

ACCESS TO HEALTHY FOOD SUPPLEMENTARY PLANNING DOCUMENT (SPD) Version 7: 280812

A: Introduction

1. Supplementary Planning Documents (SPDs) were introduced by the Planning and Compulsory Purchase Act 2004 as part of the reforms to the planning system. Although not forming part of the statutory development plan, one of the functions of an SPD is to provide further detail on policies and proposals within the development plan. SPDs must be consistent with national and regional planning policies as well as the policies set out in the development plan.
2. The Central Lancashire SPDs have been prepared in accordance with the Local Development Regulations (SI 2004.2204) and the National Planning Policy Framework (NPPF), conforming and responding to all relevant local and national policies and is based on a robust and up-to-date evidence base. They form part of the Local Development Framework (LDF) for the Central Lancashire authorities of Chorley, Preston and South Ribble. SPDs do not seek to allocate land but are to be considered alongside Policy in the Core Strategy and Site Allocations Development Plan Documents (DPDs). Their guidance should therefore be taken into consideration from the earliest stages of the development process of any site, including any purchase negotiations and in the preparation of development schemes.
3. The Central Lancashire Councils recognise the important contribution that planning can make to improving public health and well being. This includes shaping an urban environment that encourages people to adopt healthier lifestyles. Access to healthier food choices is an important part of this. Tackling the problems of poor diet in some communities is a complex issue and planning alone will not resolve it. However, planning can contribute towards a wider public health strategy which aims to improve people's diets and long term health outcomes.
4. To this end, the Councils have worked with NHS Central Lancashire and other partners¹ to produce this Supplementary Planning Document (SPD). The purpose of this SPD is to explain the Councils' approach as local planning authorities towards encouraging better access to healthy food. There are two main elements to this:
 - Restricting the development of new hot food takeaways
 - Promoting the creation of more allotments and encouraging community food growing opportunities
5. A separate document has been prepared containing evidence to support and justify the approach to the control of hot food takeaways². Once adopted, this document should be afforded significant weight as a material consideration in determining planning applications.

B: Planning Policy

6. Guidance on planning policy is issued by Central Government in the **National Planning Policy Framework** (NPPF: March 2012). Local Planning Authorities have to take the contents of the NPPF into account when determining planning applications and preparing documents for the Local Development Framework.
7. The section of the NPPF relevant to the Access to Healthy Food SPD are as follows:
 - **(paragraph 7)** There are three dimensions to sustainable development: economic,

- social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles (including, 2nd bullet point):
- A social role – supporting strong, vibrant and healthy communities....by creating a high quality built environment, with access to local services that reflect the community's needs and support its health, social and cultural well-being.
 - **(paragraph 9)** Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including....(4th bullet point) improving the conditions in which people live, work, travel and take leisure
 - **(paragraph 17)** Planning should (last bullet point)...take account of and support local strategies to improve health, social and cultural well-being for all..
 - **(paragraph 171)** Local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population
8. The NPPF is aligned with the Public Health White Paper (Healthy Lives, Healthy People November 2010) which seeks to empower local government and communities to shape their environments and tackle local problems³.
 9. **The North West Regional Spatial Strategy 2008** is the Regional Plan for the North West to the period 2021 and covers the Central Lancashire area. The Government has made a policy commitment in the Localism Act to revoke the Regional Spatial Strategy.
 10. The **Local Development Framework** is a suite of documents which will, when complete, replace the existing old-style Local Plans as the spatial planning policy documents for the three Central Lancashire councils. The [Central Lancashire Core Strategy](#) is the key document as it sets the overarching vision for the area. It will be underpinned by **Site Allocations and Development Management Policies Development Plan Documents (DPDs)** for each of the three Local Authorities (and in Preston's case, a City Centre Area Action Plan (AAP)). These documents will include policies and proposals allocating some land for development whilst protecting other areas from inappropriate development. The Site Allocations DPDs and AAP will conform to the Core Strategy and, when adopted, will supersede the adopted Preston Local Plan 2004, South Ribble Local Plan 2000 and Chorley Borough Local Plan Review 2003.
 11. The Central Lancashire Core Strategy was adopted in July 2012. Core Strategy Policy 23: Health sets out various ways in which public health principles and planning will be integrated to help to reduce health inequalities. Of particular relevance to this SPD are:
 - Working with partners, including the NHS and local authority environmental health departments, *to manage the location of fast food takeaways* particularly in deprived areas and areas of poor health.
 - Safeguarding and encouraging the role of allotments; garden plots within developments; small scale agriculture and farmers markets in providing access to healthy, affordable locally produced food options.
 12. This SPD is concerned principally with setting out how these aspects of Policy 23 will be implemented.
 13. In addition to the Core Strategy, there are a number of "saved" policies in existing local plans that are relevant. These policies will be incorporated in some form in each authority's emerging Site Allocations and Development Management DPD or AAP.. These local plan policies all pre-date changes that were made to the Use Classes Order in 2005 which created a separate class (A5) for hot food takeaways. Prior to that, takeaways were within class A3.

14. These local plan policies are primarily concerned with the concentration and clustering of non-retail premises in town, district and local centres. Their aim is to protect retail streets from being diluted by too many A2, A3, A4 or A5 uses where this would harm the vitality and viability of the centre, or the shopping character of the particular street. Outside of centres, policies seek to protect residential amenity.

15. The local plan saved policies include:

Chorley Local Plan Review (2003)

- Policy SP4 (Primary Shopping Area)
- Policy SP5 (Secondary Shopping Areas)
- Policy SP6 (District, Neighbourhood and Local Shopping Centres)

Preston Local Plan (2004)

- Policy S3 (City Centre – Primary Retail Frontages)
- Policy S4 (City Centre Shopping Area – Secondary Shopping Frontages)
- Policy S5 (City Centre Shopping Area – Development of Premises outside Defined Retail Frontages)
- Policy S8 (Local Centres – Non-Retail Uses)
- Policy S11 (Hot Food Shops)

South Ribble Local Plan (2000)

- Policy LTC4 (Leyland Town Centre – Criteria for Determining Applications)
- Policy FR1 (Further Retail Policy – definition of district centres)
- Policy FR4 (other retail and commercial development within the existing built up area)

South Ribble Interim Retail Policy (2004)

16. Chorley and Preston councils have published for consultation “preferred options” development management policies that will replace their local plan policies. Policies concerning Preston City Centre will feature in the AAP, and Preferred Options are expected to be published early in 2013. South Ribble Council has reached Publication stage with its DPD.

Chorley Preferred Options Development Management Policies

- Policy EP5 (Primary Shopping Area and Primary Frontage)
- Policy EP6 (Secondary Frontage)
- Policy EP7 (Development and change of use in District and Local Centres)

Preston Preferred Options Development Management Policies

- Policy EP4 (Local Centres)

South Ribble Publication version Site Allocations and Development Management Policies (2012) defers consideration of A5 uses to this SPD.

17. Altogether six SPDs are under preparation for Affordable Housing, Design, Controlling the Re-use of Employment Premises, Rural Development, Access to Healthy Food and Open Space, Sport and Recreation. This SPD will fit into the LDF by setting out guidance to ensure the Core Strategy policies and objectives for access to healthy food are clearly articulated.

C: Restricting the development of new hot food takeaways

Why are hot food takeaways a problem?

18. Obesity is one of the biggest health challenges facing the UK. Currently 2 out of 3 adults are overweight or obese⁴. There is a clear link between increased body fat (obesity) and risk of medical conditions including Type 2 diabetes, cancer, heart and liver disease⁵. The Government estimates the annual cost of overweight and obese individuals to the NHS to be £4.2 billion, a figure that is predicted to more than double by 2050⁴.
19. Whilst there are currently no robust measures of the levels of adult overweight and obesity, estimates indicate that the situation in Central Lancashire is reflective of the national picture, with approximately 24% of adults defined as obese⁶.
20. A high number of individuals (some 60,000) in the NHS Central Lancashire area (which includes West Lancashire) have Type 2 diabetes or hypertension which is likely to be attributable to their weight⁷. Preston and Chorley have significantly worse levels of people diagnosed with diabetes than the national average. In Preston, early deaths from heart disease, stroke and cancer are also significantly worse than the national average⁷.
21. There are particular problems associated with obesity and children. Data shows that the levels of obesity amongst children (year 6) in Central Lancashire are similar to the national average⁷. Research indicates that once a child or adolescent develops obesity they are more likely to remain obese through adulthood, have poor health and reduced life expectancy⁸. Furthermore there is evidence that the children of obese parents are more likely to become obese themselves⁹. The proliferation of hot food takeaways in Central Lancashire, especially in proximity to schools, is therefore a cause for concern. Many schools promote healthy eating but these initiatives can be undermined by hot food takeaways within walking distance of schools. As a nation, a high proportion of our food is now bought at hot food takeaways. Meals and snacks eaten outside the home tend to be higher in fat (with about 40% of calories coming from fat)¹⁰. A report by Consumer Focus (previously the National Consumer Council) found that food from takeaway outlets was often high in fat, salt and sugar and making healthy choices was hard, even for those looking to purchase a healthier version¹¹.
22. England's obesity epidemic has attracted considerable policy attention in recent years¹². [Healthy Weight, Healthy Lives](#)¹³ published in 2008 under the previous government, encouraged local authorities to use existing planning regulations to control more carefully the number and location of fast food outlets⁴.
23. [Healthy Weight, Healthy Lives: a call to action on obesity in England \(2011\)](#)¹³ sets out the new national ambitions to tackle obesity. In this, the government supports the view that whilst healthy eating is about individual decisions, the environment (and particularly the availability of calorie-rich food) now makes it much harder for people to maintain healthy lifestyles. Hot food takeaways are a source of predominantly high calorie food. The document sets out two new national ambitions;
 - A sustained downward trend in the level of excess weight in children by 2020.
 - A downward trend in the level of excess weight averaged across all adults by 2020.
24. The document highlights how local authorities have a lead role in driving health improvements. It also refers to the importance of maximising the contribution of the planning system.

25. The Central Lancashire Partnership Weight Management Strategy¹⁴ sets out the current picture for weight management and obesity in Central Lancashire, illustrates the importance and added value of working together in partnership and details the strategic plan for tackling overweight and obesity. Key actions within the strategy are to restrict the number of fast food outlets and work to encourage healthy catering. Encouraging healthy eating and the achievement and maintenance of a healthy weight is also a priority for the Local Strategic Partnership Health and Well Being Thematic Groups in central Lancashire. Tackling healthy weight is one of the priorities of the Lancashire Children and Young People's Plan¹⁵ (<http://www.lancashirechildrenstrust.org.uk/cypplan/>)
26. Preston was designated a Healthy City in 2009 under Phase V of the World Health Organisation's International Healthy Cities programme. The Healthy City project represents a commitment by the City Council, the NHS,, Lancashire County Council and other partners to work together to promote better health, and particularly better equality in health¹⁶. One of the Core Themes of Phase V concerns healthy living, and the promotion of healthy lifestyles. This includes providing access to healthy food and promoting healthy diets. There are partnership groups in Preston, Chorley and South Ribble focussed on improving the health and wellbeing of the population, including achieving healthy weight.
27. This SPD is therefore part of a broader strategy to tackle health issues in central Lancashire. Improving health is a cross-cutting theme of the councils' LDF. The Central Lancashire Councils will continue working with partners and the catering industry to promote access to healthy food. This will include collaboration on street trader licensing and premises licensing. Local businesses will be encouraged via the Department of Health's National Responsibility Deal¹⁷ to pledge to improve the nutritional quality of the foods they sell.

What does planning say about hot food takeaways?

28. Since 2005, the national planning system has made a distinction between a shop (Class A1), a restaurant and café (Class A3) and a hot food takeaway (Class A5)¹⁸. The definition of a Class A5 hot food takeaway is an establishment whose primary business is the sale of hot food for consumption off the premises.
29. Hot food takeaways differ in purpose from restaurants or cafes (Class A3), drinking establishments (Class A4) and shops (Class A1). This SPD specifically applies to hot food takeaways (Class A5).
30. Sometimes the distinction between A3 and A5 uses can be blurred – an establishment may cater for both eating on the premises (A3) and hot-food takeaways (A5). Some retail shops (A1) also sell hot food to take away. In these cases a judgement has to be made as to which is the primary use and the proposed layouts of such premises usually provide a clear guide as to whether the use will fall into the A3 or the A5 Use Class. In determining the dominant use of the premises consideration will be given to:
- The proportion of space designated for hot food preparation and other servicing in relation to:
 - designated customer circulation space; and/or
 - the number of tables and chairs to be provided for customer use.
31. The Councils will expect the applicant to demonstrate that the proposed use will be the primary business activity. For clarity the table below provides examples, distinguishing between shop types that would either fall within this class or not. This list is not exhaustive.

Examples of Use Class A5 shop types

- Fried Chicken shops
- Fish and chip shops
- Pizza shops
- Chinese, Indian or other takeaway shops
- Kebab shops

Examples of Shop Types not within Use Class A5

- Restaurants/cafés/bistros
- Public houses
- Wine bars
- Night clubs
- Sandwich bars

32. Anyone intending to submit an application for a hot food takeaway is encouraged to read this SPD and contact the councils via the appropriate web site.

- Chorley Borough Council – <http://www.chorley.gov.uk/index.aspx?articleid=595>
- Preston City Council – <http://www.preston.gov.uk/yourservices/planning/planning-applications/>
- South Ribble Borough Council – <http://www.southribble.gov.uk/Section.asp?sectiontype=listseparate&catid=200074>

Please note that there may be a charge for pre-application advice. Details can be found on the above web sites.

33. Planning recognises that hot food takeaways can make a positive contribution to the mix of city and town centre uses. They often provide a popular service to local communities, and can be a source of employment. However, hot food takeaways often dominate the local retail food offer in Central Lancashire's town, district and local shopping centres. Too many takeaways displace other shops and food options, restricting choice and access to healthy, fresh food, which in turn impacts on the health of communities in Central Lancashire.

D: Promoting the creation of more allotments and encouraging community food growing opportunities

Why is food growing important?

34. In recent years there has been an increased interest in food growing, leading to lengthening allotment waiting lists, and new food growing projects being established all over the country. The benefits have long been recognised and include:

- mental and physical health benefits, from eating more fresh food and being physically active outdoors;
- more biodiversity, as a result of turning barren spaces into green, productive areas, and also often using organic growing methods that attract diverse species;
- regeneration of derelict or underused urban spaces which can improve the perceived (or actual) safety of an area;
- more community cohesion, as food growing sites can bring diverse groups of people together around a common interest;
- the potential for economic development, through learning new skills and exploring commercial options for dealing with surplus produce.

35. Local authorities also have statutory duties for the protection and maintenance of allotments, and must provide allotments under section 23 of the Small Holdings and Allotment Act 1908.
36. Allotments are currently protected by local plan policy, and will continue to be safeguarded in the emerging Site Allocation documents. [The Central Lancashire Open Space, Sport and Leisure Review \(2011\)](#) has assessed provision and has identified that demand for allotments (and perhaps other forms of communal food growing) clearly outweighs the supply. Each authority is looking at ways of improving provision. A separate open space SPD will set out appropriate standards of provision for new developments.
37. Anyone with an allotment should be aware that planning permission may be required to erect a shed or other structure. Further detailed guidance on these matters is available at http://www.wlcvs.org/images/stories/files/CFG_Planning_Digging_Below_the_Surface_Final_2.pdf
38. The way that food growing can be incorporated into new developments will depend upon a range of factors. These are discussed at paragraph 50 below. The NHS is supporting community food growing projects throughout Central Lancashire, in conjunction with the Lancashire Wildlife Trust. For further information visit http://www.centrallancashire.nhs.uk/your-health/healthy-eating/Community_Food_Growing_Background.aspx. The Department for Communities and Local Government has published guidance on community food growing (<http://www.communities.gov.uk/publications/communities/foodgrowingguide>) alongside some good practice case studies (<http://www.communities.gov.uk/publications/communities/foodgrowingcasestudies>).

E: The Guidance

Implementation Point 1 – Proximity to Schools

To manage the location of hot food takeaways outside of the defined Preston City Centre and Leyland and Chorley Town Centres, planning permission will not be given for new Use Class A5 uses where proposals are located within the 400m exclusion zones around any primary, secondary, or special school and sixth form college (either within or outside Local Education Authority control).

The 400 m exclusion zones and city/town centre boundaries are identified at Appendix 1.

39. Where the 400m exclusion zone as identified in Appendix 1 has a boundary that cuts across a building or curtilage in whole or part, for the purposes of this document, that whole site shall be considered to be within the exclusion zone. More detailed maps can be viewed on the Central Lancashire LDF website www.centrallancashire.com.
40. The three boroughs are saturated with a total of **367** hot food takeaways, the majority (72%) of which are within 400m of schools.
41. Research indicates that once obesity is reached, it is difficult to treat¹⁹. An obese adolescent is likely to remain so during adulthood, increasing the risk of many serious

diseases such as type 2 diabetes, heart disease and reduced life expectancy⁸. In an effort to establish appropriate healthy eating habits and reduce the rate of childhood obesity in the local population the councils are seeking to restrict the number of new hot food takeaways within 400 metres of primary schools, secondary schools, special schools and sixth form colleges as this is the standard distance between bus stops and is considered reasonable walking distance. 400 metres is considered to represent a 10 minute walk, taking into account physical barriers encountered whilst walking.

42. A 2008 report from the [Nutrition Policy Unit of London Metropolitan University](#)²⁰ found that food outlets in close proximity to, and surrounding, schools were an obstacle to secondary school children eating healthily. Takeaways within walking distance of schools are therefore a contributing factor to the rising levels of obesity in the boroughs. It is for this reason that the exclusion zone is set at 400 metres from secondary schools.
43. Whilst pupils in primary education should not be allowed out of school premises during the school day, research has indicated that the most popular time for purchasing food from shops is after school²¹. Since not all primary school pupils will be accompanied home, it is deemed appropriate to also apply the exclusion zone to primary schools. This will also support parents accompanying their children home to make healthier choices.
44. Given the extent of the exclusion zone around schools it is considered unnecessary to implement further buffers around parks, children's centres and leisure centres. The effectiveness and extent of the exclusion zone will be reviewed in monitoring this SPD. This monitoring will take account of any new schools.
45. For the purposes of this document, the 400m exclusion zone is established from the asset boundary of each Local Education Authority (LEA) school and the assumed boundary of non-LEA schools. This includes LEA special schools. Where any minor gaps within the exclusion zones have emerged these are deemed to have been included within the zones in the interests of the integrity of this document.
46. Lancashire County Council Trading Standards operates a "Recipe 4 Health" scheme which promotes the use of healthy options in catering establishments. Where planning permission is granted for a new hot food takeaway, then membership of this scheme will be promoted (see <http://www.lancashire.gov.uk/corporate/web/view.asp?siteid=3125&pageid=7426>) .
47. Implementation Point 2 addresses proposals for hot food takeaways (A5 uses) which are either
 - within the defined Preston City or Leyland or Chorley Town Centre boundaries, or
 - are outside of a 400m buffer but within a defined district or local centre.

Implementation Point 2 – Concentration and Clustering

Within the defined Preston City Centre, Leyland Town Centre, and Chorley Town Centre, planning permission will be granted for a hot food takeaway (A5 use) provided that it would not result in an over concentration of hot food takeaways to the detriment of the retail function of the centre as a whole.

Outside of the hot food takeaway exclusion zones and the defined City / Town Centre boundaries, planning permission will be granted for a hot food takeaway (A5 use) provided that it is located within a defined district or local centre and it would not result in an over concentration of hot food takeaways to the detriment of the retail function of the centre as a whole.

development management policies, new retail development is expected to be located in City and Town Centres and the policy seeks to maintain the role of Preston City Centre and Leyland and Chorley Town Centres as the key service areas. It is recognised that hot food takeaways contribute to the overall vitality and viability of city and town centres. However, an overabundance of hot food takeaways, particularly where they form clusters both within and outside of designated centres, can have an adverse impact on the vitality and viability of existing designated shopping centres.

49. Increased numbers of customers around A5 uses, particularly in the late evening when trading activity tends to reach its peak, can lead to problems of disturbance, increased noise and anti-social behaviour. Hot food takeaways therefore have wider public health impacts beyond nutrition and obesity. Within town centres and other shopping areas, it is important that such cases do not detract from the centre's primary retail function, or result in a loss of shops to the detriment of local residents. Clustering of hot food takeaways can lead to dead frontages during daytime hours.
50. Where groups of A5 uses develop, they displace other retail shops, breaking up the continuity of the retail frontage. Particularly in the designated shopping centres, such "clustering" can undermine the primary retailing function of these areas, reducing the viability, vitality and general attractiveness of such centres. Consequently, to ensure that shopping areas are diverse and balanced, especially in designated centres, applications for hot food takeaways will be assessed for their cumulative impact.
51. The defined city, town, district and local centres are those in accordance with the current Local Plans and any changes to those boundaries included in the emerging Local Development Framework.

Implementation Point 3 – Allotments and Communal Food Growing Initiatives

Communities should be planned to include space for allotments, market gardens and small scale food production.

52. The way that food growing can be incorporated into new developments will depend upon a range of factors. Some developments may have no land available but could consider utilising rooftops, walls or balconies as growing spaces. Some developments may have limited access to land in which case landscaping could include productive plants such as herbs or fruit trees as a minimum. Land within a development that is considered unsuitable for buildings i.e. land susceptible to subsidence, or awkward pockets could be considered for food growing. Residential developments will present a different scenario to commercial or mixed use development, as there is immediately an obvious group of people to grow the food (i.e. residents). In other situations thought will need to be given to the on-going management of the growing space and who will harvest the produce.
53. Further details about developers meeting the requirement for the provision of new allotments will be contained in a separate SPD. This will include detail of the arrangements for the management and maintenance of the allotments.

F: Sustainability appraisal and habitats regulations assessment

54. Given the relationship between this SPD, the Core Strategy and the Site Allocations DPDs and the level of Sustainability Appraisal (SA) that these documents have undergone together with the anticipated absence of any significant environmental

effects arising from this proposal, an independent SA of this Planning Framework SPD is not required. In addition, the Core Strategy has undergone a Habitats Regulations Screening Assessment to determine the likely significant effects of the plan on sites of international nature conservation importance. Given the SPD is in conformity with the policies contained within the Core Strategy, a full Screening Assessment of this SPD is not required.

G: Monitoring and Review

55. The Councils will monitor the effectiveness of this guidance including Core Strategy key indicators and review as appropriate in the light of its performance and future changes in planning law, and policy guidance, and the opening of new schools or possible school closures. The review may include consideration of whether buffer zones are also extended around public parks, children’s centres, leisure centres and nurseries in support of health activities taking place in these locations.

H: Further Information

56 The SPD will primarily be implemented through the development management process and the determination of planning applications. Charges may apply for pre-application consultations; please see websites for details. Planning Officers will be pleased to provide advice and guidance on planning matters regarding access to health food. They can be contacted on:

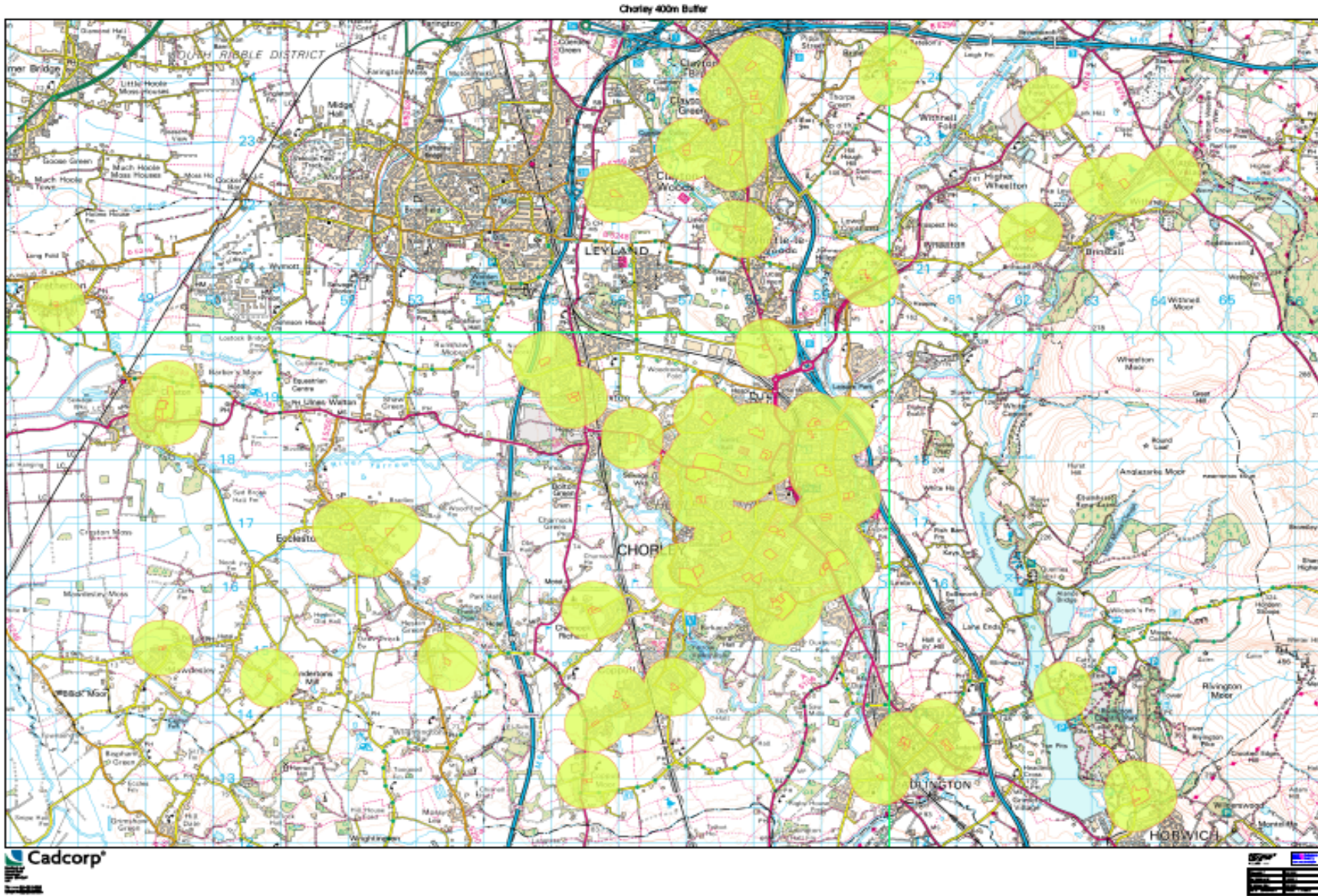
Local Authority	Website	Telephone	Email
Preston City Council	www.preston.gov.uk	01772 906949	devcon@preston.gov.uk
Chorley Council	www.chorley.gov.uk	01257 515151	dcon@chorley.gov.uk
South Ribble Borough Council	www.southribble.gov.uk	01772 421491	planning@southribble.gov.uk

I: References

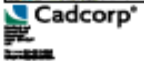
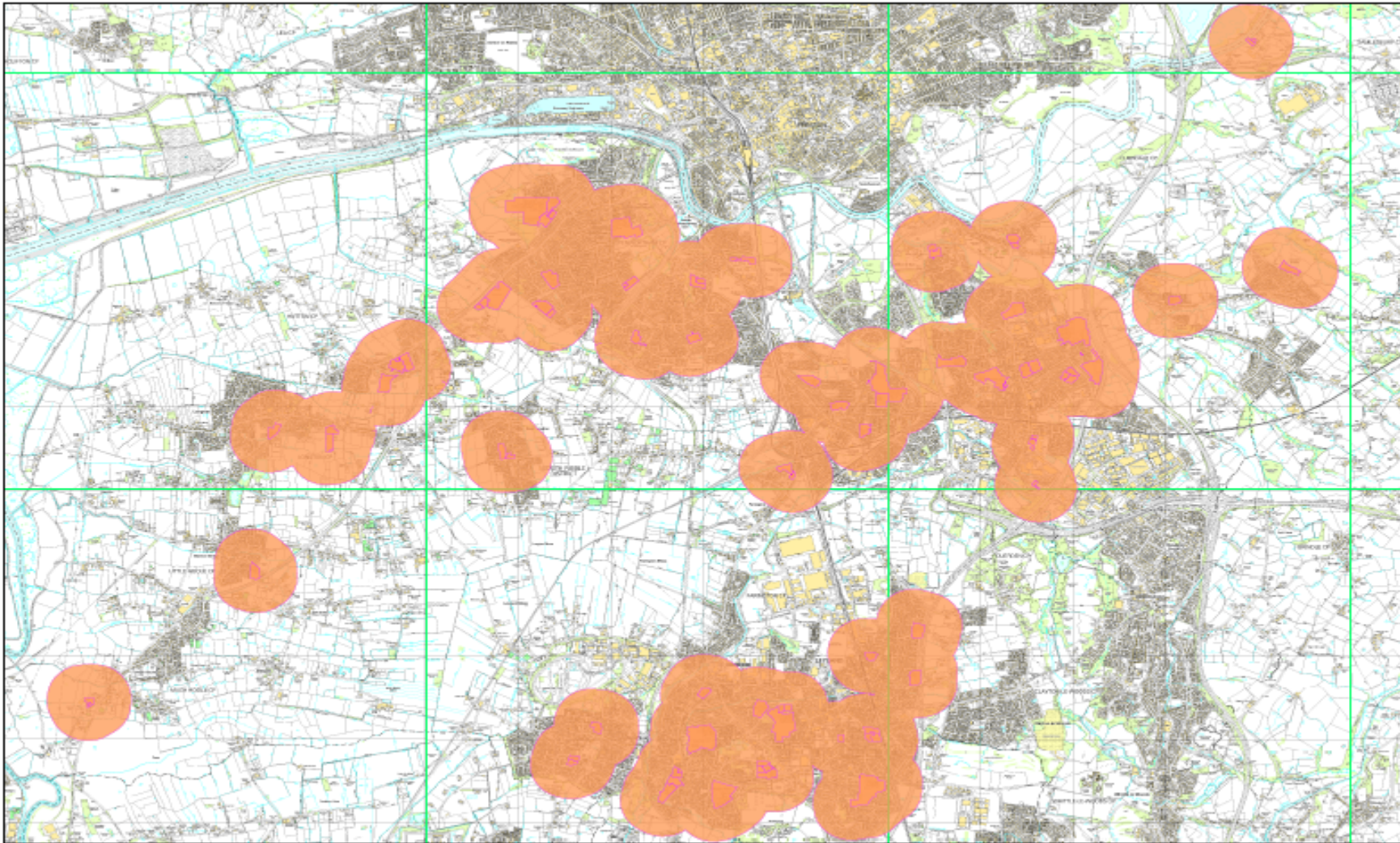
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14. The Central Lancashire Partnership Weight Management Strategy - http://www.centrallancashire.nhs.uk/weightmanagement/weight_management_steering_group.aspx
15. Lancashire Children and Young People’s Trust - Children and Young People’s Plan 2011-2014 - <http://www.lancashirechildrenstrust.org.uk/cypplan/>
16. Preston Healthy City Framework for Action (2011) - http://www.centrallancashire.nhs.uk/your-health/Preston_Healthy_City.aspx
17. Department of Health – The Public Health Responsibility Deal , 2011 - <https://www.wp.dh.gov.uk/responsibilitydeal/files/2012/03/The-Public-Health-Responsibility-Deal-March-2011.pdf>
18. Town and Country Planning (Use Classes) (Amendment) Order 2005 - <http://www.legislation.gov.uk/uksi/2005/84/contents/made>

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EXCLUSION ZONE MAPS (400 M AROUND SCHOOLS) NB NEED TO PUT TOWN CENTRE BOUNDARY ON



South Ribbles 400m Buffer



Preskin 400m Buffer

