

**Manchester City Council
Report for Resolution**

Report to: Neighbourhood and Environment Scrutiny – 28 February 2017
Executive – 8 March 2017

Subject: Hot Food Takeaway Supplementary Planning Document

Report of: Deputy Chief Executive, Growth and Neighbourhoods
Directorate

Summary

The report summarises comments made during consultation on the Draft Hot Food Takeaway Supplementary Planning Document, recommends a Council response and as a result proposes amendments. The report also recommends adoption of the amended Hot Food Takeaway Supplementary Planning Document which will be used when considering applications for planning permission for new Hot Food Takeaway premises.

Recommendations

1. Neighbourhood Scrutiny Committee is invited to comment on the report and consider the amended Hot Food Takeaway Supplementary Planning Document attached at Appendix C.
2. Executive is recommended to comment on the report and adopt the Hot Food Takeaway Supplementary Planning Document attached at Appendix C.

Wards Affected: All

Manchester Strategy outcomes	Summary of the contribution to the strategy
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	More detailed planning policy on hot food takeaways will help to manage the vitality of centres.
A highly skilled city: world class and home grown talent sustaining the city's economic success	Vibrant centres provide significant levels of employment for Manchester residents.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	Managing the impacts of hot food takeaways in centres and around schools can improve centres, making them places people wish to spend time in and improve the ability of young people to make healthy food choices.

A liveable and low carbon city: a destination of choice to live, visit, work	Managing hot food take-aways will help enhance the quality of centres and neighbourhoods.
A connected city: world class infrastructure and connectivity to drive growth	Well-planned development can make the most of the connections within an area.

Full details are in the body of the report, along with any implications for

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

There are no direct costs to the policy, but any new approach to planning is open to challenge if it results in appeals against planning application refusals, and this could have resource implications for the Council. However, making decisions in line with adopted policy can mitigate this risk.

Financial Consequences – Capital

None

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

- Draft Hot Food Take-Away Supplementary Planning Document Report to Executive 1 June 2016 and the Manchester Core Strategy

1.0 Introduction

- 1.1 In July 2015, Executive considered a report covering a range of potential work areas related to the Local Plan, including planning policy covering hot food takeaways. Officers were instructed to prepare more detailed policies on this issue. This followed concerns about the impact of hot food takeaways on the main role and function of centres and also the ability of residents to make healthy food choices. The Hot Food Takeaway Supplementary Planning Document (SPD) builds on existing planning policies in the Core Strategy relating to health, centres, amenity and the night time economy. Developing vibrant and healthy neighbourhoods and successful centres is a priority for the Council.
- 1.2 At the same time, the Council has been tackling obesity amongst children using a variety of initiatives, mainly through public health programmes. Planning policies can control certain aspects of our environment and alongside other measures encourage more active and healthy lifestyles. The use of planning levers, such as supplementary planning documents, offers the opportunity to consider hot food takeaways in terms of their health impact on children as well as the vitality of centres.

2.0 Policies and SPDs on Hot Food Takeaways in other Local Authorities

- 2.1 Several Local Authorities have already adopted policies aimed at managing the number of hot food takeaways. Salford City Council adopted a hot food takeaways SPD in 2007 and updated it in 2014. It currently includes policies to guard against over concentration and restricts opening times of takeaways within 400m of secondary schools. The policy restricting takeaways close to schools generated public and media interest, brought a focus on diet and healthy eating and has raised the issue of childhood obesity locally.
- 2.2 St Helens have a Hot Food Takeaway SPD that creates an exclusion zone, within which new hot food takeaways will not be permitted, of 400m around primary, secondary and sixth form colleges in the borough. The SPD also restricts takeaway outlets to 5% of total units in centres or frontages. Since introducing the policy the council has contested four appeals relating to hot food takeaways and in all cases the Council's decision to refuse planning permission was upheld by the inspector.
- 2.3 Oldham MBC adopted a Vibrant Centres Supplementary Planning Document in 2012. It specifies that no more than 10% of ground floor frontages in centres outside the Town Centre and in local shopping parades will be hot food takeaways and includes restrictions on clustering.
- 2.4 Lewisham Council have a policy in their Development Management Local Plan that will not allow new takeaway establishments falling within 400m of secondary or primary school boundaries. It also restricts density of takeaway establishments to 5% of total uses in district centres and 10% in local centres. An application was refused for a change of use from retail to a hot food

takeaway within 400m of 4 primary schools. The decision went to appeal¹ and was dismissed. The Inspector appreciated that, although the local policy did not prove a direct link between the proliferation of hot food takeaways and the causes of obesity it sought to manage the proliferation of hot food takeaways as a method of combating their impact on the health and wellbeing of the community, in particular children. Having regard to Lewisham Council's planning policy relating to the location of hot food takeaways, which seeks to limit access to unhealthy foods which can reduce obesity levels and associated health concerns, and the aims and objectives of promoting healthy eating and lifestyles expressed in national, regional and local guidance and initiative; the Inspector concluded that the hot food takeaway being proposed would materially harm the health and wellbeing of local residents.

3.0 Planning Policy Context

- 3.1 Local planning policy operates within a hierarchy. At the top, national policy sets out general policy principles, which must be reflected within local policy and can be material considerations in decisions on planning applications. Local plans are therefore based on the principles of national policy, but taking account local circumstances and opportunities. Manchester's local plan is predominantly contained within the Core Strategy, which was adopted in 2012 and sets out a broad strategy and policies to guide development across the City to 2027. To address issues where more detailed guidance is needed, supplementary policy can be produced through Supplementary Planning Documents (SPDs). Although they carry less weight than the Core Strategy, SPDs are statutory documents that are produced according to planning regulations and have weight when planning applications are being considered.
- 3.2 In line with the National Planning Policy Framework (NPPF), one of the key aims of the Hot Food Takeaway SPD is to promote the vitality and viability of centres and therefore the success of Manchester's district and local centres.
- 3.3 The Hot Food Takeaway SPD builds on the objectives and policies in the Manchester Core Strategy, promoting a healthy population, sustainable communities and thriving district centres (in particular policies SP1, C1, C2, C9 and C10). The Core Strategy seeks to promote centres as locations for a mix of uses including food and drink, and as places that improve access to healthy food. They are identified as suitable locations for the development of the night time economy, provided proposals meet policies controlling the harmful affects of uses on residential amenity and overall centre character.
- 3.4 Policy C1 of the Core Strategy describes the centre hierarchy for the city as Manchester City Centre, District Centres and Local Centres. It also lists all the district centres and many of the local centres in Manchester. Policy C1 also states that any locations not identified in the Local Development Framework but which perform the same function in terms of scale and meeting local needs will also be considered to be local centres. This list of centres is

¹ Appeal Ref: APP/C5690/A/14/2228987 Lewisham Way, London, SE4 1UY

included in Appendix A. The Hot Food Takeaway SPD refers to district and local centres.

- 3.5 Policy C10 in the Core Strategy on leisure and the evening economy permits such uses subject to:
- Cumulative impact - in areas where there is already a concentration of hot food takeaways (A5) which are detrimental to the character or vitality and viability of the centre, there will be a presumption against further facilities.
 - Residential amenity - the use should not create an unacceptable impact on neighbouring uses in terms of noise, traffic and disturbance.
 - Balance - town centre uses should support both the day-time and evening/ night time economies
- 3.6 Policy SP1, Spatial Principles, in the Core Strategy states that development in all parts of the City should make a positive contribution to neighbourhoods of choice including:-
- Making a positive contribution to the health, safety and wellbeing of residents

4.0 Consultation

- 4.1 Following the Executive's decision in July 2015 to commence production on the SPD, the Council undertook an initial 6 week consultation beginning in August 2015. This consultation was an opportunity for stakeholders to submit their views on the issues that potentially would be covered in the policy. This was an evidence and issue gathering stage and 26 responses were received. These contained comments relating to vitality and viability of centres, health concerns and the link to obesity. An extensive range of amenity issues were also raised.
- 4.2 Taking into account the issues raised in the initial consultation a draft Hot Food Takeaway Supplementary Planning Document was developed. On the 1st June 2016 Executive agreed the draft document for the purposes of public consultation. In brief the draft SPD contained 3 policies:-
- Policy 1 limits additional hot food takeaways (Planning use class A5) within centres where this use already occupies 5% of the units within the centre. It also requires shutters to be left open during the day.
 - Policy 2 manages a range of amenity issues falling within the remit of planning, including noise, traffic and odours.
 - Policy 3 restricts the opening hours of hot food takeaways within 400m of a school, seeking to encourage children and parents to make healthy food choices.
- 4.3 The public consultation on the draft policy was run for 12 weeks from 22nd June to 19th Sept 2016.
- 4.4 During this time the Council received comments from 18 respondents. A table with a summary of each of the representations received and the proposed Council response is shown in Appendix B. In brief, 11 of the 19 responses received were in support of the draft SPD, 6 objected and 1 was neutral. Of

the 6 who objected the following views were expressed:-

- Meaning and measurement of town centres uses unclear
- SPD is not in accordance with NPPF
- Council does not have evidence for applying the 5% threshold
- Not all hot food takeaway food is unhealthy
- A5 uses may add to vibrancy of centres
- Evidence doesn't support link between obesity and hot food takeaways close to schools
- Other non A5 retailers sell unhealthy food

5.0 Consideration of consultation responses to the draft SPD and recommended amendments

5.1 Consultees have questioned what is meant by district and local centres. The following explanation has therefore been added to the explanatory text below policy 1 "District centres and local centres in Manchester are as described by Core Strategy Policy C1 which lists all district centres and many of Manchester's local centres and also states that any locations not identified but which perform the same function in terms of scale and meeting local needs which will also be considered to be local centres."

5.2 One consultee has said it is unclear as to what is meant by all town centre uses and how concentration of hot food takeaways should be measured. To clarify this issue it is proposed to amend 'town centre uses' in the first bullet in Policy 1 to 'ground floor frontages' and the following notes added.

"The concentration of A5 uses in centres is calculated as the percentage of A5 uses when compared to all non-residential ground floor frontages within district centres and local centres as defined above. Frontages will be counted by entrances i.e. a block of offices with one entrance will count as 1 use and a terrace of 4 shops each with its own entrance will count as 4."

"For the purposes of Policy 1, town centres uses include Main Town Centre uses² as defined by NPPF and accessible key services (including retail, health facilities, public services, leisure activities and financial and legal services) as described in Core Strategy Policy C1."

5.3 The current average concentration of takeaways (measured as described above) for all district centres in Manchester is 10%. Consultees have suggested, therefore, that the draft SPD supporting a new takeaway only if it does not result in a concentration of takeaways over 5% is setting a threshold that is too low and is effectively a moratorium on hot food takeaways . The 5%

² NPPF definition of Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

threshold was intentionally set below the current average to reflect the Council's desire to actively promote a more healthy food landscape across the City, however, Executive are asked to consider the impact of raising the threshold to 10%. Considering the current spread of hot food takeaways across the City's district centres, it is considered that 10% is a threshold that is more likely to be supported through planning appeals. This is the current average for Manchester's district centres, and there is not strong evidence that the vitality and viability of centres with a proportion lower than 10% is significantly harmed. However, the proposed policy also indicates that, in centres where the proportion of takeaways is approaching 10%, the council would consider the area surrounding the application site to assess more local impacts. A threshold of 5% results in new hot food takeaways being considered inappropriate in 13 of Manchester's 17 district centres, however, if the threshold were to be increased to 10%, hot food takeaways may be considered appropriate in an additional 5 centres, subject to other policy considerations in the SPD and elsewhere in the Local Plan.

- 5.4 Consultees have suggested that not all takeaway food is unhealthy, that healthier options/outlets should be encouraged and that the council should be working with takeaway outlets to improve the nutritional content of the food on offer. Some consultees have expressed a wish to work with the Council to promote healthy food choices in the city and these offers will be explored by officers.

Proposed amendment to policy 1

- 5.5 In the light of the consultation responses and to allow capacity for healthier outlets in district centres whilst restricting new outlets where concentration is high, it is proposed to amend the threshold for concentration of hot food takeaways in centres to the current average of 10%. However for centres where the concentration of hot food takeaways is approaching 10% it is recommended that consideration is also given to the impact of the proposal on the character of the area surrounding the application site.
- 5.6 It is proposed, therefore, to amend the first bullet re concentration of hot food takeaways in Policy 1 to:-

A proposal will be considered to be harmful to the vitality and viability of a centre if it:

- Increases the concentration of hot food takeaway ground floor frontages in a centre to more than 10% of all non-residential ground floor frontages (see paragraph 4.4 below). In centres where the proportion of hot food takeaway ground floor frontages is approaching 10%, consideration will also be given to the impact of the proposal on the character of the area surrounding the application site. Applications will not normally be permitted if the proposal would lead to the proportion of hot food takeaway frontages being more than 10% of non-residential ground floor frontages in a particular part of the centre concerned.

(NB paragraph 4.4 in the SPD contains the explanation of how concentration is assessed as described in paragraph 5.2 above)

Proposed amendment to Policy 3

- 5.7 Policy 3 restricts the opening times of new takeaways within 400m of a primary school as follows:-
- A primary school: the hot food takeaway is not open to the public between 3 pm to 5.30pm on weekdays.
 - A secondary school: the hot food takeaway is not open to the public before 5.30pm on weekdays.

The policy also states that 'The only exception to this approach is where the proposal is within centres designated in the Local Plan....' In response to the comment received re the meaning of district and local centres it is proposed to add clarity to this paragraph by amending the policy to read 'The only exception to this approach is where the proposal is within a district centre designated in the Local Plan....'

- 5.8 No other amendments to the SPD are proposed, however it is suggested that references to research and statistics where relevant are updated. The full amended Hot Food Takeaway SPD is attached in Appendix C.

6.0 Wider approach to promoting healthy lifestyles

- 6.1 Supporting the health and wellbeing of residents is a priority for Manchester City Council and it is recognised that through a wide range of council functions, it is well placed to contribute towards creating healthier environments for our children and young people. The planning system is just one area in which local government can act, however it should be considered as part of a whole system approach to promoting healthy lifestyles and tackling obesity. Getting the young people in our communities off to the best start is a key priority for the Manchester Joint Health and Wellbeing Strategy and through working with our partners, communities and commissioned services, we aim to deliver an integrated strategy in promoting healthy eating, physical activity, tackling obesity and addressing the wider determinants of health.

7.0 Adoption

- 7.1 Following consultation Executive are recommended to approve the proposed amendments and adopt the Hot Food Takeaway Supplementary Planning Document attached at Appendix C.

8.0 Contributing to the Community Strategy

(a) A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities

- 8.1 A Hot Food takeaway SPD will contribute towards creating high quality centres and neighbourhoods people wish to visit, shop and live in.

(b) A highly skilled city: world class and home grown talent sustaining the city's economic success

- 8.2 Planning policies which promote the vitality of centres will encourage businesses to locate and generate local employment opportunities.

(c) A progressive and equitable city: making a positive contribution by unlocking the potential of our communities

- 8.3 A Hot Food Takeaway Supplementary Planning Document will seek to minimise harmful affects on vitality and viability of centres and promote healthy food choices around schools. It will also help deliver centres people are proud to visit and encourage healthy lifestyles unlocking the potential of our communities.

(d) A liveable and low carbon city: a destination of choice to live, visit, work

- 8.4 The Hot Food Takeaway SPD will provide more detailed planning policies enabling careful consideration of planning application for hot food takeaways and better decision making which will support the creation of neighbourhoods of choice.

9.0 Key Polices and Considerations

(a) Equal Opportunities

- 9.1 Preparation of any new planning policies will accord with all legal requirements related to equal opportunities.

(b) Risk Management

- 9.2 A Hot Food Takeaway Supplementary Planning Document will create a framework for better decision making around the location and impact of hot food takeaways.

(c) Legal Considerations

- 9.3 The Hot Food Takeaway SPD will be prepared in accordance with national and local policy and in accordance with relevant regulations.

Appendix A - District and Local Centres as defined in Policy C1 of Manchester's Core Strategy

District Centres	Local Centres ³
Cheetham Hill	Victoria Avenue/Rochdale Road (Charlestown)
Harpurhey	Hollinwood Ave/Greengate (Moston)
Eastlands	Landsdowne Rd/Crumpsall Lane (Crumpsall)
Gorton	Worsley Ave/Kenyon Lane (Lightbowne)
Newton Heath	Moston Lane (Harpurhey)
Openshaw	Collyhurst (as part of redevelopment)
Hulme	Ashton New Road/Manchester Road (Beswick and Clayton)
Longsight	Hyde Rd/Reddish Lane (Gorton North)
Rusholme	Princess Rd/Claremont Rd (Moss Side)
Chorlton	Precinct Centre, Oxford Road (Ardwick/Hulme),
Didsbury	Withington Rd/Yarburgh St (Whalley Range)
Fallowfield	Claremont Rd (Moss Side)
Levenshulme	Dickenson Rd/Anson Rd (Longsight/Rusholme)
Withington	Manchester Rd/Upper Chorlton Rd (Whalley Range)
Northenden	Lloyd St South/Platt Lane/Hart Rd (Fallowfield)
Wythenshawe	Kingsway/Slade Lane (Levenshulme)
Baguley (West Wythenshawe)	Beech Rd/Stockton Rd/Chorlton Green (Chorlton)
	Barlow Moor Rd/Mauldeth Rd West (Chorlton Park)
	Merseybank Ave (Chorlton Park)
	Mauldeth Rd (Withington)
	Kingsway/Mauldeth Rd (Burnage)
	Burnage Lane (Burnage)
	Burton Road/Cavendish Road/Lapwing Lane (West Didsbury)
	Fog Lane/Lane End/Burnage Lane (Burnage)

³ This list is not comprehensive and any locations not identified in the above but which perform the same function in terms of scale and meeting local needs will also be considered to be local centres

Appendix B – Representations received to consultation and draft responses

Representor	Support/ Object	Summary of Comment	Councils response
Resident	Support	Support but asks that further detail be provided on the statement "supported in living healthy lives" and the reliance on hot food takeaways should not be encouraged.	Comments noted. Supporting the health and wellbeing of our residents is a priority for the Council and we recognise that through a wide range of our functions, we are well placed to contribute towards creating healthier environments for our children and young people. The planning system is just one area in which local government can act, however it should be considered as part of a whole systems approach to promoting healthy lifestyles and tackling obesity. Getting the young people in our communities off to the best start is a key priority for the Manchester Joint Health and Wellbeing Strategy and through working with our partners, communities and commissioned services, we aim to deliver an integrated strategy in promoting healthy eating, physical activity, tackling obesity and addressing the wider determinants of health.
Resident	Support	Supports SPD and would like to see other uses encouraged to help bring the community together.	Response as above
KFC	Object	No evidence of any link between the proximity of hot food takeaways to schools and the incidence of overweight or obesity in those schools. Objects to Policy 3 Restrictions on HFTA's 400m from a school. Questions why HFTA's are targeted in this policy because other retail uses sell unhealthy food. Suggests concentration of other retailers	Comments noted. Research references have been updated. It is the Council's view that studies including 'The association between the geography of fast food outlets and childhood obesity in Leeds, UK, Fraser and Edwards, University of Leeds, 2010' and 'Associations between exposure to takeaway food outlets, takeaway food consumption, and body weight in Cambridgeshire, Thomas Burgoine et al, 2014' do prove a link between the density and proximity of A5 outlets to obesity. The studies

Representor	Support/ Object	Summary of Comment	Councils response
		<p>should be included in the policy. Concerned that there is no evidence that restrictions on opening times will be effective and questions why primaries are included because they do not allow children out during the day. Policy 3 is unlawful as it lacks a Development Plan policy to which it relates.</p>	<p>show this is true for children and for adults. The Council acknowledges that A1 (Shops) and A3 (Restaurant and Cafes) may also sell calorie rich food, however this tends to be a smaller proportion of the goods on offer. Shops, restaurants and cafes provide an essential service to local communities providing local access to food and improve the vitality of local centres. As planning has no remit to specify what type of food can be sold by these businesses they are not covered by this policy.</p> <p>Policy 3 includes a restriction on opening times at the end of the school day for outlets near to primary schools as research shows that children who are obese by Year 6 are more likely to be obese and have related health problems in adulthood (note comments from Manchester public Health). The Council acknowledges that primary school children are not likely to leave school during the day and therefore the policy does not restrict opening times near primary schools at lunchtime.</p> <p>The link between density of hot food takeaways and obesity in children has been established by Fraser and Edwards. By restricting opening hours of takeaways within 400m of schools, the density of takeaways is reduced in the area during the time children are walking home from school (and for Secondary pupils leaving school for lunch)</p> <p>Policy 3 relates to policy SP1 in the Core Strategy, specifically that development must make a positive</p>

Representor	Support/ Object	Summary of Comment	Councils response
			contribution to the health, safety and wellbeing of residents.
Nationwide Caterers Association	Object	It is too late for this policy. Need to improve the food served in these outlets and promote healthy food options.	Comments noted. The Council acknowledges that the health gains from this approach in isolation could be limited but when considered in combination with other local and national initiatives, resisting proposals for hot food takeaway establishments could have a meaningful impact. The proposals suggested are beyond the remit of this SPD but have been referred to other relevant sections of the Council.
Shift Design Healthy Fast Food Programme	Object	Not all HFTA's serve unhealthy food. Council should follow example of work in London and Birmingham encouraging HFTA's to be healthy. MCC should work with the trend of more "out of home eating", this supports vibrancy by keeping business open and economic benefits of HFTA's. They encourage the use of a mapping, categorisation and nutritional analysis tool to give a healthy score to HFTA's. Research evidence demonstrates that hot food takeaways are not unhealthy by default and therefore the impact of hot food takeaways on diet needs to reflect both density and offering.	Comments noted. The proposals suggested are beyond the remit of this SPD but have been referred to other relevant sections of the Council. The Council acknowledges that the health gains from this approach in isolation could be limited but when considered in combination with other local and national initiatives, resisting proposals for hot food takeaway establishments could have a meaningful impact.
Manchester Public Health	Support	Welcome bold approach in SPD, particularly policy 3. The most recent data sourced from NCMP in 2014/15, shows that the percentage of obese children in Reception and school Year 6 in Manchester is higher than the National and North West average. In	Comments noted

Representor	Support/ Object	Summary of Comment	Councils response
		<p>Reception, 10.8% of children were classified as obese with levels more than doubling by year 6 to 24.3%. There is strong evidence to link childhood obesity with increased risk of a range of physical and mental health conditions such as elevated blood pressure and cholesterol, adverse changes to the heart, dental carries and depression. Obese children are more likely to become obese adults, increasing the likelihood of developing such health problems in later life. Supporting the health and wellbeing of our young people is a priority for Public Health and our partners'.</p>	
Manchester Food Board	Support	<p>The draft Hot Food Takeaway SPD relates directly to the Manchester Food Board commitments and the board is in general agreement to support the draft Hot Food Takeaway SPD and its bold approach in considering the location of hot food takeaways in relation to Manchester schools.</p>	Comments noted
Planware for McDonalds	Object	<p>SPD doesn't accord with NPPF. It restricts economic growth, over burdens business and places an unnecessary financial burden on business and the NPPF does not promote restrictions on a particular use class. Object to restrictions placed on HFTA's within 400m of a school. SPD goes beyond the scope of adopted policy. Lack of evidence that purchases in fast food outlets are more or less healthy than</p>	<p>The Council believes the HFTA SPD is in compliance with NPPF as explained in sections 2.3 and 2.4 of the SPD.</p> <p>In line with the NPPF, the SPD promotes the vitality and viability of centres and therefore the success of district centre uses. The Council does not believe that ensuring there is a good mix of uses in district centres or restricting opening times near schools places an unnecessary financial burden on businesses.</p> <p>It is generally accepted that 400m is the equivalent of 5</p>

Representor	Support/ Object	Summary of Comment	Councils response
		<p>purchases in other A premises. Only limited purchases of food are made at A5 uses on journeys to and from schools. A5 uses may add to vibrancy of shop frontages and SPD has no exemptions.</p>	<p>minutes walking time. The Council has assumed this to be 5 to 10 minutes walking time for children. The link between density of hot food takeaways and obesity in children has been established by Fraser and Edwards, University of Leeds, 2010'. By restricting opening hours of takeaways within 400m of schools, the density of takeaways is reduced in the area during the time children are walking home from school (and for Secondary pupils leaving school for lunch)</p> <p>The Council disputes the claim that the SPD does not assist applicants to make successful applications as it adds clarity add further detail to Core Strategy policies. The Council acknowledges that A1 (Shops) and A3 (Restaurant and Cafes) may also sell calorie rich food, however this tends to be a smaller proportion of the goods on offer. Shops, restaurants and cafes provide an essential service to local communities providing local access to food and improve the vitality of local centres. As planning has no remit to specify what type of food can be sold by these businesses they are not covered by this policy.</p> <p>The Council also acknowledges that takeaways can add to the vibrancy of district centres if there is not an over concentration. Policy 1 does provide for an exemption in certain circumstances.</p>
United Utilities	Neutral	Requests that the need for the appropriate waste management and disposal of fats, oils	Comments noted. The policy references MCC Guidance GD04 which sets out appropriate waste management and

Representor	Support/ Object	Summary of Comment	Councils response
		and greases is highlighted in Policy 2	disposal for food waste.
Community Guardians - Fallowfield, Ladybarn and Withington	Support	<p>Support SPD in particular the restriction on shutter opening times and the need to reduce litter.</p> <p>Take Away shop shutters are often down during the daytime giving our district centres a ghost town image but at night they open and premises contribute to significant levels of noise, litter and anti-social behaviour.</p> <p>Many of the take away units have also been identified as operating outside of the law and there are frequent breaches of trading hours</p> <p>Community Guardians would love to see a reduction in the number of take away premises in district centres throughout Manchester and the opportunity for more diverse independent traders. We feel this would also lead to a reduction in litter and by providing fewer opportunities to buy fast food might help reduce consumption of the same and help contribute to a reduction in obesity in the longer term.</p> <p>Request for reference to restrictions on delivery times to reduce noise.</p>	<p>Comments noted.</p> <p>Conditions regarding restrictions to delivery times will be considered under Highway safety on an individual site basis.</p> <p>The issue of takeaways operating in a way that is not compliant with the planning consent is beyond the remit of this consultation but an enforcement complaint can be made by emailing planning.enforcement@manchester.gov.uk</p>
Age-friendly	Support	Support SPD and highlight need to continue to	Comments noted

Representor	Support/ Object	Summary of Comment	Councils response
Manchester Design Group and Older People's Board.		improve the street scene and visual amenity of neighbourhoods. Support control of shutter opening times as makes centres alive and welcoming for older people. The Age-friendly Manchester Plan identifies age-friendly neighbourhoods as one of our priority work areas and alive and inviting streets is part of this.	
Federation of Fish Friers	Object	Fish and Chip shops are an important part of creating a community feel. The Federation of Fish Friers works hard to correct the negative image of the industry and provides up to date training for the mainly independent shop operators. State of the art equipment is now used to control temperatures ensuring ensure less oil is absorbed.	Comments noted. The SPD does not block all new takeaways. It aims to avoid an over concentration of takeaways in centres to improve vitality and viability which in turn should ensure centres are well used and maintain a community feel.
Northenden Neighbourhood Forum	Support	<p>Forum members voted on and approved the three proposed policies set out in the consultation document.</p> <p>Northenden already has a high number of takeaways. Forum members requested that the council consider what actions it could take in respect of existing takeaways in areas that already have a high number and to consider whether existing premises which apply for a new licence have to conform to any new regulations.</p>	Comments noted. Existing takeaways will not need to reapply for planning permission even if ownership changes and are therefore beyond the remit of the SPD. However, supporting the health and wellbeing of our residents is a priority for the Council and we recognise that through a wide range of our functions, we are well placed to contribute towards creating healthier environments for our children and young people. The planning system is just one area in which local government can act, however it should be considered as part of a whole systems approach to promoting healthy lifestyles and tackling obesity. Getting the young people in our communities off to the best start is a key priority for the Manchester Joint Health and Wellbeing Strategy and

Representor	Support/ Object	Summary of Comment	Councils response
			through working with our partners, communities and commissioned services, we aim to deliver an integrated strategy in promoting healthy eating, physical activity, tackling obesity and addressing the wider determinants of health.
Individual (working in Hospitality sector)	Support	SPD is a sensible approach in line with what many authorities are trying to achieve. Policies 1 and 2 will encourage good standards from the outset. This approach will be more efficient than considering impact retrospectively. Policy 3 is a reasonable approach which fits in with the national strategy on reducing childhood obesity by encouraging healthier choices during the school day	Comments noted
Pegasus for Dominos Pizza	Object	<p>Policy 1: unclear as to what is meant by all town centre uses and how this should be measured</p> <p>Most centres already have more than 5% A5 uses.</p> <p>Believe Policy 1 is a moratorium on HFTA's. The approach in the SPD does not conform to the NPPF. It shows very little flexibility and is over restrictive (quotes NPPF 18 to 22).</p> <p>The 28 Hills Road, Cambridge – 30 March 2016 (Ref: 3137889) appeal decision quoted which showed a Council did not have up to date evidence for using the threshold in a policy. Also quote the 21-22 High Street, Marlborough – 28 February 2013 (Ref: 2183497) appeal decision which found a policy</p>	To clarify how the concentration of centre uses will be assessed it is proposed to amend the reference to 'town centre uses' in the first bullet of Policy 1 to 'ground floor frontages' and the following note added. "The concentration of A5 uses in centres is calculated as the percentage of A5 uses when compared to all non-residential ground floor frontages within district centres and local centres as defined above. Frontages will be counted by entrances i.e. a block of offices with one entrance will count as 1 and a terrace of 4 shops each with its own entrance will count as 4." The 5% threshold originally proposed is below the current average of 10% for the City but reflected the Council's desire to actively promote a more healthy food landscape across the City. The Council has also received responses suggesting outlets offering healthy food should be encouraged. To

Representor	Support/ Object	Summary of Comment	Councils response
		<p>too inflexible and restrictive. The guidance regarding exceptions to the threshold contained within Draft Policy 1 is not clearly defined.</p>	<p>allow capacity for healthier outlets in district centres where there is not already an over concentration of takeaways but to restrict new outlets where concentration is high the threshold has been amended to the current average of 10%.</p> <p>In line with the NPPF, the SPD promotes the vitality and viability of centres and therefore the success of district centre uses. The Council does not believe that ensuring there is a good mix of uses in district centres is inflexible or unnecessarily restrictive. The Cambridge appeal decision quoted relied on evidence that was 10 years out of date, appeared not to consider vitality and viability and was inflexible as it restricted development to A1 only. The draft Hot food takeaway SPD uses data gathered in 2015. The original decision in the Marlborough case was based on out of date policies and restricted all non-A1 uses and therefore is not relevant to this consultation.</p> <p>An explanation of how to request an exemption on the grounds that there is no demand for a preferable use is given in paragraph 4.5 (now 4.8) of the SPD</p>
Chorlton Civic Society	Support	<p>The Society welcomes the proposed SPD and supports its aims and, in general, the proposed policies. It is considered that the city council should carry out wider consultation on a review of existing policy with a view to providing clarity to both residents and prospective developers. It is suggested that the wording of the</p>	<p>Comments noted. The Council believes that this SPD will clarify current policies.</p> <p>The Council acknowledges that A1 (Shops) and A3 (Restaurant and Cafes) may also sell calorie rich food to takeaway, however this tends to be a smaller proportion of the goods on offer. Therefore it is not considered appropriate to consider these uses when assessing the concentration of takeaways in centres. Local centres are</p>

Representor	Support/ Object	Summary of Comment	Councils response
		<p>proposed policy 1 be expanded to state that the proportion of all food and drink uses within each local centre and around any potential cluster will be a further material consideration in considering applications for new takeaways. The Society supports the intention behind proposed policy 3, it is the observation of our members that many pupils often travel much further than 400 metres to visit takeaways and it is suggested that the proposed buffer is too small. Many cafes and restaurants offer a takeaway service as an ancillary use. Should the restriction on times on any takeaway trade be included in any permissions for these such uses within the proposed buffer zone?</p>	<p>covered by the policy.</p> <p>The Council believes that 400m is a reasonable and defensible buffer zone and therefore does not intend to widen it.</p> <p>As planning has no remit to specify what type of food can be sold by cafes and restaurants, it would not be possible to include them in policy 3.</p>
Levenshulme Market	Support	<p>Broad support but asked that District Centres are defined. Question the means of demonstrating that both the "every effort should be made to fill the unit" and "where there is no evidence of demand for a preferable use," clauses have been fulfilled Welcome the additional provision for waste disposal and environmental impact factors in the policy but would question the long term impact when little to no enforcement is carried out on existing properties. Further investment in education and enforcement in this area is suggested as an alternative</p>	<p>Comments noted. The following paragraph has been added to clarify what is meant by district and local centres. District centres and local centres in Manchester are as described by Core Strategy Policy C1 which lists all district centres and many of Manchester's local centres and also states that any locations not identified but which perform the same function in terms of scale and meeting local needs which will also be considered to be local centres. District centre boundaries are defined on the Proposals Map which accompanies the Core Strategy. Clarification to the meaning of 'centres designated in the Local Plan' in Policy 3 has also been made and the policy now reads 'district centre designated in the Local Plan' An explanation of how to request an exemption to Policy 1 on the grounds that there is no demand for a preferable</p>

Representor	Support/ Object	Summary of Comment	Councils response
			<p>use is given in paragraph 4.5 (now 4.8) of the SPD. Enforcement is beyond the remit of this consultation but any breach of conditions can be reported by email to planning.enforcement@manchester.gov.uk</p> <p>The planning system is just one area in which local government can act and the Council views it as part of a whole systems approach to promoting healthy lifestyles and tackling obesity.</p>
Canal and River Trust	Support	<p>Welcomes and supports the production of the document and the thrust of what the policies are seeking to achieve, in particular in terms of promoting healthier lifestyles, wellbeing and litter management.</p> <p>Support Policy 2 which includes the requirement for all applications to include a waste management strategy and wish to see such waste strategies to include the provision of litter bins (in appropriate places), litter picking as well as education. Asks for specific mention of the problem of litter generation along waterways.</p>	<p>Comments noted. Consideration of litter generation along waterways is covered by Core Strategy Policy EN17. Waste management strategies will be assessed on a case by case basis and may require the provision of new litter bins where it is required to manage customer waste.</p>



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1 Introduction

1.1 The Council's priorities are set out in the Manchester Strategy. They include attractive neighbourhoods, which meet the needs of a growing population, and where people are supported in living healthy lives. This draft Hot Food Takeaway Supplementary Planning Document (SPD) seeks to build on those priorities and encourage centres and neighbourhoods which are vibrant and which contribute to the Council's objective of improving the health of people living in Manchester.

2 Context

2.1 The availability of hot food takeaways is important to local communities, especially when they are part of a balanced mix of town centre uses. In recent years, changing shopping patterns have led to fewer traditional shops, as more shopping takes place off the high street. The loss of traditional shops has happened at the same time as increases in other uses, such as hot food takeaways. These trends have led to growing concerns about the vitality and viability of some centres due to the mix of uses, shuttered frontages during the day, litter and other amenity issues.

2.2 For some time, concern has been growing nationally and locally, about the levels of obesity in both children and adults. The problem is being tackled in a range of ways, by the Council and other organisations, in schools and by public health practitioners. Encouraging opportunities to lead healthy lifestyles through the active use of planning policies can create further opportunities to work with partners to improve the health of the population.

Planning Policy Context

National

2.3 The National Planning Policy Framework (NPPF) was published in 2012. It sets out the three dimensions to sustainable development: economic, social and environmental. The NPPF aims to support strong, vibrant and healthy communities by creating a high quality built environment reflecting the community's needs. The Core Principles encourage planning to be a creative exercise in finding ways to enhance and improve the places in which people live their lives. The document emphasises that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all.

2.4 Paragraph 23 of the NPPF aims to ensure the vitality of town centres through carefully management. Paragraph 69 recognises planning plays an important role in facilitating the creation of healthy communities. It encourages local planning authorities to work with public health practitioners to understand the health needs of their population and to do what they can to address any barriers to improving health and well-being.



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Local

2.5 The Council's Core Strategy, adopted in 2012, includes a broad range of objectives including promoting a healthy population and thriving district centres (Vision by 2027). Spatial Objective SO4 Centres, seeks to provide a network of attractive high quality centres, strengthening local identity with access to healthy food. Centre Hierarchy Policy C1 states that development of town centre uses will be prioritised, taking account of the different roles of the City Centre, District Centre and Local Centres.

2.6 Policy C8, Local Centres, encourages the provision of new small scale retail facilities, whilst stating that careful consideration will be given to the impacts of new commercial development on residential amenity, which is a particular issue for food and drink uses.

2.7 Policy C10, Leisure and the Evening Economy, deals with the impacts of the evening economy including hot food takeaways. In centres, it permits uses falling into this description subject to:

- Cumulative impact - in areas where there is already a concentration of hot food take-aways (A5) which are detrimental to the character or vitality and viability of the centre, there will be a presumption against further facilities.
- Residential amenity - the use should not create an unacceptable impact on neighbouring residential uses due to noise, traffic and disturbance.
- Balance of uses- town centre uses should support both the day-time and evening/ night time economies and not have an over-concentration of certain uses

2.8 It states that when considering the impact of a hot food takeaway, regard will be had to:

- the existing number of similar establishments in the immediate area and their proximity to each other;
- the type and characteristics of other uses, such as housing, shops and public houses;
- the existence of vacant shop units and the condition of the unit;
- the importance of the location for local shopping, and the number, function and location of shops that would remain to serve the local community;
- the character of the centre and its frontage;
- the potential impacts of the proposal on the wider community; and
- any known unresolved amenity, traffic or safety issues arising from existing uses in the area.

2.9 Centres, in particular district centres, are an important focus for neighbourhoods and the community. Managing a balanced mix of uses through planning policy is important to maintain the vitality of centres and support the daytime economy. Concentrations of uses that would harm a centre's attractiveness to shoppers, its residential amenity or the health of the population



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will be managed to mitigate harmful affects. The Council will seek to control any potential harm to an area, for example, by limiting the hours of operation or ensuring that the shutters are not left down during the day ⁽ⁱ⁾.

2.10 In the City Centre, policy CC7 encourages mixed use developments and active ground floor uses (shops, food & drink and leisure) in locations with an established public function or places being created with an active public realm.

3 Background and Evidence

Obesity

3.1 In recent years, various reports ⁽ⁱⁱ⁾⁽ⁱⁱⁱ⁾ have encouraged planning to be used as a tool to go further in the creation of healthy environments. Local and national policy makers have been encouraged to use the planning system to make it easier for people to chose a healthier diet and lifestyle. They have recommended using the levers available to the planning system such as Supplementary Planning Documents (SPDs). The guidance on the Prevention of Cardiovascular Disease by the National Institute for Health and Clinical Excellence ^(iv) recommends using planning to restrict access to unhealthy foods and hot food takeaways in specific areas (for example within walking distance of schools).

3.2 Supporting the health and wellbeing of residents is a priority for Manchester City Council and it is recognised that through its wide range of functions, the Council is well placed to contribute towards creating healthier environments for all residents. The planning system is just one area in which local government can act, however it should be considered as part of a whole systems approach to promoting healthy lifestyles and tackling obesity. Getting the young people of Manchester off to the best start is a key priority for the Manchester Joint Health and Wellbeing Strategy and through working with partners, communities and commissioned services, the aim is to deliver an integrated strategy in promoting healthy eating, physical activity, tackling obesity and addressing the wider determinants of health.

3.3 The current rate of those overweight and obese among 11 year olds in Manchester is 39%, with 24% obese and 15% overweight (see Appendix 1). The national target is to reduce the proportion of overweight and obese 11 year olds to 2000 levels by 2020 ^(v). Child obesity is linked to poorer health outcomes in adulthood and between 50% and 75% of those who are obese as children or adolescents are likely to grow into obese adults. Also, co-morbidities developed in obese children, such as type 2 diabetes, are likely to progress more rapidly and to lead to earlier presentation of adult-life complications such as cardiovascular disease.

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- i Manchester Core Strategy 2012. Paragraph 10.61
 - ii Government Office for Science, Foresight: Tackling Obesities: Future Choices - Project Report
 - iii Healthy Weight, Healthy Lives: A Call to Action on Obesity in England
 - iv The National Institute for Health and Clinical Excellence (NICE). Prevention of Cardiovascular Disease. London 2010
 - v Department of Health. Healthy Weight, Healthy Lives 2008



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3.4 Studies ^(vi) ^(vii) in Leeds and Cambridgeshire prove there is a link between the density of hot food takeaways per area to obesity. The studies show this is true for adults and particularly significant for children.

3.5 Research indicates the most popular time for purchasing food is after school and many secondary school children leave school premises at lunchtime ^(viii) ^(ix). There is evidence that the type of food on sale nearest to schools influences the diet of school children, and that the availability of “unhealthy” foodstuffs makes healthier choices more difficult to make. ^(x) ^(xi)

District Centre Survey

3.6 The Council undertook surveys of the 17 Manchester District Centres during 2009, 2013 and 2015. Three of the largest local centres, Moston Lane, Burton Road and Beech Road were also surveyed in 2015. The findings from these surveys have helped the Council monitor the health of the centres and their vitality and viability. It found the proportion of Use Class A1 (traditional shops) altered little during this period remaining at around 45%. The number of hot food takeaways increased by approximately 2% between 2009 and 2015 and currently stands at an average of 10% across district centres. The proportion of hot food takeaways in each district and the three largest local centres, is shown in Appendix 1. Further information from Public Health England ^(xii) on the number of fast food outlets per 100,000 population by local authority, shows Manchester's position in 6th place out of 325 local authorities in England. The average for England (excluding City of London) is 88 fast food outlets per 100,000; in Manchester there are 145, significantly higher than the national average.

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- vi The association between the geography of fast food outlets and childhood obesity in Leeds, UK, Fraser and Edwards, University of Leeds, 2010
- vii Associations between exposure to takeaway food outlets, takeaway food consumption, and body weight in Cambridgeshire, Thomas Burgoine et al, 2014
- viii The School Fringe: What Pupils Buy and Eat from Shops Surrounding Secondary Schools. Sarah Sinclair. J T Winkler. Nutrition Policy Unit. London Metropolitan University. July 2008
- ix The school fringe: from research to action. Policy options within schools on the fringe (2009) Sinclair, S; Winkler JT. Nutrition Policy Unit, London Metropolitan University
- x Engler-Stringer et al. The Community and Consumer Food Environment and Children's Diet: A Systematic Review. BMC Public Health. 2014
- xi "Proximity of food retailers to schools and rates of overweight ninth grade students: an ecological study in California", Howard, P., Fitzpatrick, M. and Fulfrost, B. *BMC Public Health*, Vol. 11 No. 1, p. 68. (2011),
- xii Obesity and the environment, Density of fast food outlets, 2016



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4 Policy

Hot Food Takeaways

4.1 The NPPF defines hot food takeaways as town centre uses and Manchester Core Strategy policy C10, Leisure and the Evening Economy, identifies centres as appropriate locations for hot food takeaways in principle. The Manchester Core Strategy identifies the centre hierarchy in Policy C1 and any proposal out of centre will only be appropriate where it can meet the tests of policy C9 Out of Centre Development.

4.2 The distinction between restaurants (Use Class A3) and hot food takeaways (Use Class A5) is often hard to discern, as businesses often operate both functions within the same unit. The following will be used to assist the judgement as to whether the unit operates as a hot food takeaway:

- The presence of an ordering counter for hot food takeaways and the proportion of space given over to food preparation in relation to customer circulation;
- The number of tables and chairs to be provided for customer use.

Policy 1

Vitality and Viability

Hot food takeaways (A5) will not be supported in district and local centres where the cumulative impact of introducing the facility would be detrimental to the vitality and viability of a centre and would affect the balance between the day time and night time economy and the health of the population.

A proposal will be considered to be harmful to the vitality and viability of a centre if it:

- Increases the concentration of hot food takeaway ground floor frontages in a centre to more than 10% of all non-residential ground floor frontages (see paragraph 4.4 below). In centres where the proportion of hot food takeaway ground floor frontages is approaching 10%, consideration will also be given to the impact of the proposal on the character of the area surrounding the application site. Applications will not normally be permitted if the proposal would lead to the proportion of hot food takeaway frontages being more than 10% of non-residential ground floor frontages in a particular part of the centre concerned.
- Creates a cluster of more than two hot food takeaways together.
- Reduces the number of units between hot food takeaway clusters to less than two non-A5 uses.



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Exceptions to the above are Manchester City Centre and Rusholme District Centre. A key role of these centres is to serve the night time economy. They have become known as locations for food and drink, attracting visitors from across Greater Manchester and beyond. In these centres, hot food takeaway applications will be considered based on an assessment of the impact on the role and character of the surrounding area.

In centres where vacancy levels are more than 10% (or 25% in centres with less than 20 units) the Council will wish to see evidence that effort has been made to fill the unit with a town centre use (other than A5) before hot food takeaways will be permitted. In areas where it can be shown that it would be compatible with surrounding uses, residential use will be considered. Where there is evidence of no demand for a preferable use, hot food takeaways could be considered favourably even if this would increase the proportion of hot food takeaways to above 10% of ground floor frontages.

To prevent any harmful effect on the visual amenity of the street scene, shutters should be up between the hours 9am and 5.30pm.

4.3 District centres and local centres in Manchester are as described by Core Strategy Policy C1 which lists all district centres and many of Manchester's local centres and also states that any locations not identified but which perform the same function in terms of scale and meeting local needs which will also be considered to be local centres. The list of centres in the Core Strategy is replicated in Appendix 2.

4.4 The concentration of A5 uses in centres is calculated as the percentage of A5 uses when compared to all non-residential ground floor frontages within district centres and local centres as defined above. Frontages will be counted by entrances i.e. a block of offices with one entrance will count as 1 use and a terrace of 4 shops each with its own entrance will count as 4.

4.5 For the purposes of Policy 1, town centres uses include Main Town Centre uses ^(xiii) as defined by NPPF and accessible key services (including retail, health facilities, public services, leisure activities and financial and legal services) as described in Core Strategy Policy C1.

4.6 The vitality and viability of centres is affected by the balance of uses within them. This needs to be managed to ensure centres remain attractive locations for shoppers and for people to gather and live healthy lives. Centres are the focus for the wider neighbourhood and policies affecting the environment should support Council strategies including promoting a healthy population ^(xiv). This policy seeks to achieve these objectives by managing the overall proportion

xiii NPPF definition of Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

xiv Our Manchester- The Manchester Strategy 2016



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of hot food takeaways within centres. This will ensure that there is a balance of uses within Manchester's centres and guide a move towards a healthier city. In centres with less than 10% of hot food takeaways the policy seeks to limit the localised impact from concentrations of hot food takeaways. As the visual amenity of a street is also adversely affected by shutters being down during the day, consideration will be given to preventing inactive frontages by both limiting the clustering of hot food takeaways and ensuring shutters are only in use in the evening and at night. This will positively assist the visual amenity, street scene and mix of uses within an active frontage.

4.7 The City Centre has an established night time economy where the provision of hot food takeaways is part of this offer. The City Centre includes a number of recognisable areas with their own character and role which contributes to the overall offer. The policy will seek to ensure this is not undermined by an over concentration of hot food takeaways. In Rusholme, there is an established evening/ night time economy and a significant café/ restaurant provision and hot food takeaways are part of the overall food and drink mix. However, it is still important to manage vitality and viability.

4.8 There may be circumstances where a previously vacant unit has a proposal for a hot food takeaway and the threshold of 10% has been reached or exceeded. If it can be demonstrated to the satisfaction of the local planning authority that the only viable option is for a hot food takeaway to occupy a unit, this will be permitted under the policy as an exception. Any application seeking an exception on vacancy grounds will need to be supported by evidence showing that the unit has been marketed for at least 6 months for an alternative use.

Policy 2

Amenity

Hot food takeaways (A5 uses) will be considered against Core Strategy Policy DM1 Development Management and specific considerations include:

Hours of Opening

Unless affected by Policy 3 of this SPD, the hours of opening of a hot food takeaway will depend on whether it can be demonstrated that there would be:

- no unacceptable impact on residential amenity as set out in DM1 Development Management,
- there is an established night time economy
- it would not adversely affect the character and function of the immediate area, including existing levels of background activity and noise.

Extraction of odours and noise abatement



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Hot food takeaways must provide appropriate extraction systems to effectively disperse odours and show that they are meeting the minimum guidance in the Department of Environment, Food and Rural Affairs Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems 2005 and Odour Guidance for Local Authorities 2010. Applications must be accompanied by an Odour Impact Assessment (OIA) and include suitable mitigation measures. They must demonstrate that they have no adverse impacts on visual amenity, including location and external finish.

Hot food takeaways must consider their impact on noise sensitive developments and any proposal that has the potential to cause noise disturbance to existing residential development or noise sensitive properties should be accompanied by a noise survey and assessment and only approved if the impact is shown to be acceptable.

Disposal of Waste Products and Customer Litter

All planning applications should be accompanied by a waste management strategy setting out how a hot food takeaway will deal with its own waste and also the waste generated by customers. All waste generated by the business should be accommodated on site. Consideration should also be given to the need to mitigate for the impact of customer waste on the surrounding area. The Manchester City Council guidance GD04 Waste Storage and Collection Guidance for New Developments, Environmental Protection should be used in the preparation of a waste strategy.

Highway Safety

Planning permission for hot food takeaways will only be granted where there would not be an adverse impact on highway safety and the amenity of the surrounding area. Proposals should take account of the likely needs of both customers and the operator's delivery requirements. Regard will be given to:

1. Existing traffic conditions;
2. The availability of public parking provision in close proximity to the premises, including suitable on-street parking;
3. The availability of an adequate loading and unloading area.

4.9 One of the most common concerns about hot food takeaways is the impact on amenity especially residential, from noise, odours, litter, vermin, road safety, traffic generation and anti-social behaviour. Within centres, a mix of uses including housing is common and in these locations the impact of a hot food takeaway operation should be minimised. On the edge of centres and in close proximity to residential units, careful consideration should be given ensuring the lives of people in the local area are not negatively affected by amenity issues. Hot food takeaways open at different hours to most town centre uses often opening later and this has the potential to affect residential amenity. The character and roles of centres differ throughout



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the City, which means it is not possible to prescribe opening hours on a City-wide basis. An approach which considers the merits of each location will allow flexibility in determining appropriate opening hours.

4.10 The use of appropriate extraction equipment and sound proofing can significantly reduce cooking smells and the noise effects on neighbouring properties. The Manchester City Council guidance GD 03, Public Protection Information for Developers, provides further guidance to applicants on amenity issues relating to odours, fumes and noise. Extraction systems must not impact adversely on the amenity of an area.

4.11 Hot food takeaways generate their own waste and customer waste. Most customers are responsible about how they dispose of their waste but where this is not the case local amenity can suffer. As part of any application, the Council will request a waste management strategy. This should set out details of how a hot food takeaway will accommodate its own waste on site, consider the need to mitigate for the impact of customers' waste and set out its approach to recycling. Further details of what should be included in a Waste Strategy can be found in the Manchester City Council guidance GD04 Waste Storage and Collection Guidance for New Developments, Environmental Protection September 2014.

4.12 Hot food takeaways rely on many short visits from customers whilst they are open and regular deliveries to and from the premises, including at times when they are closed. It is important that vehicle movements associated with customers and deliveries do not worsen existing traffic conditions in the immediate area. To avoid this, proposals will need to demonstrate that they will not adversely affect existing traffic conditions, they are in close proximity to public parking, that they have suitable areas available for loading and unloading, and that the overall approach to managing vehicles associated with customers and deliveries is agreed with the Council.

Policy 3

Hot Food Takeaways and Schools

Where a hot food take away is proposed within 400 metres of a primary or secondary school, and the proposal meets planning policy in other respects, planning permission will only be permitted subject to the condition that opening hours are restricted to the following:

- A primary school: the hot food takeaway is not open to the public between 3 pm to 5.30pm on weekdays.
- A secondary school: the hot food takeaway is not open to the public before 5.30pm on weekdays.

The only exception to this approach will be where the proposal is within a district centre designated in the Local Plan and can demonstrate that the introduction of such a use will meet all other relevant policies.



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4.13 Addressing obesity in children is both a national and local priority with a target of reaching a downward trend in levels of excess weight by 2020. The evidence from the National Child Measurement Programme shows in Manchester the proportion of children that are obese in Year 6 is increasing and is currently 25% higher than the national average (England average 19%, Manchester 24%), see Appendix 1.

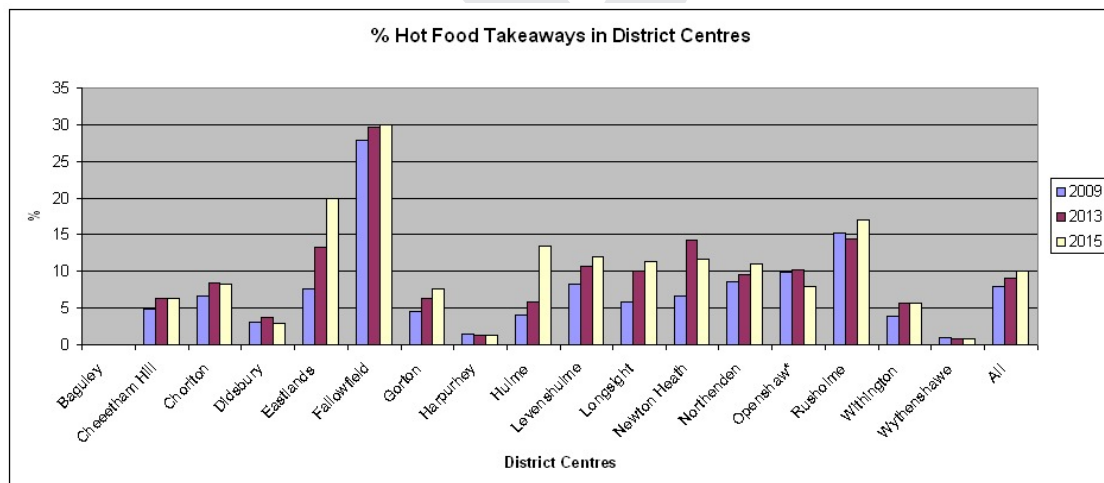
4.14 Reducing children's exposure to foods contributing towards obesity such as those sold in hot food takeaways, can reduce access to foods high in fat, salt and sugar. The aim of the policy is to ensure that during times when children are making food choices, such as lunch time and after school, the environment and availability of hot food takeaways is not encouraging unhealthy choices. The use of a 400m buffer is considered to be approximately a 5 minute walk and a reasonable distance from schools within which to control environments to the benefit of children.

5 Appendix 1

District Centre Survey Results

5.1 The figure below shows the results of the three district centre surveys in 2009, 2013 and 2015 and the percentage of hot food takeaways in each centre.

Figure 5.1



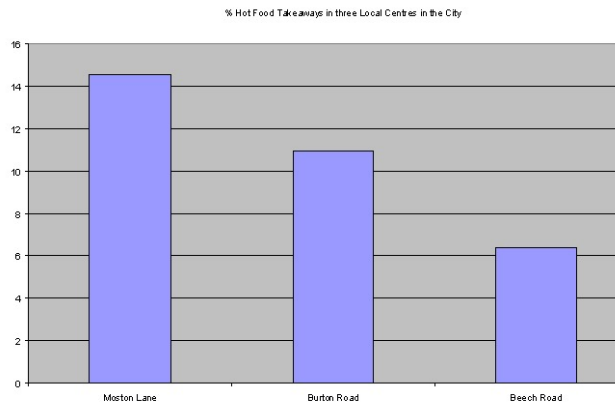
5.2 In 2015 a survey of the three largest local centres was undertaken and the results are shown below.



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Figure 6.2



National Child Measurement Programme

5.3 National monitoring of children's weight takes place at Reception (4 to 5 year olds) and Year 6 (10-11 year olds). The latest National Child Measurement Programme data for Manchester covering the period 2014/15 shows 10.8% of reception children are obese and 24.3% of Year 6 children are obese. When those who are overweight and obese is combined 39.2% of Year 6 pupils in Manchester are either overweight or obese and graph below shows the results from the National Child Measurement Programme.

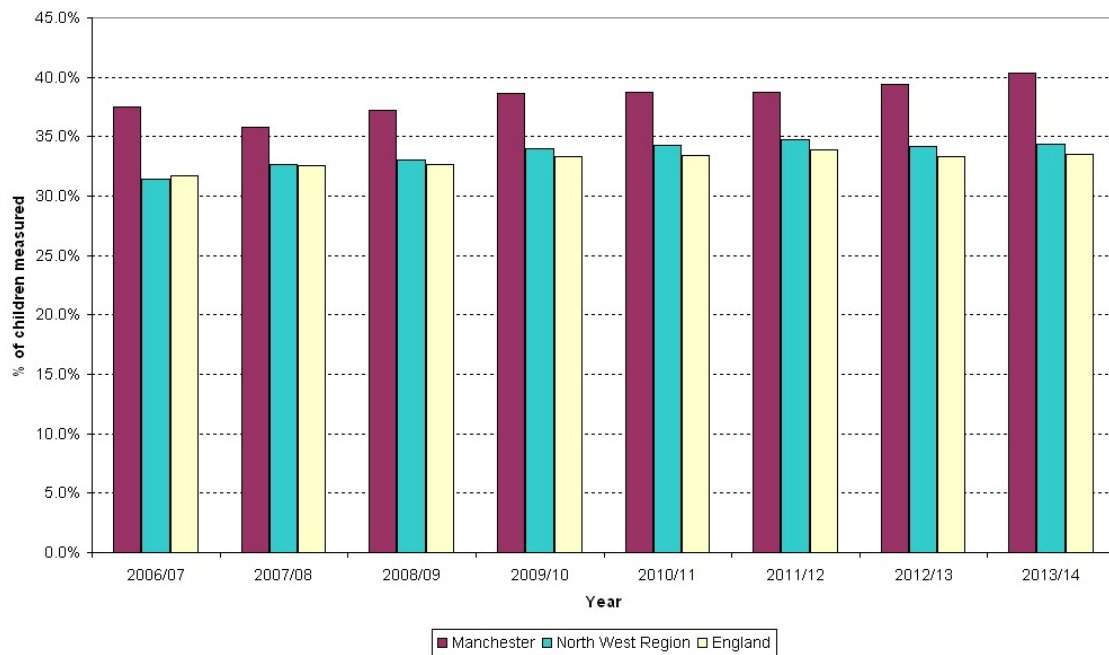


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Figure 5.2

Prevalence of Overweight and Obesity - Year 6
NCMP 2006/07 - 2013/14



Manchester's Childhood Obesity Target

5.4 The national target is to reduce the proportion of over weight and obese 11 years olds to 2000 levels by 2020. An estimate of obesity among children in Manchester in the year 2000 for 11 year olds is approximately 17% and the figures are set out below.

Table 5.1 An estimated baseline of obesity among boys and girls in Manchester in the year 2000

Local Authority	Males		Females	
	Reception	Year 6	Reception	Year 6
Manchester	8.7%	16.6%	8.5%	17.6%



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6 Appendix 2

Excerpt from Core Strategy Policy C1

6.1 The table below lists all the district centres in Manchester and identifies 24 local centres, however, locations not identified in the policy but which perform the same function in terms of scale and meeting local needs will also be considered to be local centres.

Regeneration Area	District Centres	Local Centres
North	Cheetham Hill Harpurhey	Victoria Avenue/Rochdale Road (Charlestown)
		Hollinwood Ave/Greengate (Moston)
		Landsdowne Rd/Crumpsall Lane (Crumpsall)
		Worsley Ave/Kenyon Lane (Lightbowne)
		Moston Lane (Harpurhey)
		Collyhurst (as part of redevelopment)
East	Eastlands Gorton Newton Heath Openshaw	Ashton New Road/Manchester Road (Beswick and Clayton)
		Hyde Rd/Reddish Lane (Gorton North)
Central	Hulme Longsight Rusholme,	Princess Rd/Claremont Rd (Moss Side)
		Precinct Centre, Oxford Road (Ardwick/Hulme),
		Withington Rd/Yarburgh St (Whalley Range)
		Claremont Rd (Moss Side)
		Dickenson Rd/Anson Rd (Longsight/Rusholme)



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Regeneration Area	District Centres	Local Centres	
South	Chorlton	Manchester Rd/Upper Chorlton Rd (Whalley Range)	
	Didsbury	Lloyd St South/Platt Lane/Hart Rd (Fallowfield)	
	Fallowfield		
	Levenshulme	Kingsway/Slade Lane (Levenshulme)	
	Withington		Beech Rd/Stockton Rd/Chorlton Green (Chorlton)
			Barlow Moor Rd/Mauldeth Rd West (Chorlton Park)
			Merseybank Ave (Chorlton Park)
			Mauldeth Rd (Withington)
			Kingsway/Mauldeth Rd (Burnage)
			Burnage Lane (Burnage)
			Burton Road/Cavendish Road/Lapwing Lane (West Didsbury)
	Fog Lane/Lane End/Burnage Lane (Burnage)		
Wythenshawe	Northenden		
	Wythenshawe		
	Baguley (West Wythenshawe)		

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