibrancy, viability, and diversity of the services provided, and supporting the evening economy, they require careful management. This is required to prevent any harmful effects occurring to the operational vitality of these centres, adjacent uses, the health and wellbeing of the residents and prevent potential for anti-social behaviour. Food and drink uses for the purpose of this policy are defined as Use Classes AA, A3, A4 and A5

9.30 Some centres within Kirklees including smaller scale local centres, or parts of larger scale centres, can experience a high proportion of certain food and drink uses or licensed entertainment uses. These can detract from a centre or part of a centre's ability to provide other main town centre uses or detract from the attractiveness of an evening economy. In particular, the high concentration of hot food takeaways across some centres or parts of centres in the district has led to increased levels of odour, noise and litter issues and has reduced the diversity of services provided in those centres. Such uses, in general, can be a contributing factor to obesity and wider health issues for Kirklees residents including risks of developed chronic heart disease and type 2 diabetes.

9.31 Kirklees Council and its partners are committed to improving the health of the district's residents and work together in the joint 'Health and Wellbeing Strategy'. There is no single solution to the issue of an unhealthy lifestyle or obesity as there are many contributory factors. However, the planning process can influence choices over food, diet and lifestyles choices when considering new proposals for such uses and can influence the range of services provided within a particular centre.

9.32 The growth in food and drink premises has also led to an increase in outdoor areas for eating, drinking and socialising. Whilst adding vibrancy to a centre, this can lead to detrimental impacts for local amenity depending on their use and hours of operation. Such developments therefore require careful consideration, and the policy seeks to ensure that such uses are appropriate for their location. Mitigation measures that could be used to make development acceptable through applying the appropriate conditions dependant on circumstances of the particular scheme include the following:

- Changes to the design/layout to remove 'pinch points' e.g. narrow passageways and stairwells and ensuring no hiding places are created or are available
- Changes to external layout such as gating off alleyways to prevent loitering and inappropriate behaviour
- Security standards of doors and windows
- Improvement or introduction of exterior lighting
- CCTV coverage for inside and to the immediate exterior of the premises
- Management of the premises such as opening hours and/or having supervisory staff.

9.33 These potential long term detrimental impacts on centres can harm general amenity, making centres less attractive to those living there or not using that particular service, and can lead to additional responsibilities on other parts of the Council or partner organisations such as the Police. The point when harmful concentration is reached will vary from place to place depending on the character of the area and specific local circumstances.

Policy LP47 Healthy, active and safe lifestyles.

The council will, with its partners, create an environment which supports healthy, active and safe communities and reduces inequality.

Healthy, active and safe lifestyles will be enabled by:

working with partners to manage the location of hot food take-aways particularly in areas of poor health.

17.8 Some centres within Kirklees including smaller scale local centres, or parts of larger scale centres, can experience a high proportion of certain food and drink uses or licensed entertainment uses, which can detract from a centre or part of a centre's

ability to provide other main town centre uses, or be welcoming in the evening for all. In particular the high concentration of hot food takeaways (Class A5) across some centres or parts of centres in the district has led to increased levels of environmental health, odour and litter issues, and has reduced the diversity of services provided in those centres. Such uses can be a contributing factor to obesity and wider health issues for Kirklees residents including risks of developing chronic heart disease and type 2 diabetes.

Food growing policy.

Policy LP47 Healthy, active and safe lifestyles.

The council will, with its partners, create an environment which supports healthy, active and safe communities and reduces inequality.

Healthy, active and safe lifestyles will be enabled by:

facilitating access to a range of high quality, well maintained and accessible open spaces and play, sports, leisure and cultural facilities;

increasing access to green spaces and green infrastructure to promote health and mental well-being;

the protection and improvement of the stock of playing pitches;

supporting initiatives which enable or improve access to healthy food. For example, land for local food growing or allotments.

encouraging the co-location of facilities so that different types of open space and facilities for sport and recreation can be located next to each other and in close proximity to other community facilities for education and health.

17.6 The availability of a variety of high quality and accessible open spaces and play, sports and leisure and cultural facilities is vital to enabling opportunities for personal and community improved health and well-being. Maintenance of these areas to a high standard applies to both existing and new provision.

[Hot Food Takeaway Supplementary Planning Document](#)

Adopted in September 2022

1.1 This Hot Food Takeaway Supplementary Planning Document (SPD) provides detailed guidance to businesses, applicants, agents and the local community on how the Local Planning Authority will assess applications for hot food takeaways where planning permission is required, for example new hot food takeaways or applications for a variation of opening times, in partnership with Public Health, Environmental Health and Highways. This SPD is a material consideration in the determination of a planning application and provides further information and guidance that is not currently set out in local planning policy to those involved in planning applications covering hot food takeaways..

Wakefield.

This policy document was adopted on the 24th of January 2024.

Hot food takeaway policy.

Policy LP12 Hot Food Takeaways.

Proposals for hot food takeaways (use class sui generis) located within a 400-metre radius of secondary schools, as indicated on the Policies Map, will not be supported unless they are within a town centre, as defined by the Retail Hierarchy associated with Policy SP11. With regard to Wakefield city centre, the boundary of the Primary Shopping Area shall be used when applying this policy.

In the case of Villages, listed in the Local Plan settlement hierarchy and identified on the Policies Map, proposals will be considered on their merits. There may be a case for hot food takeaways in Villages, which are likely to be some distance from other settlements/facilities. Consideration shall be given to the proximity to local schools and other village facilities. Locations near to village shops/services will be preferable.

7.29 Wakefield Council and its partners in Wakefield Together are committed to improving the health of the district's residents. There is no single solution to this issue as there are many contributing factors. However, the planning process can influence choices over food/diet. School children in the district are consuming too many takeaway meals. Children of all ages who eat more than two takeaways a week are also less likely to eat fruit and vegetables frequently and more likely to drink fizzy beverages, crisps and sweets/chocolate. Most secondary school pupils would like to eat a healthier diet but are less likely to if they eat takeaways on two or more days a week. Primary school pupils that eat takeaways on two or more days a week are more likely to want to eat a healthier diet, as reported in the School Health and Wellbeing Survey, 2017. 73% of adults would like to eat a healthier diet (Wakefield District Health and Lifestyle Survey, 2018). Diet is also identified as one of the factors across the age groups which participants believed most influence your health, after mental health.

7.30 47% of primary school pupils and 44% of secondary pupils walk or cycle to school in the district (School Health and Wellbeing Survey, Wakefield District 2017). On these journeys there is the temptation to purchase this type of food on the way to/from school and at lunch times, whether or not children are accompanied by an adult. However, there are limited opportunities for primary school children to leave school at lunchtime. The aim of the Hot Food Takeaway policy is to restrict the number and location of hot food takeaways, especially close to secondary schools, to aid healthy eating choices for all meals. Secondary schools are usually found in residential areas, therefore, restricting opening hours of a takeaway premises within an exclusion area would not meet the policy below, as the option would remain as an evening meal choice, resulting in the same health impact.

7.31 400 metres is recognised as an acceptable distance for people who do not have mobility issues to walk to access services or facilities. It is a convenient walking distance for children attending school.

7.34 Where it is considered necessary to conclude that a proposal is a hybrid use of an E(a) shop and a hot food takeaway, such as a drive through coffee shop for example, or an E(b) restaurant and a hot food takeaway such as, a burger outlet with an extensive takeaway element for example (which may often have a drive through) policy LP12 would apply if they are located in a Hot Food Takeaway Exclusion Area. In these circumstances the hot food takeaway element of the proposal should not be supported.

7.35 Where proposals are received in a Hot Food Takeaway Exclusion Area for a range of uses that include hot food takeaway unit(s), such as for a new local centre for example, the hot food takeaway unit(s) should not be supported. If a proposal lies partially within a Hot Food Takeaway Exclusion Area it should be treated as if it lies wholly within it with regards to the application of this policy. It should also be noted that, according to national planning policy, drive-through restaurants are a main town centre use that would be subject to a sequential approach and provide an assessment of impact above the locally set thresholds.

Food growing policy.

Policy SP12 Leisure, Recreation and Open Space.

Good quality, well maintained leisure, recreation and open space facilities will be secured to address identified deficiencies and to meet the needs of local communities. Key measures include:

Supporting initiatives which enable or improve access to growing healthy food such as community food growing initiatives and allotments.

Synopsis

Local authority	HFT policy (Yes/No)	Details
North Lincolnshire	Yes	400m away from school, Highway safety, Pollution (noise, smell), Over proliferation, Hours of operation.
North East Lincolnshire	Yes	400m away from school, Highway safety, Over proliferation.
Hull	Yes	400m away from school, Over proliferation.
East Riding of Yorkshire	No	Instead focused on fast food.
York	No	Had policy on food and drink (A3). Highway safety, Pollution (noise, smell or litter), Hours of operation.
Craven	No	
Hambleton	No	
Richmondshire	No	
Ryedale	No	

Harrogate	No	
Scarborough	No	
Selby	Yes	400m away from school (in exceptions, the outlet must not open before 5pm), Highway safety, Pollution (smell, litter and waste disposal), Over proliferation, Hours of operation
Barnsley	Yes – SPD	400m away from school, Highway safety and parking, Pollution (noise, water, air and smell), Over proliferation especially locations where there is high level of obesity, Hours of operation.
Doncaster	Yes	400m away from school (in exceptions, the outlet must not open before 5pm), Highway safety, Pollution, Over proliferation, Hours of operation.
Sheffield	Yes	800m away from school (in exceptions, the outlet must not open before 5pm), Pollution (smell and waste removal), Over proliferation.
Rotherham	Yes	800m away from school, Highway safety, Pollution, Over proliferation, Hours of operation, Crime and anti-social behaviour.
Leeds	Yes – SPD	400m away from school (no restriction WILL apply around primary, first and middle schools as children there are not generally allowed out of school at lunch time. They are expected to have less independence and autonomy than secondary school students), Pollution, Over proliferation, Hours of operation.
Bradford	Yes – SPD	400m away from school, youth facilities and parks, Highway safety, Pollution, Over proliferation, Hours of operation (08:00 – 23:00 mon to sat, no opening on sun and bank holidays), Crime and anti-social behaviour.
Calderdale	Yes	400m away from school, Highway safety, Pollution, Over proliferation, Hours of operation.
Kirklees	Yes	Highway safety, Pollution, Over proliferation, Hours of operation, Crime and anti-social behaviour.
Wakefield	Yes	400m away from school

References

- Angus, A., Burgess, P. J., Morris, J., & Lingard, J. (2009). Agriculture and land use: Demand for and supply of agricultural commodities, characteristics of the farming and food industries, and implications for land use in the UK. *Land use policy*, 26, S230-S242.
- Baldock, K. C. R., Goddard, M. A., Hicks, D. M., Kunin, W. E., Mitschunas, N., Morse, H., Osgathorpe, L. M., Potts, S. G., Robertson, K. M., Scott, A. V., Staniczenko, P. P. A., Stone, G. N., Vaughan, I. P., & Memmott, J. (2019). A systems approach reveals urban pollinator hotspots and conservation opportunities. *Nature Ecology & Evolution* 2019 3:3, 3(3), 363–373. <https://doi.org/10.1038/s41559-018-0769-y>
- Burgoine, T., Forouhi, N. G., Griffin, S. J., Wareham, N. J., & Monsivais, P. (2014). Associations between exposure to takeaway food outlets, takeaway food consumption, and body weight in Cambridgeshire, UK: population based, cross sectional study. *BMJ*, 348. <https://doi.org/10.1136/BMJ.G1464>
- Campbell, M., Campbell, I., & Kirby, T. T. W. (2013). Allotment waiting lists in England 2013. Transition Town West Kirby and the National Allotment Society.
- Carmichael, L., Townshend, T. G., Fischer, T. B., Lock, K., Petrokofsky, C., Sheppard, A., Sweeting, D., & Ogilvie, F. (2019). Urban planning as an enabler of urban health: Challenges and good practice in England following the 2012 planning and public health reforms. *Land Use Policy*, 84, 154–162. <https://doi.org/10.1016/j.landusepol.2019.02.043>
- Jaworowska, A., Blackham, T., Stevenson, L., & Davies, I. G. (2012). Determination of salt content in hot takeaway meals in the United Kingdom. *Appetite*, 59(2), 517–522. <https://doi.org/10.1016/j.appet.2012.06.018>
- Keeble, M., Burgoine, T., White, M., Summerbell, C., Cummins, S., & Adams, J. (2021). Planning and Public Health professionals' experiences of using the planning system to regulate hot food takeaway outlets in England: A qualitative study. *Health and Place*, 67. <https://doi.org/10.1016/j.healthplace.2020.102305>
- National Planning Policy Framework. (2012). 8. *Promoting healthy and safe communities - Guidance - GOV.UK*. <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-and-safe-communities>
- Planning Practice Guidance. (2019). *Healthy and safe communities - GOV.UK*. <https://www.gov.uk/guidance/health-and-wellbeing>
- Public Health England. (2019). *Health matters: whole systems approach to obesity - GOV.UK*. <https://www.gov.uk/government/publications/health-matters-whole-systems-approach-to-obesity/health-matters-whole-systems-approach-to-obesity>
- Turbutt, C., Richardson, J., & Pettinger, C. (2019). The impact of hot food takeaways near schools in the UK on childhood obesity: a systematic review of the evidence. *Journal of Public Health*, 41(2), 231–239. <https://doi.org/10.1093/PUBMED/FDY048>

