



Hot Food Takeaways Supplementary Planning Document

Adopted April 2014



WARRINGTON
Borough Council



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1 Introduction

1.1 This Supplementary Planning Document (SPD) aims to expand on the policies within Warrington's Development Plan and relevant national guidance in relation to development proposals for Hot Food Takeaways. The SPD is a material consideration in the determination of future planning applications and provides advice and guidance for applicants proposing to open a Hot Food Takeaway related developments in the borough.

1.2 The document represents the outcome of a collaboration between a number of council departments including planning, environmental protection, highways and public health.

1.3 Specifically the SPD aims to assist in:

- Safeguarding the vitality and viability of defined centres in the borough and ensure local services and facilities are protected and enhanced
- Improving the environmental quality of the immediate area surrounding hot food takeaway properties and ensure that residential amenity or highway and pedestrian safety are not compromised as a result of any future hot food takeaway proposals
- Improving health outcomes

1.4 A key objective of the document is also to help applicants through the planning process when applying for a new hot food takeaway premises, by providing clarification on how existing policies will be applied and how they should be interpreted. The document aims to bring together relevant guidance and advice into one place which will be beneficial to applicants and will in turn ensure a more consistent approach in the determination of planning applications.

2 Hot Food Takeaways and the need for the document

Supporting Retail Centres and Local Facilities

2.1 Hot food takeaways represent a popular service for local communities and can be an important complimentary service in many areas of the borough. Nevertheless, when compared to other local services, hot food takeaways have a greater potential to detract from residential amenity and environmental quality through increased incidence of litter, odours, noise and general disturbance, parking and traffic problems.

2.2 In recent years a number of retail units have been converted into hot food takeaways creating, in some instances, high concentrations of hot food takeaway premises. This can have a detrimental impact on the vitality and viability of retail centres within the borough and adversely affect the range of services available to local communities.

2.3 Consequently, there is a need to ensure that the boroughs defined centres⁽¹⁾ contain an appropriate and diverse range of facilities and services that meet local needs and that the concentration of hot food takeaway establishments are managed so that the primary purpose of defined centres are not undermined.

2.4 The increasingly popular nature of hot food takeaways has reinforced the need for up-to-date guidance. This SPD builds on the policy basis already set out within the Council's existing Development Plan in the form of saved UDP policies and emerging Local Plan Core Strategy to protect and enhance the vitality and viability of existing centres within the borough. The SPD provides more detailed planning guidance to assess and determine future planning applications and is intended to guide prospective take away owners and their agents to encourage the submission of good quality planning applications and subsequently well managed and operated hot food takeaway premises.

Health

Obesity: The scale of the challenge

2.5 Obesity presents one of the greatest public health challenges today and is a key risk factor for preventable diseases which lead to premature death including heart disease, stroke, diabetes and some cancers. Obesity and the disease burden it causes disproportionately affect the more socially and economic deprived populations. A 5-10kg reduction in weight in obese adults has been shown to improve blood pressure, cholesterol, lung function in asthma and arthritis related disability⁽²⁾⁽³⁾⁽⁴⁾⁽⁵⁾.

2.6 Nationally direct costs to the NHS for obesity are estimated to be £4.2 billion which are likely to double by 2050 (Foresight 2006). Wider costs to the economy are estimated to reach £50 billion by 2050 (Foresight 2006)⁽⁶⁾. Regionally, the estimated annual cost to the NHS of diseases related to obesity in 2010 was £36.8 million and £68.1million for those diseases related to overweight and obesity. It is estimated that these costs will rise to £42.3 million and £72.8 million by 2015. Therefore, financially it is clear that there is a significant burden here to local, regional and national economies⁽⁷⁾.

1 The boroughs hierarchy of defined retail centres are set out in adopted UDP Policy TCD1 and emerging local plan Policy SN4. The Council's Warrington Retail Centres Report (2012) outlines their location, role and function and provides an indication of the number and type of units within the centres. Appendix 1 of this document also provides a map with their respective locations

2 NICE (2006) Clinical Guideline 43 – Obesity, available online at <http://www.nice.org.uk/nicemedia/pdf/CG43NICEGuideline.pdf> (accessed 30.09.13)

3 SIGN (Scottish Intercollegiate Guidelines Network) (2010) *Management of Obesity: A National Clinical Guideline*

4 Galani and Schneider 2007 – *Modelling the lifetime costs and health effects of lifestyle intervention in the prevention and treatment of obesity in Switzerland*, International Journal of Public Health 52 (372-382)

5 Stenius-Aarniala, B, Poussa, T, Kvarnström, J, et al *Immediate and long term effects of weight reduction in obese people with asthma: randomized controlled study* BMJ (2000); 320, 827-832.

6 Foresight Report (2006)

7 LJMU (2010) Liverpool Public Health Observatory Cost Effectiveness Review

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2.7 The obesity crisis has attracted much attention in recent years, with overarching documents such as the cross governmental strategy Healthy Weight, Healthy Lives (2008)⁽⁸⁾ setting the tone for an intended approach to obesity. The strategy emphasised the need to focus on a) early prevention of unhealthy weight in childhood, b) promotion of healthier food choices, c) building physical activity into our lives and d) incentivising healthier decision making;

2.8 Furthermore, the Marmot Review (2010)⁽⁹⁾ which focused on a strategic review of health inequalities emphasised the need for a focus and sustained investment in early years along with an improvement in programmes that tackle the causes of obesity. It raises the notion of proportionate universalism to focus on those populations most at risk of obesity and its disease burden.

2.9 Reducing obesity by 1% or preventing a 1% increase in obesity would result in cost avoidance for the NHS of between £66 and £74 million per year NICE (2006)⁽¹⁰⁾

2.10 The Heart of Mersey Foundation produced a recent briefing paper⁽¹¹⁾ (2011) to highlight the emerging risk associated with the increasing size of the informal 'eating out' or takeaway sector. The paper initially highlights the rise in obesity and problems that we are facing as a nation. Data from the Health Survey for England (2009) indicates that from 1993 to 2009 obesity in men increased from 13% to 22% and from 16% to 24% in women. The paper further suggested that, where there are a large number of fast food outlets in an area, there is an association with an increase in BMI in children in particular, this may be a reflection of an 'obesogenic' environment⁽¹²⁾. Options within environments such as this are skewed towards unhealthy choice, making it difficult for healthier choices to be the easier option. It has been suggested that it will take major changes in both lifestyle and wider environment to slow or reverse the current trend of increasing levels of obesity and overweight.

2.11 The eating habits developed in childhood have a huge effect on an individual's long-term health⁽¹³⁾. By providing greater access to more nutritious food, fruit and vegetables that go towards meeting our recommended daily intake for vital vitamins and minerals we can help to build a healthier nation. Allowing increased access to the often high fat, salt and sugar content of foods sold in fast food takeaways will simply add to the trend we are currently seeing around obesity.

2.12 In relation to the above point, nutrition interventions are potentially the most cost effective way of tackling issues such as coronary heart disease and other conditions.⁽¹⁴⁾

2.13 There are a wide range of obesity-associated diseases that exist, however diabetes mellitus Type 2 is the leading co-morbidity carrying the highest risk of developing in the course of body weight increase. Clearly, the growing prevalence of obesity is the major factor driving the increasing prevalence of diabetes mellitus Type 2. As a consequence, the number of adults with diabetes mellitus Type 2 is predicted to almost double over the next 25 years on a worldwide scale, from approx. 171 million in 2000 to 366 million by the year 2030⁽¹⁵⁾.

8 Healthy Weight, Healthy Lives: A Cross-Government Strategy for England (2008)

9 The Marmot Review: Fair Society, Healthy Lives (2010)

10 *Obesity: guidance on the prevention, identification, assessment and management of overweight and obesity in adults and children*. National Institute for Health and Clinical Excellence. NICE clinical guideline 43. Full guidance, Section 6 'Health Economics'

11 Heart of Mersey Foundation (2011) Takeaway Food: A Briefing Paper

12 Lin Biing-Hwan and Guthrie J. (1996). The Quality of Children's Diets At and Away From Home. *Food Review*. May-August 1996 45-50.

13 Heart of Mersey Foundation (2011) School Food Trust Advisory Panel Recommendations

14 Dalziel K, Segal L (2007) Time to give nutrition interventions a higher profile: cost-effectiveness of 10 nutrition interventions. *Health Promotion International*; 22(4): 271-283.

15 Chaturvedi N. *The burden of diabetes and its complications: Trends and implications for intervention (Diabetes Res Clin Pract)* 2007;76 Suppl 1:S3-12. Epub 2007 Mar 6.

2.14 Recent research has found that as the consumption of fast food increases, the risk of depression also increases⁽¹⁶⁾. Some research has suggested that links exist between the consumption of fast food and obesity, which can increase the risk of developing type II diabetes⁽¹⁷⁾.

2.15 Obesity prevalence has strong links with deprivation, as deprivation rises so does obesity. The evidence to support a link between socioeconomic status and obesity risk amongst adults in the UK is growing⁽¹⁸⁾.

2.16 It is evident that planning has a key role to play in supporting local strategies to improve health. Indeed the National Planning Policy Framework (paragraph 17) advises that planning should "*take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs*".

Local Response and Reasoned Justification for Warrington

2.17 The scale of the challenge locally, in Warrington, continues to be a considerable one, recent lifestyle survey results suggest the percentage of *all overweight or obese* residents has increased from 53.2% in 2006 to 55.1% in 2013⁽¹⁹⁾.

2.18 Evidence suggests there are around 150 independent (A5) hot food takeaway outlets in Warrington, of which 27.7% are located in the 10% most deprived areas of Warrington. For every one independent fast food outlet in a deprived area, there are 481 people, whilst in non-deprived areas there are 1694 people. Exposure to independent hot food takeaways is five times higher in deprived areas when compared to non-deprived areas.

16 Sanchez-Villegas et al (2012) *Fast-food and commercial baked goods consumption and the risk of depression*. Public Health Nutrition, March 2012, 15: pp. 424-432, cited in Bayliss, J *The geography of fast food in Warrington: A quantitative study investigating the relationship between fast food outlet location, hygiene rating and deprivation*

17 Prentice and Jebb (2003) *Fast foods, energy density and obesity: A possible mechanistic link*. Obesity Reviews, Vol.4, pp.187–194. cited in Bayliss, J *The geography of fast food in Warrington: A quantitative study investigating the relationship between fast food outlet location, hygiene rating and deprivation*

18 Abdulrahman, M, Scarborough, P, Galea, S (2012) *Unevenly distributed: A systematic review of the health literature about socioeconomic inequalities in adult obesity in the United Kingdom*, BMC Public Health 12:18

19 Warrington Health, Lifestyle and Wellbeing Survey (2013) Summary of Initial Results, produced by Warrington Borough Council Public Health Team.

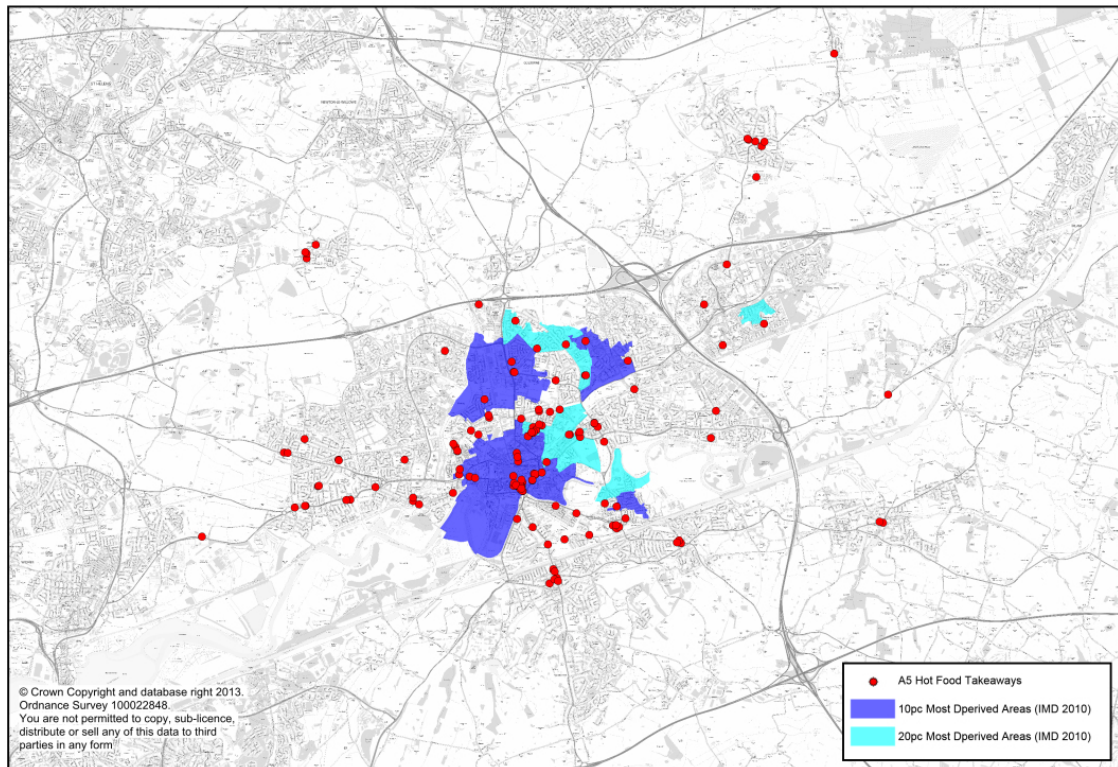


Figure 2.1 Hot Food Takeaways and the Indices of Deprivation 2010

2.19 Based on the previously referred to lifestyle survey, a prevalence of 55.1% suggests that approximately 87,300 adults in Warrington are overweight or obese.

2.20 Obesity within Warrington has also increased since 2006; with 19.3% of residents currently obese; this compares with 18.2% at the time of the last survey. Very similar obesity prevalence is seen in women (19.6%) and men (19.0). By age group, obesity prevalence is highest in people aged 40-64 (22.6%) and those aged 65+ (20.7%); and lowest amongst those aged 18-39 (14.3%).

2.21 The Lifestyle Survey has also shown that the rate of obesity in the deprived areas⁽²⁰⁾ of Warrington is higher (26%) when compared to the remaining areas of the Borough (18%).

2.22 In relation to diet and nutrition, 43.3% of respondents indicated that they ate less than the recommended 5 portions of fruit and/or vegetables a day. This is a substantial improvement since the last survey, when 78% of residents reported eating less than the recommended 5 a day, and suggests that the health promotion message about the benefits of fruit and vegetables is reaching people.

2.23 Whilst the above results in relation to fruit and vegetable consumption are encouraging, there is still much for us to do to halt the obesity crisis locally and nationally and to encourage people to actively eat more healthily more often. Fast food takeaways are without doubt distracting people from making the healthier choice and are often a source of cheap, energy dense and nutrient poor foods⁽²¹⁾.

2.24 The Lifestyle Survey further asked respondents about their weekly takeaway and fast food habits. Indeed, 28.8% of residents reported that they have takeaways or fast food at least weekly, and 15.1% of residents report consuming 3 or more convenience foods per week. Men aged 18-39, men aged 40-64, and women aged 18-39 are least likely to consume the recommended 5+ portions of fruit

20 The definition used for deprived areas within the Lifestyle Survey is Lower Super Output Areas (LSOA) that belong to the 20% most deprived LSOAs nationally.

21 Prentice, A.M & Jebb, S.A, Fast Foods, Energy Density and Obesity: A Possible Mechanistic Link. *Obesity Reviews*, 4: 187-194 (2003)

and vegetable per day (all approximately 48%). Men aged 18-39 have by far the highest rates of takeaway and fast food consumption, with 43.7% having takeaways at least weekly, and 30.6% eating 3 or more convenience foods per week.

2.25 The Lifestyle Survey also showed that a greater proportion (39%) of those living in deprived areas consumed takeaway or fast food at least once a week, when compared to the remaining areas of Warrington (28%).

2.26 Life expectancy in the deprived areas of Warrington (74.6 years) was lower than the remaining areas of Warrington (80.2 years) between the years 2006 and 2010.

Improving Environmental Quality & Residential Amenity

Planning applications for hot food takeaways, particularly those in close proximity to residential properties, frequently generate a significant number of objections, and it is therefore important that potential applicants have access to appropriate advice before making planning applications.

Noise & General Disturbance

2.27 The Council recognises the valuable service that hot food takeaways may provide to communities, but by their very nature, the activity of customers and others visiting the premises may generate noise and general disturbance, which can cause loss of amenity to neighbours, especially residential properties.

2.28 In cases where a hot food takeaway is proximate to residential properties and/or the impact of trading is proximate to residential and sensitive locations, the Council would in most instances that request a noise assessment to be carried out.

Litter

2.29 Litter is inherently unsightly and can cause considerable annoyance to residents and adjoining businesses. It can also be prejudicial to regeneration efforts, particularly within town centres. The fact that litter will be a consequence of a proposed use of land, particularly a take-away premise use, is therefore a material planning consideration.

2.30 Research carried out on behalf of Government by the Keep Britain Tidy organisation shows that all types of food that are consumed outside and disposed of incorrectly become 'fast food' litter. Fast food litter is defined as "any fast food (as defined above) or the packaging sold with the food substance which is found discarded onto "public streets". Therefore, triangular sandwich packaging, drinks cartons and confectionery wrappings are fast food litter, as are burgers, chicken products, potato chips and their containers. Fast food waste is defined as 'any waste from an outlet that sells fast food (as defined above)'. Fast food waste only becomes a problem if it is not managed, stored, or disposed of correctly and becomes litter.

2.31 In certain circumstances the Council may have powers to issue Street Litter Control Notices (SLCN's) associated with certain types of business including Hot Food Takeaways. SLCN's create a 'legal duty' meaning that businesses that generate litter on their shop frontage and in most cases, also, within up to 100m of the business, can be required to clear up the litter and implement measures to prevent the land from becoming defaced again.

2.32 Whilst this provision clearly applies to existing businesses it is important that any business applying for planning permission has due regard to effective litter prevention and reduction and demonstrate how this will be effectively managed.

2.33 Key elements of the Litter Management Plan could include simple solutions such as putting posters up in windows to discourage customers from littering, using environmentally friendly and 'minimalist' food packaging, storing waste correctly, and keeping the premises and surrounding area clean. Keeping the premises and surrounding area clean is likely to be best achieved by organising

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staff to periodically litter pick/collect litter during opening hours. Section 6 of this document provides additional information in relation to legal obligations businesses must have regard to when operating a Hot Food Takeaway.

Odour

2.34 The majority of hot food takeaways by their very nature will generate odours and smells associated with the storage and cooking of food.

2.35 When considering individual proposals, the Council will assess the impact of cooking smells and odours into account on the local community and how the business intends to deal with these smells and odours.

2.36 Section 6 of this document provides further detail and technical advice in relation to the proprietors duty to noise, odours and litter when applying for planning permission for a hot food takeaway.

Crime

2.37 The fear of crime or anti-social behaviour can be a material consideration the determination of planning applications.

2.38 Anti-social behaviour can occur when people simultaneously congregate outside hot food takeaways. It is not to suggest that hot food takeaways are inherently problematic in generating disturbance nor is anti-social behaviour an inevitable consequence of such premises. Nonetheless hot food takeaways can often attract a gathering of people, which, particularly at night, can exacerbate existing problems of disturbance, crime and disorder. The publication *safer places: the planning system and crime prevention*⁽²²⁾ highlights this link by explaining “crime and anti-social behaviour are more likely to occur if potential offenders and/or victims are concentrated in the same place at the same time, such as bus stops, taxi ranks or fast food outlets after pubs close, or areas of the town centre throughout the evening”.

2.39 Positive planning is proven to help prevent and design out crime. Paragraph 58 of the national Planning Policy Framework encourages the creation of safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

2.40 The Council's Design and Construction Supplementary Planning Document also provides guidance on how careful consideration on the design and location of proposals can prevent crime and the fear of crime.

22 Safer places: the planning system and crime prevention, ODPM, 2004, page 36

3 Planning Policy Context

National Planning Policy Framework

3.1 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration in the determination of planning decisions. The introduction of the Framework is a key part of the governments reforms to make the planning system less complex and more accessible; to protect the environment; and to promote sustainable growth. It is a single framework which replaces the majority of national planning policy guidance and policy statements.

3.2 At the heart of the NPPF is a presumption in favour of sustainable development, with three dimensions to the concept: economic; social; and environmental. The social role comprises *“supporting strong, vibrant and healthy communities, by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being”*.

3.3 Paragraph 17 also indicates that planning should, *“take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs”*, whilst paragraph 69 reinforces that, *“the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities”*

3.4 Finally, paragraph 23 highlights the importance of promoting competitive town centre environments and sustaining services in local areas which provide customer choice and a diverse retail offer.

Local Planning Context

3.5 The statutory development plan is the starting point when determining planning applications for the development or use of land. The development plan in which all applications are currently assessed against is the adopted Saved Policies from the Unitary Development Plan (2006).

3.6 The emerging Warrington Local Plan Core Strategy (LPCS) is now at an advanced stage of preparation with its adoption anticipated in 2014. The LPCS will eventually replace the UDP and in doing so constitute the boroughs statutory development plan.

3.7 The SPD must be consistent with the development plan and cannot introduce new policy, only provide guidance on how to implement existing planning policies. Nevertheless, when adopted, it will be an important planning document because it elaborates on the details provided within the development plan, explaining how policies should be applied and interpreted in Warrington.

3.8 The policies within the UDP which are particularly relevant to hot food takeaway proposals are:

- TCD1 - Hierarchy of Retail Centres
- TCD6 - Other Town Centre Uses
- TCD10 - Non Retail Uses within Other Retail Centres
- GRN2 - Environmental Protection and Enhancement
- REP10 - Noise
- REP11 - Odours
- SOC1 - Social Progress
- DCS1 - Development Control Strategy
- LUT1 -Land Use/Transportation Strategy
- LUT20 - Parking

3.9 Collectively policies TCD1, TCD6 & TCD10 seek to ensure that there is no detrimental impact on the amenity and vitality and viability of defined centres in the borough. Policies GRN2, REP10, REP11 & DCS1 collectively seek to ensure that any development does not adversely affect residential and environmental amenity. Both policies LUT1 and LUT20 ensure that highway safety and parking are not compromised as a result of any planning application and policy SOC1 outlines that when determining planning applications, new development should not prejudice public health or safety.

3.10 The emerging policies within the LPCS largely continue the existing policy approach on these matters. The relevant policies within the emerging LPCS are as follows:

- PV5 - Enhancing the Town Centre Economy
- SN4 - Hierarchy of Centres
- SN5 - New Retail & Leisure Development Within Defined Centres
- SN6 - Sustaining the Local Economy and Services
- SN7 - Enhancing Health & Well-being
- QE6 - Environment and Amenity Protection
- MP1 - General Transport Principles
- MP7 - Transport Assessments and Travel Plans

3.11 The Council has also adopted the following SPDs which contain useful advice and guidance in the determination of future planning applications for hot food takeaways:

- Design and Construction Supplementary Planning Document (October 2010)
http://www.warrington.gov.uk/downloads/download/177/design_and_construction_spds
- Environmental Protection Supplementary Planning Document (May 2013)
http://www.warrington.gov.uk/downloads/download/1212/spd_environmental_protection

Use Classes

3.12 The Town and Country Planning Use Classes Order (2010) subdivides different development types into separate classes of use. It also specifies the uses for which planning permission is or is not required for a building or other land to change from one use to another.

3.13 In planning terms, there is a distinction between a shop (Class A1), a restaurant or café (Class A3), a drinking establishment (Class A4) and a Hot Food Takeaway (Class A5).

3.14 Establishments whose primary business is for the sale of hot food for consumption off the premises, fall within an A5 Class.

3.15 Often, the proposed layouts of such premises provide a clear guide as to whether the use will fall into the A3 Class or the A5 Class. In determining the dominant use of the premises, consideration will be given to:

- The proportion of space designated for food preparation and other servicing in relation to designated customer circulation space
- The number of tables or chairs to be provided for customer use.

3.16 The Council 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 the A5 class or not. This list is not exhaustive.

Examples of shop types falling within the A5 Class	Examples of shop types NOT within the A5 Class
Chicken Shops	Bakery's
Fish and Chip Shops	Sandwich Shops
Pizza Shops	Restaurants/Cafés
Chinese, Indian or other Takeaway Shops	Public Houses

Examples of shop types falling within the A5 Class	Examples of shop types NOT within the A5 Class
Kebab Shops	Wine Bars
Drive through premises	Night Clubs

4 Do you require planning permission?

4.1 Planning permission will be required if you intend to build new premises for use as a Hot Food Takeaway or to change the use of an existing shop, office, house or other use to a Hot Food Takeaway. The town and country planning (use classes) order subdivides different development types into separate classes of use. In general, to change the use of a property from one use to another requires planning permission. Hot food takeaways, where the primary purpose of the property is the sale of hot food for consumption off the premises, fall within class A5 of the use classes order. If it is intended to use a property, which is currently used for another purpose, as a Hot Food Takeaway then a planning application for a change of use will be required.

4.2 Where a property currently has permission for use as a Hot Food Takeaway, planning permission will not be required to use the property for any other type of hot food takeaway. However, the conditions attached to the previous planning permission, such as restrictions on opening hours, will still apply. If a new operator wishes to change any existing restrictions such as opening hours, then a planning application to vary the condition would be required.

4.3 External building works or alterations that materially change the appearance of an existing hot food takeaway, such as the building of an extension or the installation of a new shop front to the property, will usually require planning permission. Pre-application advice can be sought from the Local Planning Authority in accordance with the Council's adopted pre-application advice protocol (including charges) on the Council's website.

4.4 External shutters and grilles also usually require planning permission. When placed on shop fronts they can have a major impact on the appearance of the premises and its locality, especially given hot food establishments are often only open during evening hours. Solid, faceless aluminium/steel shutters or grilles can engender a fortress type atmosphere and provide a vulnerable target for graffiti. Further guidance about appropriate designs for shutters, shop front and signage can be obtained from the Council's Sustainable Design and Construction Supplementary Planning Document.

4.5 Separate advertisement consent is sometimes required if you intend to display shop advertisements. For example, consent would be required for signs above fascia level, including projecting signs or banners, and illuminated signs of any kind.

4.6 If you are in doubt as to whether you require planning permission or advertisement consent, further advice is available on the Council's website. http://www.warrington.gov.uk/info/200562/planning/768/do_i_need_planning_permission.

4.7 The Council's pre-application advice protocol (including charges) and approved validation checklists can also be viewed at:

http://www.warrington.gov.uk/info/200562/planning/1334/pre_planning_application_advice_protocol_and_charges

http://www.warrington.gov.uk/info/200562/planning/1331/validation_checklists_for_planning_and_other_applications

4.8 Alternatively more general advice is set out on the planning portal website: <http://www.planningportal.gov.uk/permission>

Considerations when assessing Planning Applications for Hot Food Takeaways

5 Considerations when assessing Planning Applications for Hot Food Takeaways

5.1 This section provides guidance on how planning applications for hot food takeaways will be considered and assessed. It elaborates on relevant policies grouped around four broad issues and in doing so, makes clear the key considerations which will be used to determine future planning applications for hot food takeaways.

Location and Concentrations of Hot Food Takeaways

5.2 A number of policies within the adopted and emerging Development Plan may be used to assess a hot food takeaway planning applications and in particular its potential impact on the vitality and viability of a defined centre.

5.3 The Council's development plan, by way of UDP Policy TCD6, (and emerging LPCS Policies PV5 & SN5) directs all retail and other town centre uses, including Hot Food Takeaways, towards the defined centres within the borough. Policy TCD1 within the adopted UDP (and emerging LPCS Policy SN4) provides the location of all defined centres in the borough and seeks to safeguard their vitality and viability. **A Hot Food Takeaway which is proposed outside of a defined centre, regardless of its size, will be required to carry out a sequential assessment to demonstrate that there are no suitable properties or sites available within the nearest defined centre(s) to the proposal.**

5.4 Policy TCD10 identifies that within defined centres, planning permission will only be granted from retail to non retail uses provided that no detriment is caused to the character, diversity and vitality of the centre. When making this assessment it is important to consider the number and location of non-retail uses in a centre, including outstanding planning permissions and the number and duration of vacancies. When making an assessment as to whether the introduction of a hot food takeaway would negatively impact on the vitality and viability of a centre, the following considerations will be taken into account.

Concentrations of hot food takeaways

When considering whether a hot food takeaway use would result in an over-concentration of similar or non retail uses (use class A1) to the detriment of the vitality or viability of a defined centre, regard will be had to the number of existing hot food take aways and other non retail uses in the centre and their proximity to each other. In carrying out such an assessment, regard will be had to the role and character of the centre in relation to the proposal. For example, a larger centre, such as a district centre may be able to accommodate a greater number of such uses adjacent to each other than a smaller local centre.

Where it is considered that an over-concentration would result, the Council will assess whether any other material planning considerations outweigh the perceived detriment to the vitality or viability of the centre. Specific regard will be had to:

1. the importance of the number, function and location of shops and other services that would remain to serve the local community;
2. the existence of vacant shop units and the general health of the centre and
3. the potential benefits of the proposal for the wider community.

Reasoned justification

5.5 The most appropriate location for hot food takeaways are within the defined centres across the borough, however, even within defined centres, it is important to assess, as part of any planning application, the possible adverse effects of an over-abundance of hot food takeaways or other non-retail

Considerations when assessing Planning Applications for Hot Food Takeaways

uses, in any one location. An over-concentration of such premises can have an unacceptable impact on the vitality and viability of a centre, resulting in the loss of services such as convenience stores which could be to the detriment of local communities and, as a result, affect the overall attractiveness of the centre. In addition, non retail uses can create non-active frontages in the daytime thus reducing the number of visitors to the centre during this period. It is also considered that the concentration of hot food takeaway uses can contribute to food health related problems. Applicants are therefore encouraged to have regard to the nature of the food they are selling and are advised to follow the guidelines and advice set out within section 6 of this document.

5.6 Where it is considered that there is an over-concentration of hot food takeaways or non retail uses, the Council will assess whether any other material planning considerations outweigh the perceived detriment to the vitality or viability of the centre. There is a need to ensure that local centres continue to provide an appropriate range and type of facilities and services to the communities they serve and that this offer is not eroded through change of use proposals.

5.7 Consideration will also be afforded to the number of vacancies as a whole within the centre and the duration for which units have been vacant. This reflects a desire to maximise the number of active units in any given centre and to maintain and enhance overall vitality and viability of the centre.

5.8 The 'Warrington Local Centre Retail Report' is updated periodically, and provides useful survey information for each of Warrington's defined centres. Applicants may find it beneficial to refer to this document to supplement their own evidence.

5.9 Finally, regard will also be given to any community gain that may be brought forward as a result of the proposal, including job and apprenticeship creation or any wider positive impacts on the local economy.

Considerations when assessing Planning Applications for Hot Food Takeaways

Environmental & Residential Amenity

5.10 The impact of hot food takeaways on residential amenity is an important consideration when determining planning applications. Hot food takeaways will produce odours primarily as a result of the cooking process and this can cause amenity problems particularly in areas which are residential in character. Natural ventilation is generally not adequate to dissipate such odours and an effective system incorporating an extract duct, fan and filters are often required for the extraction and dispersal of cooking odours.

5.11 When assessing any detrimental impact to the environmental and residential amenity within an area, a number of policies within the adopted and emerging Development Plan may be used. Policies GRN2 (Environmental Protection and Enhancement), REP10 (Noise), REP11 (Odours) DCS1 (Development Control Strategy) collectively seek to ensure that any development does not adversely affect residential amenity.

5.12 When making an assessment as to whether the introduction of a hot food takeaway would negatively impact on residential amenity, the following considerations will be taken into account:

The Proximity of Hot Food Takeaways and Impact on Environmental & Residential Amenity

The impact of a Hot Food Takeaway proposal on residential amenity of local residents will be considered with regard to:

1. The existing site use;
2. The proximity of residential premises in relation to the proposed premises;
3. Potential odour impacts the proposed takeaway premises will have and any mitigation proposed to control the odour;
4. Potential noise impacts from plant and equipment;
5. Potential impact arising from the visual amenity of external plant and equipment;
6. The proposed opening hours and any potential off site noise disturbance associated with the operation of a takeaway premises;
7. The siting of refuse storage and proximity to residential premises.

Where a proposal is considered to have an unacceptable impact on residential amenity, planning permission is not likely to be granted.

Reasoned justification

5.13 Noise and odours caused by hot food takeaway premises can have an extremely detrimental impact on the quality of the local environment.

5.14 Noise can be produced by plant and equipment which, if not correctly chosen for the location, can cause significant local disturbance especially if the plant is operated late into the evening and be unsightly and visually intrusive.

5.15 Noise can also be a problem from patrons visiting the premises, which can be particularly problematic during the evening in residential areas with noise from patrons affecting residential enjoyment and sometimes preventing restful sleep from occurring.

Considerations when assessing Planning Applications for Hot Food Takeaways

5.16 A planning application will need to demonstrate how noise will be adequately mitigated so as not to adversely impact on residential amenity. This could include careful siting and selection of equipment for kitchen extraction purposes, careful positioning of waste facilities, consideration of opening hours and deliveries to and from the site, matters which may be controlled through the imposition of conditions.

5.17 In terms of odours, these may be generated by the hot food use, through the preparation, cooking and extraction of cooking odours. In order to mitigate against this, high quality odour abatement systems are required to treat and disperse at high level, any residual cooking odours. Proposals for hot food takeaways should include detailed information as to how odours will be removed including the abatement technologies proposed to manage this issue.

5.18 The Council will expect that the siting of waste facilities are appropriately located so as to not to create adverse impacts on residential amenity from odour and noise. Applicants should therefore carefully consider which provisions will be required and communicate this and the intended location through their submission.

Highway Safety

5.19 The impact of hot food takeaways on road safety is an important consideration when determining planning applications. Policies within the UDP and emerging Development Plan seek to ensure that highway safety and parking arrangements are not compromised as a result of any planning application. Policies DCS1 (Development Control Strategy) LUT1 (Land Use/Transportation Strategy) and LUT20 (Parking) may be used when assessing highway safety issues for hot food takeaway planning applications.

5.20 The following considerations with regards to highway safety will be taken into account:

Highway Safety

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

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

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

Reasoned justification

5.21 A significant proportion of the trade generated by hot food takeaways is car borne with associated short stay parking.

5.22 Applicants will be expected to demonstrate as part of any planning application that sufficient car parking arrangements are available or can be provided to serve proposals. The availability of on and off street parking will be assessed as part of any planning application. Where parking demand generated by the proposals would obstruct junction visibility or cause an obstruction or danger to pedestrian movement, planning permission would only be granted if adequate and appropriate mitigation measures can be secured.

Considerations when assessing Planning Applications for Hot Food Takeaways

The Proximity of Hot Food Takeaways and Secondary Schools

5.23 It is clear that the planning system has a very positive role to play in supporting local strategies to improve health. In particular, Policy SOC1 from the adopted UDP outlines that when determining planning applications, new development should not prejudice public health or safety. In addition, Policy SN7 (Enhancing Health & Well-being) within the emerging development plan seeks to continue this approach and reduce health inequalities within the borough. There is much research to suggest that once obesity is developed, it is difficult to treat and overcome (Summerbell, C et al, 2005). An obese adolescent is likely to remain so during adulthood, which may then lead to associated obesogenic diseases and reduced life expectancy (British Medical Association, 2009).

5.24 Applications for hot food takeaways which are proposed within 400 metres of a secondary school will be subject to the following consideration:

Hot food takeaways and schools

Where a hot food take away is proposed within 400 metres of a secondary school, planning permission will only be granted subject to a condition that the premises are not open to the public before 17:00 on week days and there are no over the counter sales before that time.

The only exception to this approach will be where the proposal is within a designated centre and can demonstrate that the introduction of such a use will positively contribute to the vitality and viability of that centre.

Reasoned justification

5.25 The eating habits developed in childhood have a huge effect on an individual's long-term health (Heart of Mersey Foundation, 2010). By providing greater access to more nutritious food, fruit and vegetables that go towards meeting our recommended daily intake for vital vitamins and minerals we can help to build a healthier nation. Allowing increased access to the often high fat, salt and sugar content of foods sold in fast food takeaways will simply add to the trend we are currently seeing around obesity.

5.26 A range of studies have provided evidence that, given the choice, school children will often frequent a fast food outlet (in some cases once daily) as a source for food, rather than choose the healthier option (BMJ Open, 2012; Howard P et al, 2011). In fact, in a number of pieces of research from the USA and Canada particularly, the presence of convenience stores and fast food outlets within a 10-minute walking distance of a school did show an association with rates of overweight students (Howard et al, 2011).

5.27 The issue in Warrington is a considerable one in relation to childhood weight. Overall, in both Reception & in Year 6, prevalence of obesity, and prevalence of overweight/obesity has risen from 2010/11 to 2011/12. However, the only statistically significant difference from year to year is in Year 6 obesity prevalence. In general, the more deprived quintiles have higher prevalence than the less deprived.

5.28 In Reception, the rise in prevalence of obesity and of overweight/obesity, has been in all deprivation quintiles apart from the least deprived quintile

5.29 In Year 6, the statistically significant rise in obesity prevalence has been in all deprivation quintiles except the least deprived, where there was no change in prevalence. In Year 6, the rise in prevalence of overweight/obesity, has been in all deprivation quintiles apart from quintile 2

5.30 There are 1300 overweight/ obese children (reception & year 6) and 658 obese children (reception & year 6) identified through the NCMP 2011/12. . Public Health have identified a number of primary schools in Warrington that have higher than average obesity levels for the latest 3-year NCMP average (2009/10 – 2011/12)

Considerations when assessing Planning Applications for Hot Food Takeaways

5.31 The council needs to take every effort available to it in order to help promote healthy eating habits and to make the healthy choice the easy choice. It is vitally important to reduce the worrying trend in childhood obesity (shown above) and enforcing such sanctions around Hot Food Takeaways will certainly help to contribute to this.

5.32 As presented, there is evidence that eating habits are developed at a young age, and that school children (both primary and secondary) are susceptible to the unhealthy options provided by takeaways. Recent research has suggested restricting access to hot food takeaways, generally to a distance of 400 metres (exclusion zones) particularly for secondary pupils who are allowed out of school at lunchtime and may pass such premises on their way home from school. The 400 metre rule has been established because this is considered a distance that may deter children from walking to the takeaway during their lunch break from school. ⁽²³⁾

5.33 In some instances it may be recognised that hot food takeaways could positively contribute to the vitality and viability of centres and therefore exceptions may be made where it can be demonstrated that to do so would clearly outweigh the potential health impacts.

²³ This was the distance adopted by the London Borough of Waltham Forest based on research conducted by London Metropolitan University suggesting that 400m was the maximum distance that students could walk to and back in their lunch break – the GLA Takeaways Toolkit notes that students ‘may well walk further than 400m to purchase food at lunchtimes.

6 Additional information & Associated Issues

Environmental Protection Information

Environmental Protection information which may be required for Hot Food Takeaway Applications

6.1 General guidance can be provided prior to an application from Environmental Protection. Specific Guidance can be sort through the formal pre application process.

Premises

- the types of meal served, e.g. fish & chips, Chinese food, Indian food, etc
- the method(s) of preparation and cooking
- proposed hours of operation of the business and details of any existing or new ventilation plant

Plans and drawings

6.2 Provide a scaled plan showing the internal arrangement of the premises and the dimensions/location of the ventilation system. The plan must contain external elevations of the buildings showing the route and size of the system

6.3 *The location of all filters and odour abatement equipment, including the fan must be clearly marked. Where the location of a filter is shown the type must be clearly identified.*

Filters

6.4 The minimum specification should include the following;

- Grease Baffle filters (Primary & Secondary)
- Particle filters

6.5 Information to include;

- dimensions of the filter(s)
- nature of the filter media
- the total number of filter panels in the filter bed
- manufacturer's recommendations on the frequency and type of maintenance of the filter having regard to the conditions that it will be used under.

Odour counteractant or neutralising system (where proposed)

6.6 The proposed Primary Odour Abatement Plant plus any Secondary Odour Abatement Plant if necessary for the effective control of odour should be clearly detailed within the application.

6.7 A copy of the manufacturer's product data sheet for each element should be supplied that clearly shows:

- the odour neutralising technology (including chemical treatment for odour counteractants if included) to be used
- COSHH data sheets for chemical counteractants to be used
- the anticipated rate of use per day/week
- details of cleaning procedures including recommended cleaning frequency
- identification from the installer/manufacturer that the proposed system will be capable of adequately abating the odours from the proposed hot food use.

Cooker hood

6.8 The following information on the characteristics of the cooker hood should be supplied that clearly shows the:

Additional information & Associated Issues

- length that the cooker hood overhangs the appliances
- velocity at the cooker hood, expressed in metres per second (m/s);
- dimensions of the opening of the cooker hood.

6.9 *You are strongly advised to liaise with the Food Safety Team regarding kitchen design. All installations must comply with current Food Safety/Health & Safety regulations.*

System Operation

6.10 In addition to the specification of the components the following must be provided about the system:

- The extract rate (expressed as m/s) at the proposed rate of extract
- the time the gases remain in any carbon filtration zone
- volume of the kitchen; and
- the velocity the extracted air leaves the system

6.11 Note: The system performance is dependent upon the extract rate of the air. Where the rate can be adjusted by the use of dampers or a variable speed fan, then the conditions under which the extract rate can be achieved must be described.

6.12 The system should enable the shopfront and cooking area to be operated under negative pressure, to ensure the odours are vented through the system and not through doors or windows or the structural elements of the building.

6.13 Sufficient ventilation shall be provided for incoming air to replace displaced air through the system.

6.14 The **height** and **velocity** of the final discharge are the two important factors. Generally, the greater the flue height, the better the dispersion and dilution of odours.

6.15 The final discharge of air should terminate at least 1m above the eaves of your building. However, if surrounding buildings are higher or very close they will affect odour dispersion and dilution. **Additional techniques will be required**, such as an increase in flue height, efflux velocity and/or additional filters. Each situation will be unique therefore each should be considered individually.

6.16 The final discharge should be vertically upwards at a rate of at least 5 m/s. The number of bends in the ducting should be minimised and the ducting should have a smooth internal surface with sufficient access points for ease of cleaning. Obstructive cowl caps shall not be permitted on any flue.

Noise

6.17 Data on the noise produced by the system as a whole should be provided including:

- sound power levels or sound pressure levels at given distances (the assumptions to this calculation must be clearly stated);
- an octave band analysis of the noise produced by the system should also be provided, where possible; and
- hours of operation of the ventilation system (where this differs from the hours of opening).

Maintenance

6.18 A schedule of maintenance must be provided including details for:

- cleaning of washable grease filters
- frequency of inspection and replacement of all filters (grease filters, pre-filters and carbon filters where proposed);
- inspection and servicing of fans
- if schedule is not based on manufacturer's instructions include the reasons why.

6.19 Additional notes for guidance

- The air inlets must not permit pests to enter the kitchen. Fly screens are an example of how this can be achieved.
- Sufficient air must be permitted into the premises to replace air extracted. The method for supplying this make-up air should be detailed. The route of the air into the kitchen must not result in its contamination, for example passage through a toilet. Separate provision must be made for ventilation of a toilet.
- If a chip frying range is fuelled by gas then separate ventilation must be installed in accordance with the relevant gas and health & safety regulations.

6.20 Any application submitted with either a lack of detail or where some elements of the above are missing may well be recommended for refusal on the grounds of insufficient information to determine the application. This is especially important where sensitive end uses (eg residential) are immediately adjacent to the proposed application site as adverse impacts on residential amenity must be considered in full when determining the suitability of a hot food takeaway application.

Details of the proposed opening hours each day of the week

6.21 If these hours would exceed:

- 9.00 am - 11.00pm Sunday to Thursday
- 9.00 am - 12 midnight Friday and Saturday

a statement should be submitted demonstrating how the amenity of any nearby residents will be protected.

6.22 Details of the proposed waste storage arrangements shown on a large scale plan.

6.23 The proposed location of the waste storage location should be included with any A5 Hot Food Takeaway application. The waste from hot food uses can be odorous which is of particular concern if there are sensitive uses around or adjacent to the application site. Detail on waste collection frequency and times for collections should be included for assessment of suitability bearing in mind the local area.

Applicants are encouraged to submit and pay for planning and other applications electronically using the Government's Planning Portal service on the internet - www.planningportal.gov.uk

The Council will also process applications submitted on paper. These require:

- 1 copy of each document, plan and form.
- 1 copy of all application documents on CD in PDF format.

If you do not intend to provide all the information required by the Councils local list of validation requirements, you should provide a short written justification as to why it is not appropriate in the particular circumstance.

Legislative Waste Requirements

6.24 When operating a hot food takeaway premises, it is the operators responsibility to ensure that any waste produced on the premises is appropriately disposed of. The Environment Agency website <http://www.environment-agency.gov.uk/business/topics/waste/121280.aspx> provides a range of information including how to dispose of cooking oil, duty of care with regards to waste disposal and the necessary permits required. To prevent blockages and the flooding of properties, grease traps should be installed and maintained on all drains from hot food takeaway premises. The council advise that applicants consult this website prior to submitting a formal planning application.

Refuse

6.25 Consideration should be given to providing bins of a suitable size, which are appropriately sited and screened. These bins should be accessible at all times without affecting adjacent residents. Many complaints regarding Hot Food Takeaways relate to inadequate refuse capacity or from odours from waste foods awaiting disposal within the bins. Full details of refuse storage arrangements should be included in all planning applications.

6.26 Complaints are also received from waste collections of commercial waste occurring late in the evening, early in the morning or even during the overnight period. Noise from the collection equipment whilst short lived can impact on resident's sleep so wherever possible, waste collections should be encouraged to occur between 07.00hrs and 19.00hrs on any day. Conditions may be prescribed to limit acceptable collection times for refuse at sites located close to residential premises.

6.27 Where waste bins are stored in an enclosed room within a building then consideration of local ventilation should be made to ensure the room is under slight negative pressure and exhausted in a position that directs resultant odours away from sensitive receptors and opening windows.

Littering

6.28 Certain bodies have a legal duty to clear litter and refuse from places they are directly responsible for and which are accessible by the public. When running a business it is important to make sure that your waste is collected, stored and disposed of lawfully. Details of how litter generated at the premises will be managed should be provided, in the form of a litter management plan. This may include litter bin provision, details of a cleaning programme to clean up litter from external areas and litter advice and signage to be provided at the premises.

6.29 *The Environmental Protection Act 1990* imposes duties on certain landowners and occupiers to keep land clear of litter and refuse. Updates to the act were made in the *Clean Neighbourhoods and Environmental Act 2005*, which generally extended the range of enforcement powers for local authorities to deal with problems affecting the quality and appearance of the local environment.

6.30 Section 34 of *The Environmental Protection Act 1990* imposes a legal duty on businesses to take all reasonable steps to keep waste safe whilst it is in their possession. It also requires businesses to make sure that they only pass waste onto an authorised person in order to dispose of it correctly .

6.31 The following link <http://kb.keepbritaintidy.org/flytipping/Content/Publications/rubbish.pdf> provides further advice on your obligation as a business to ensure that you abide by the necessary law to avoid potential enforcement action being taken against you. Additional information can also be obtained by contacting the Council's Environmental Protection team on 01925 442753.

Odour Control and Cooking Smells

6.32 The impact of cooking smells is largely dependent on the location of the premises.

6.33 The adverse effects will be less acceptable in mainly residential areas or in local shopping areas containing flats. Effective removal of odour and fumes from premises is essential.

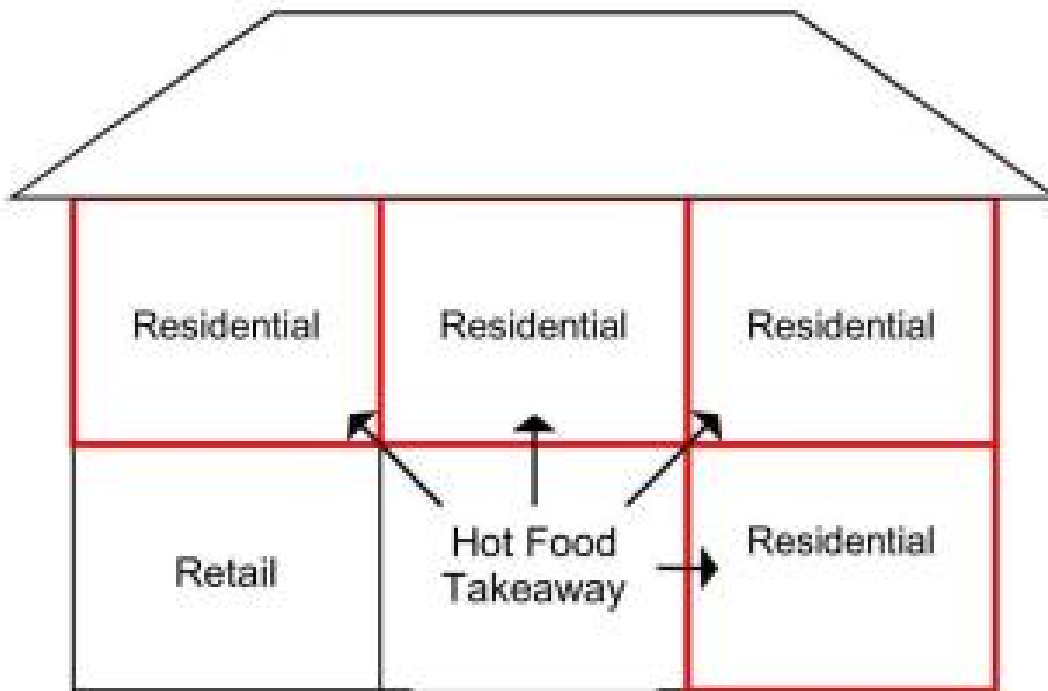
6.34 Often, natural ventilation of hot food takeaways will be totally inadequate and extraction systems that satisfy environmental health standards, incorporating extraction ducts, fans and odour abatement equipment, must be installed prior to the commencement of use. Such systems must effectively disperse residual odours after treatment via abatement plant and be designed so that they do not have an unacceptable impact on the general amenity of the building and the adjacent environment.

Noise Assessments

6.35 Regardless of the form or effectiveness of extraction equipment installed, it is almost impossible to fully eliminate the odours, which result primarily from the cooking activities undertaken within A5 premises. Often, such odours penetrate the fabric of buildings to the detriment of the occupiers of any surrounding properties. In this context, it is not usually considered acceptable to locate A5 premises directly adjacent to residential properties, regardless of the nature or effectiveness of the extraction system utilised.

6.36 A condition shall be placed on any permission requiring the installation and regular maintenance of an extraction vent before the business commences trading. If unacceptable smells and fumes cannot be prevented by appropriate means, planning permission will not normally be granted.

Shops with flats above or adjacent to the application site



6.37 Some proposals will have commercial uses at ground floor level with residential accommodation above or to the side (see diagram).

6.38 Special considerations will need to be made with any applications for a hot food use located adjacent to a sensitive end use. Noise and odour from the kitchen, as well as the storage of waste, can have serious adverse impacts on residential amenity. Other impacts will arise from the late operating hours and congregations of patrons outside the premises – all contributing to a potential ‘bad neighbour’ type of use.

6.39 Occasionally, applications for residential accommodation above a ground floor Hot Food Takeaway are made – these are typically to house the owner/operator above the business. Applications for such permission will be considered but often with a restriction that the residential element must be tied to the owner or operator of the business – i.e cannot subsequently be sold or let out to persons not associated with the business.

6.40 However, outside ‘local centres’ or commercial areas, planning permission may be refused where premises share a party wall with an adjoining house or a property which operates as in flats unless the applicant can prove that all reasonable and necessary mitigation measures have been implemented to prevent adverse impacts on residential amenity occurring.

6.41 Such mitigation measures will be from a noise and vibration point of view (via inclusion of suitable soundproofing and upgrading of fire suppression measures through building control) as well as consideration of odour impacts – either through the building structure or through odour abatement equipment.

6.42 Clear indication of hours of use will be necessary in these cases, it is unlikely that operating hours beyond 23.00hrs would be considered at all due to the range of impacts that hot food uses potentially can cause.

6.43 Suitable facilities for the storage of food wastes will be required up front in such cases to ensure odourous wastes do not create additional problems. This could be by identifying how frequently the food wastes will be collected, including ensuring collections are made during daytime hours only.

Noise and disturbance from customers

6.44 Many hot food takeaways can operate for long hours every day – often in local centres until after 23.00hrs. Noise from patrons attending individual takeaways can therefore be problematic for residential amenity purposes with noise from patrons affecting residential enjoyment and sometimes preventing restful sleep from occurring.

6.45 Where existing residential properties exist in close proximity to a proposed hot food takeaway, the applicant will have to determine how the impacts of their proposal will be controlled to minimise impacts on amenity. Much stricter operating hours are likely to be required if there are significant numbers of residential properties close to the site, especially of importance if the site is adjacent to an existing residential use.

6.46 Often, it is difficult to properly control noise from patrons arriving at a premises, they may arrive singly and wait quietly for their food to be prepared but often they may arrive with a few people simultaneously. The problem here is how is the noise from patrons, either in the property, outside the property or approaching the property, can be controlled.

6.47 Patrons may arrive on foot or may also arrive by vehicle. Vehicles will additionally make noise from the slamming of doors and by the starting of engines, but also by loud car stereo systems and patrons shouting to and from the vehicle to the hot food takeaway. Such behaviour is to be discouraged in the interests of local residential amenity. It may be necessary to refuse to serve patrons should this type of activity occur or be associated with certain patrons on a regular basis.

6.48 Obviously for a proposed new hot food takeaway in an established location, a lot of potential worry and angst can be created in the local population. It is therefore in the applicants own interests to show all practical measures that they could or would be included, should permission be granted, to reduce the impact of the proposed development on surrounding residential uses.

6.49 Local disturbance and disruption is also a consideration in licensing applications for Late Night Refreshment Licences which specifically include provisions to review public nuisance. These licensing requirements apply in cases where the premises serve either hot food and/or hot drinks at any time after 23.00hrs on any day up to 05.00hrs on the following day.

6.50 A separate licensing application will have to be made for any hot food use operating within the stated hours.

6.51 Unlike planning permission, licensing provisions can be added or removed by the licensing authority should a valid representation be made against a late night refreshment licence.

6.52 For further advice and guidance on this subject, please e-mail the licensing team at the following address: cexlicensing@warrington.gov.uk

Noise from plant and equipment associated with Hot Food Takeaways

6.53 Noise from external plant and equipment is an area commonly assessed by the LPA when determining planning applications. Regardless of the type of equipment the applicant/Developer should ensure that any noise from external plant and equipment does not exceed the existing ambient background noise level by more than -10dB (A) at the boundary or façade of the closest noise sensitive land use.

- any noise from plant or equipment does not dominate the noise level in the area; it might just be audible at a noise sensitive land use but will be a faint noise when compared to the background noise levels.
- selection of quieter models of plant and equipment at every opportunity is made. If this is not feasible, then it may be advisable to consider relocating noisy plant and equipment to a less noise sensitive area of the site. It may be possible to erect acoustic shielding around problematic plant and equipment to contain and/or reduce noise thereby preventing it causing problems off-site, however, there may be unacceptable visual impacts with some acoustic shielding that would require additional consideration and advice by Planning Officers. Some types of equipment may create tonal or intermittent noises, additional acoustic mitigation measures to minimise the impacts from these issues may require consideration.

6.54 The factors that influence the magnitude of noise generated in or around a commercial kitchen are:

- **Size and format of the exhaust:** the flow of air leaving the exhaust system generates broadband aero-acoustic noise. The sound level increases with increase in air velocity but decreases with increased cross sectional areas. Different combinations of exhaust cross sectional area and velocity of air may provide different noise levels. The presence of grilles or directional vanes in the ducts may generate tonal components.
- **Heat release from kitchen:** this may influence the size of the exhaust system required and the flow rate of air to be extracted by the system. An increase in flow rates can increase the pressure within ductwork which can generate additional noise or can excite other parts of the system leading to noise.
- **Type of cooking appliances used:** this can influence the overall noise level internally and externally as each individual appliance might contribute to the overall noise going through the ductwork.
- **Type of Cuisine:** certain cooking styles involve a lot of impact between pots and pans on cooking ranges, noise from this may be heard beyond the site boundary, especially if a window/door is open or poor insulation to adjacent residential uses exists
- **Position of exhaust fan in the system:** this may influence the noise radiated by the fan to the interior or exterior of the building and the transmission of sound energy into the exhaust duct system – hence why silencers might be necessary both in front and behind the fan.
- **Fitting and dimensions of the exhaust flow ducts:** exhaust duct dimensions, fixings and insulation can all influence the amount of noise emitted from an exhaust. Noise can be through the duct wall itself or may be from fittings and fixtures vibrating. Noise will also be emitted from the exhaust of any system but possibly from the air intake too.

6.55 Selection of appropriate noise attenuating materials, avoidance of flow restrictions, and vibration isolators between the ducts and the fan are some of the aspects to be considered.

- **Fan type and speed:** Type of fan used (e.g. centrifugal fan with blades that are backward curved, forward curved or radial, or axial fan) will influence the level and nature of noise emitted. The fan characteristic needs to be chosen so that it is operating at its most efficient duty range as this

tends to be the region of minimum noise. If fan speed is too high it will be operating out of that range, which can lead to increases in noise level of up to 10 dB, as well as inefficient air management and increased electrical running costs. It is often also desirable acoustically to use larger fans operating at low speeds rather than smaller fans operating at higher speeds

6.56 The following points should be taken into account when designing a ventilation system to minimise noise emissions:

- the fan and its installation should be designed as a complete package for a specific task. Fans generally produce less noise if operated at the optimum efficiency relative to their characteristics;
- fans should be located within buildings at low level, that is, on side walls, rather than in the roofs of buildings, as ground effect and the local topography will far more readily reduce the noise transmission;
- ensure that the correct selection of duct size and type is made for the proposal;
- ensure that correct isolation of vibration and noise is made at the time of installation by using resilient mountings wherever ducts or fittings are mounted against a wall, floor or ceiling.
- consider that lined or lagged ducts, including bends, elbows or spigots, may be required if additional noise reduction is necessary; and
- the recommended maximum supply and return velocities for grilles and terminals should be applied
- silencers may be required where additional attenuation is necessary. A range of silencers is available and it may be necessary to insert in-duct silencers both upstream and downstream
- to prevent radiation of fan noise through ductwork it may be necessary to enclose or lag the fan. Where fans are used to push gases up a stack, silencers containing absorbent material can sometimes be mounted directly on top of the stack. However, where gases are hot, wet or dirty, the infill may need to be protected – possibly by pre-filtration or conditioning of the exhaust gases.
- Acoustic louvres on exhausts and inlets can greatly reduce environmental noise. However, their performance can sometimes increase back-pressure or the velocity of the air flow leading to increased noise.

6.57 Maintenance of the kitchen equipment should be carried out on a regular basis in order to ensure the system remains as efficient as possible and also to ensure that the ventilation plant remains in good condition. Manufacturers and installers will be able to advise on what the optimum cleaning period is likely to be for a system in a given location.

6.58 After deep cleaning an extraction system, it is likely that the noise emitted from the system will change – grease build up inside the ductwork can sometimes act as a noise insulator but grease may also act as a noise generator when fans are unbalanced due to grease build up.

Visual Impact

6.59 *Consideration will also be given to the visual impact of flues and care should be taken to locate them where they will not appear prominent.*

6.60 Modern abatement plant flue can sometimes be coated or wrapped in a colour co-ordinated style to match the local building materials, but this may only be appropriate in certain circumstances. If the flue is visible from a wide range of angles, then co-ordinated colouring is probably not appropriate.

6.61 Applications for change of use to Hot Food Takeaway in a conservation area or on a listed building may not be appropriate at all. Prior discussions with a Planning Officer is recommended in such cases to determine at an early stage if this is likely to be practical.

6.62 Flues can sometimes utilise existing chimney stacks on certain buildings. This will depend entirely on the size of the flue and the volume and velocity of air to be extracted so will be a very site specific consideration. From a visual impact point of view, this would almost always be the preferred option.

6.63 Difficulties may also exist if a single storey building proposes a hot food use in a predominantly two storey area. The height of a flue is a key element of the effective dispersion of odours, the higher the flue the better the dispersion – hence why a domestic chimney always exhausts the gases/odours/fumes at the top of a building. Providing a flue extraction system on a single storey building would inevitably result in a flue at a height that would almost be as high as the surrounding two storey buildings.

6.64 In cases such as this, a much higher specification of odour abatement plant may be necessary which would remove odour and fume to a much greater level than a more typical system would achieve. These systems can be accordingly more expensive as the technology, initial installation costs and running costs may be significantly greater.

Signage

6.65 Many hot food takeaways have signage changes associated with the change of use. These may be either non-illuminated or illuminated signs. Separate policy exists covering these elements with specific detail to sizing of signs, illumination levels and other relevant issues.

6.66 For more advice on illumination levels for signage, please see section 5 of the Environmental Protection Supplementary Planning Document which is downloadable from the following web address: http://www.warrington.gov.uk/downloads/download/1212/spd_environmental_protection

Food Hygiene

6.67 Clearly all hot food takeaways have to have due regard to and comply with food hygiene standards to ensure that any food supplied is fit for human consumption and doesn't cause food bourn illness.

6.68 Whilst compliance with such standards is relevant once planning permission has been granted and during the operation of the business, due regard to achieving compliance should be addressed in the application process.

6.69 Due to their very nature, hot food premises can be attractive to various 'pests' including rodents, crawling and flying insects, which can breed exponentially if not controlled and pose a public health risk to the local community.

6.70 In order to meet food hygiene standards, businesses may have to make significant changes to the layout of the premises and in some cases the fabric of the building. Such material changes to the interior of the fabric of the building may affect a planning application; hence it is good practice to notify the council at an early stage of any likely changes that may have to be made to the building. To help determine the 'fitness' or otherwise of a building to help comply with food hygiene standards, it is recommended that applications have discussions with local Environmental Health Officers who will potentially visit and help conduct such an assessment. Local Environmental Health Officers can be contacted on (01925) 442599 for further details.

6.71 The council has signed up to the Food Standards Agency's (FSA) new online Food Hygiene Rating Scheme, (FHRS). Hot Food Takeaways are inspected by food safety officers from the council, to check that their hygiene standards meet legal requirements. The hygiene standards are then rated by the new scheme on a scale from 0 bottom which means 'urgent improvement necessary' to a top rating of 5, 'very good'. These ratings are available to view on the FSA website at food.gov.uk/ratings

Food Health & Standards

6.72 It is clear that access to fast food containing high levels of salt fat and sugar can have extremely adverse impacts on those who regularly consume this food. Consequently Warrington Borough Council ensure that we manage access to Hot Food Takeaways through planning controls in appropriate

Additional information & Associated Issues

circumstances. It is expected that any prospective developer to indicate how they will ensure that that the food they supply will not, by virtue of its calorie, fat, salt and sugar content, unduly adversely impact on local health.

6.73 For further advice on how you can meet these guidelines please contact Warrington Borough Council Public Protection on (01925) 442585 or by email: tradingstandards@warrington.gov.uk

Licensing

6.74 If a hot food takeaway premise is open between the hours of 23.00 and 05.00, it will need to hold a Late Night Refreshment Premises Licence under the Licensing Act 2003, subject to any local exemption.

6.75 Warrington Borough Council has adopted a special Cumulative Impact Policy, within its Statement of Licensing Policy. This covers defined areas of the Town Centre and Stockton Heath. This has been introduced due to the number, type and density of premises in these areas and the potential impact on the promotion of the licensing objectives.

6.76 The effect of the special policy is to create a rebuttable presumption that applications for the grant or variation of licences, which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following relevant representations, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. Each application will always be judged on its relative merits. The special policy applies to Late Night Refreshment Premise Licences.

Validation

6.77 In order to ensure that planning applications are valid upon receipt by the Local Planning Authority, the Council provides various validation checklists for a number of development types. This can be viewed on the Council's website.

http://www.warrington.gov.uk/info/200562/planning/1331/validation_checklists_for_planning_and_other_applications

Whilst a validation checklist is set out below to aid applicant's in preparing applications, it should be noted that the validation checklist may be subject to regular review and therefore change. Accordingly the Council's website should always be referred to with regards to making sure any individual submission complies with the most up to date requirements.

6.78 The validation checklist below is specifically concerned with the change of use of a building to a Hot Food Takeaway and applicants are required to provide the documents/information as listed in the table below. For new buildings to create a hot food takeaway premises, please see the Council's 'Full Validation Checklist' and Checklist No. 3 regarding Full Applications for new buildings, extensions or engineering works.

- This information is always required to validate the application.
- Other information may also be required in accordance with the full list.
- If any of this is missing the application will be delayed until it is provided.
- The case officer may request other information after the application has been registered

NATIONAL REQUIREMENTS		√
N1	Application Form: Answer all questions	

NATIONAL REQUIREMENTS		√
N2	Correct Fee	
N3	Ownership Certificates <ul style="list-style-type: none"> • Certificate A must be completed when the applicant is the sole owner of the site. • Certificate B must be completed when the owner of the site is known to the applicant. • Certificate C and D must be completed when some or none of the owners of the site are known 	
N4	Agricultural Holdings Certificate	
N5	Article 6 Notices If you are using certificate B or C, you will need to serve an Article 6 notice on the owner. The relevant form for this can be obtained from the Council website.	
N6	Location Plan This should: <ul style="list-style-type: none"> • Be up to date and of Ordnance Survey quality. • Be at a scale of 1:1250 or 1:2500. • Show a North point. • Show at least two named roads. • Show surrounding buildings which are named or numbered. • Clearly identify the application site with a red edge which should include all the land required to carry out the proposed development. • Show any other land in the control or ownership of the applicant, which is close to or adjacent to the application site, with a blue line. • Show the exact location of the application site. 	
N7	Site Plan This should: <ul style="list-style-type: none"> • Be at a scale of either 1:500 or 1:200. • Show the direction of North. • Show the proposed development in relation to the site boundaries and other existing buildings on site. • Include written dimensions including those to the boundaries. • Indicate any buildings or other structures to be demolished. It should also include the following unless these would NOT influence or affect the proposed development: <ul style="list-style-type: none"> • All the buildings, roads and footpaths on land adjoining the site including access arrangements. • All public rights of way crossing or adjoining the site. • The position of all trees on the site and those on adjacent land. • The extent and type of any hard surfacing. • Any boundary treatments including walls/fencing where these are proposed. 	

NATIONAL REQUIREMENTS		√
N8	<p>Floor Plans</p> <p>Required when:</p> <ul style="list-style-type: none"> • A change in the use of floor space is proposed. • New floor space is proposed. <p>These should:</p> <ul style="list-style-type: none"> • Be drawn to a recognised metric scale, preferably 1:50 or 1:100. • Explain the proposal in detail • Show details of the existing and proposed use. 	

LOCAL REQUIREMENTS		√
L12	<p>Parking Arrangements</p> <p><u>Existing & Proposed Parking and Access Arrangements are required for:</u></p> <ul style="list-style-type: none"> • New Developments and Change of Use. 	
L23	<p>Odour Assessment</p> <p>Required:</p> <ul style="list-style-type: none"> • For all uses in class A3 and A5 (Hot Food Takeaways and Restaurants). <p>Ventilation / Extraction Details are required for:</p> <ul style="list-style-type: none"> • All commercial developments which will cause odorous emissions. 	
L32	<p>Copies of Applications on CD</p> <p>Required for:</p> <ul style="list-style-type: none"> • All hard copy/paper applications. 	

7 Monitoring, Implementation & Review

Monitoring

7.1 It is essential to monitor that this SPD is being successfully implemented, that the desired outcomes are being achieved and if not, what corrective action needs to be undertaken.

7.2 This will be done through a regular process of monitoring the success of this SPD and its policies against a set of indicators and targets in the Council's Annual Monitoring Report. This could include the following indicators;

- Use of this SPD in planning application decisions
- Number of new Hot Food Takeaways in the Town Centre, District, Neighbourhood and Local Centres
- Number of new Hot Food Takeaways in the borough as a whole

7.3 In addition, as part of the Local Planning Framework Evidence Base, the Councils produces a 'Warrington Town Centre Health Check' and 'Warrington Retail Centres Report'. These both report on the vacancy levels and the number and type of units within the town centre and other defined centres in the borough.

Implementation and Review

7.4 The SPD will primarily be implemented through the development management process and the determination of planning applications. The Council's Annual Monitoring Report will monitor the SPD's progress and highlight any issues that may require review.

8 Appendix 1: Location of defined centres within the borough

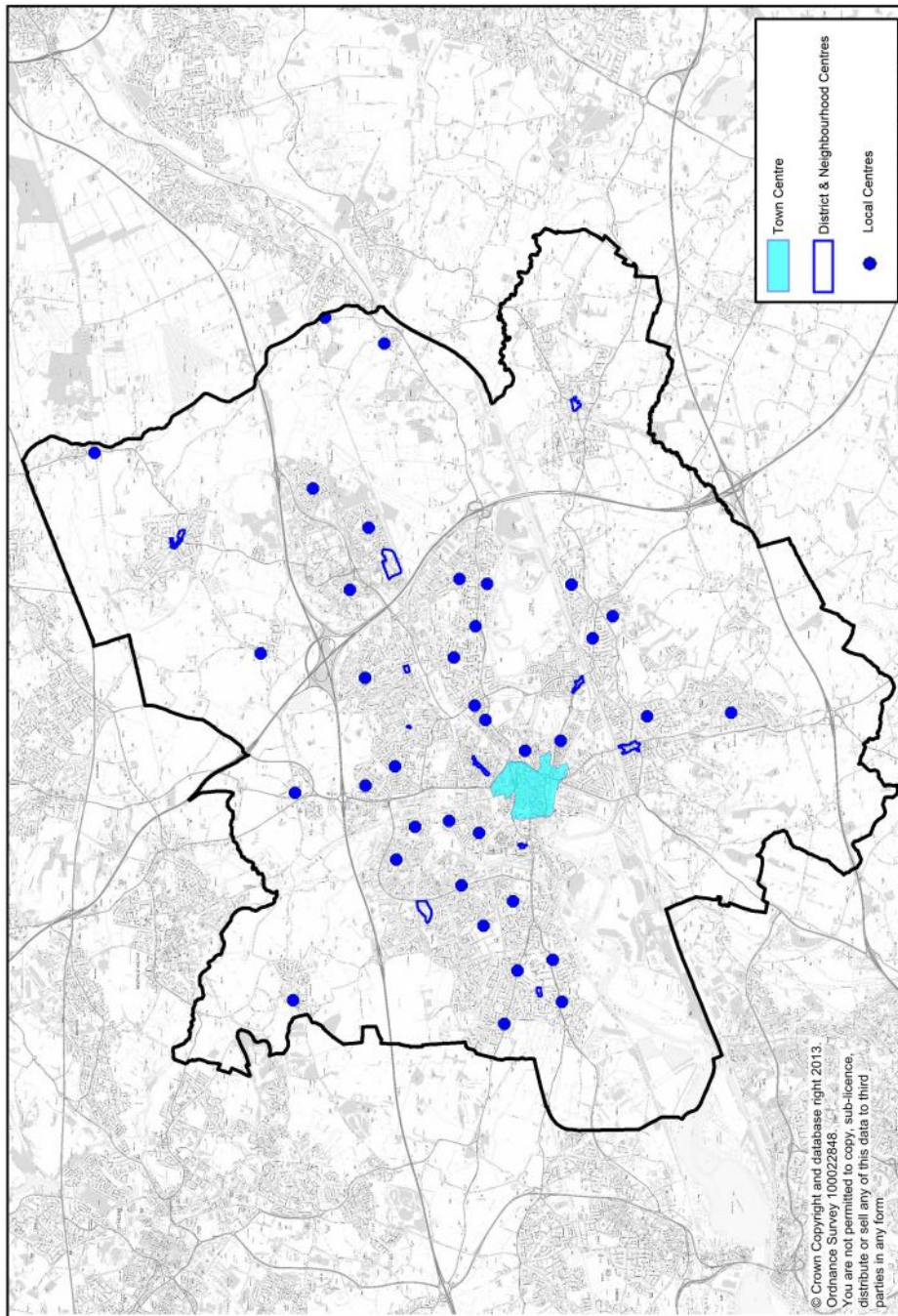


Figure 8.1 Defined Centres within Warrington

9 Appendix 2: Secondary Schools

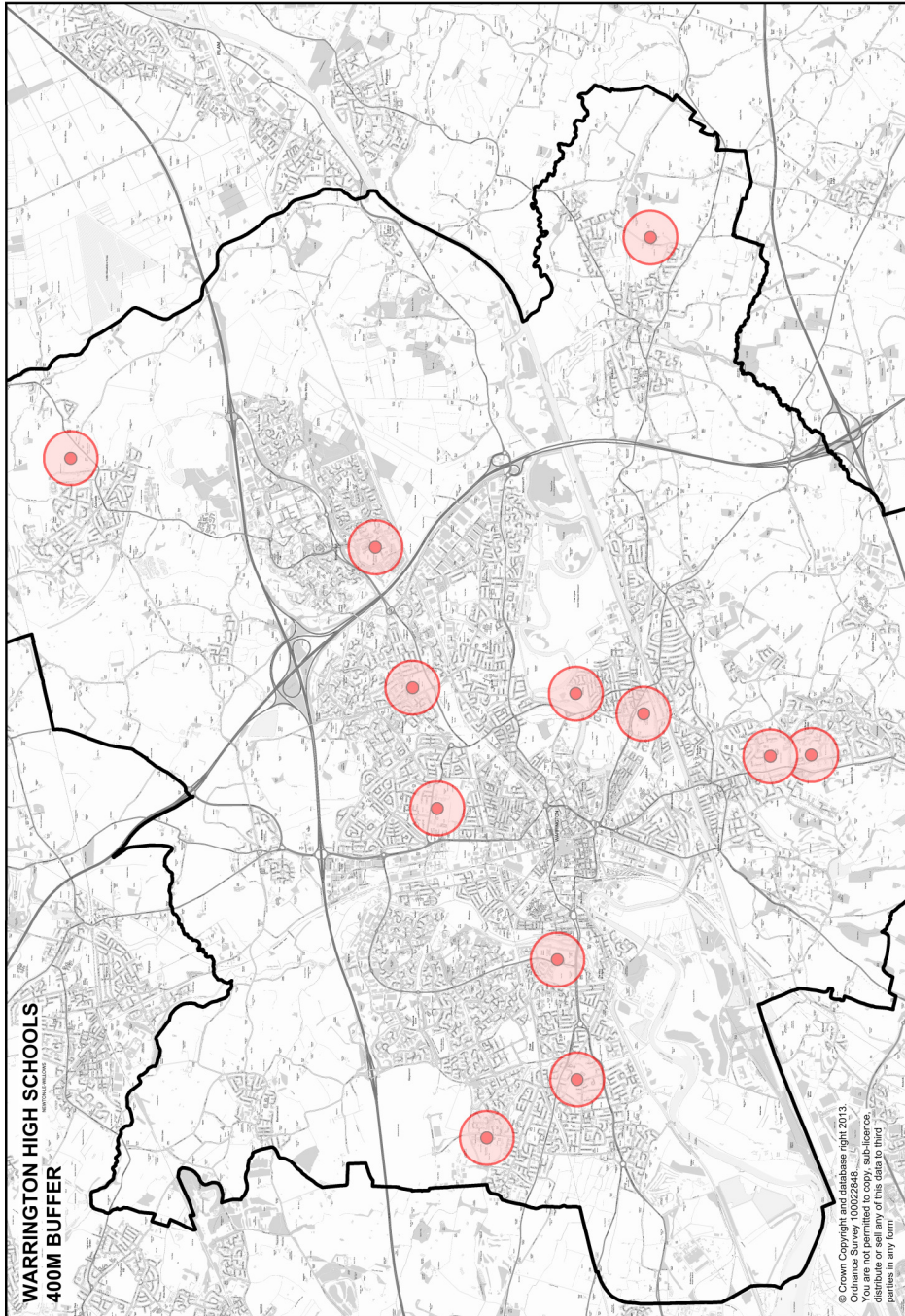


Figure 9.1 Warrington Secondary Schools with 400m Buffer

10 Appendix 3: Evidence Review - Hot Food Takeaways and Health

Author and year	Area of interest	Criteria for inclusion in analysis/search terms	Outcomes
Bagwell 2013	Deprivation & Obesity	<p>Fast food, obesity and link with deprivation</p> <p>Availability of fast food in deprived areas</p> <p>Barriers to healthier catering options in deprived areas</p>	<p>Evidence conflicting as to whether fast food outlets are concentrated in areas of deprivation or in more prosperous commercial and business districts</p> <p>The heaviest users of chicken and burger restaurants are less affluent consumers in the lower socio-economic groups</p>
Buck et al. 2013	Clustering of hot food takeaways and link to obesity and 400 metre guidance	<p>Availability of unhealthy food and its higher consumption in children</p> <p>Clustering of food outlets around schools</p> <p>Influence of junk food availability on food intake of school children</p>	<p>In the German study region, clustering of food retailers does not depend on the location of schools</p> <p>The results suggest that the consumption of junk food in young children is not influenced by spatial availability of unhealthy food</p> <p>Investigations should be replicated in other European communities to increase environmental variability</p>
Conrad et al. 2012	Deprivation & Obesity	<p>Deprivation and childhood weight/obesity in England</p> <p>National Child Measurement Programme</p> <p>Indices of Multiple Deprivation (IMD) 2010 scores</p>	<p>Childhood obesity rates in England strongly associated with deprivation</p> <p>Priority to tackle unhealthy weight in children in areas with high levels of deprivation</p> <p>The IMD have some limitations but provide the best available means of comparing area deprivation in England</p> <p>Interventions tackling childhood obesity need to be broad and address factors contributing to the obesogenic environment</p>
Crawford et al. 2008	Clustering of hot food takeaways and link to obesity and 400 metre guidance	<p>Density of and proximity to fast food outlets</p> <p>body weight in a sample of children and their parents</p> <p>BMI and location of fast food outlet</p>	<p>Older children with at least one outlet within 2 km had lower BMI z-scores</p> <p>The further that fathers lived from an outlet, the higher their BMI</p> <p>Little support is given to the concept that exposure to fast food outlets in the local neighbourhood increases risk of obesity</p>

Author and year	Area of interest	Criteria for inclusion in analysis/search terms	Outcomes
		Predict odds of being overweight or obese	
Davis et al. 2009	Obesity and schools - causal effect of takeaways being close to schools	Fast-food restaurants near schools and obesity in school students Proximity of fast food restaurants to schools	Students with fast-food restaurants near (within one half mile of) their schools consumed fewer servings of fruits and vegetables, consumed more servings of soda and were more likely to be overweight than those whose schools were not near fast-food restaurants The result was unique to eating at fast-food restaurants (compared with other nearby establishments) and was not observed for another risky behaviour (smoking) Exposure to poor-quality food environments has important effects on adolescent eating patterns and overweight Policy interventions limiting the proximity of fast-food restaurants to schools could help reduce adolescent obesity
Day et al. 2011	Deprivation and obesity / Clustering of Hot Food Takeaways and link to Obesity and 400 metre guidance	Spatial cluster analysis Food outlets clustering around schools	The most socially deprived quintile of schools had three times the number and proportion of food outlets compared to the least-deprived quintile There was a high degree of clustering of food outlets around schools, with up to 5.5 times more outlets than might be expected Outlets were most clustered up to 800 m from schools and around secondary schools, socially deprived schools, and schools in densely populated and commercially zoned areas
El-Sayed et al. 2012	Deprivation & Obesity	Socioeconomic inequalities in adult obesity risk in the UK Area level deprivation and obesity Occupational social class among adults	Socioeconomic indicators of low SEP throughout the life course were associated with higher obesity risk Several indicators were found to be more strongly associated with obesity among women than among men There may be ethnic differences in the relation between SEP and obesity risk

Author and year	Area of interest	Criteria for inclusion in analysis/search terms	Outcomes
		Social mobility and obesity	Limitations to the study are acknowledged and future research is advised
Fraser et al. 2010	Obesity and schools - causal effect of takeaways being close to schools / Clustering of Hot Food Takeaways and link to Obesity and 400 metre guidance	<p>Geography of fast food outlets</p> <p>Availability/proximity of fast food outlets by schools</p>	<p>Some evidence that greater exposure to fast food is associated with lower fruit and vegetable intake</p> <p>Schools have more fast food outlets nearby than would be expected by chance and this is amplified in more deprived areas</p> <p>Waltham Forest Council have banned any new fast food outlets opening within 400m of their schools and this policy should be used more widely to reduce children's exposure to fast food</p>
Gilliland et al. 2012	Clustering of Hot Food Takeaways and link to Obesity and 400 metre guidance	<p>Environmental factors associated with BMI levels among adolescents and potential interventions for reducing childhood obesity</p> <p>Recreation opportunities, fast-food outlets and convenience stores</p>	<p>The presence of public recreation opportunities within a 500 m network distance of home was associated with lower BMI z-scores</p> <p>Fast-food outlets close to the school were associated with higher BMI z-scores</p> <p>Interventions and policies that improve children's access to publicly provided recreation opportunities near home and that mitigate the concentration of fast-food outlets close to schools may be key to promoting healthy lifestyles and reducing childhood obesity</p>
Harrison et al. 2011	Obesity and schools - causal effect of takeaways being close to schools	<p>Adiposity and the characteristics of areas around schools and routes to school</p> <p>Fat Mass Index (FMI) and environmental indicators</p> <p>Access to food outlets and physical activity facilities and mix of land uses</p>	<p>Significant associations between FMI and a number of environmental characteristics, but these varied by sex, mode of travel to school and setting</p> <p>Some associations between FMI and characteristics of home and school environments, with most associations observed in girls.</p> <p>Further investigative work is required</p>

Author and year	Area of interest	Criteria for inclusion in analysis/search terms	Outcomes
Kwate et al. 2010	Clustering of Hot Food Takeaways and link to Obesity and 400 metre guidance	Clustering of fast food restaurants around schools and effect on children School type, school racial demographics, area racial and socioeconomic demographics	A minimum of 25% of schools had a fast food restaurant within 400 m. High schools had higher fast food clustering than elementary schools Public elementary and high schools with large proportions of ethnic students had higher clustering than white counterparts Public high schools had higher clustering than private counterparts, with 1.25 to 2 times as many restaurants than expected by chance
Macdonald et al. 2007	Deprivation & Obesity	Area deprivation and fast food restaurants Obesity Concentration of fast food outlets	Significant increases in density of outlets from more affluent to more deprived areas for each individual fast-food chain and all chains combined A 'concentration' effect exists and risk factors for obesity appear to be 'concentrated' in more deprived areas of England and Scotland
Patterson et al. 2012	Deprivation & obesity / Obesity and schools - causal effect of takeaways being close to schools	Weight/BMI of schoolchildren and consumption of fast food location of takeaway outlets in a deprived inner London Borough obesogenic environment and obesity and overweight	Many of the children were overweight or obese and will likely become obese as adults Very high frequency of fast food consumption for the majority of schoolchildren in this area Significant differences between gender and practices related to fast food consumption Close proximity of outlets and low cost of fast food is likely to influence the schoolchildren's fast food consumption No significant association between increasing takeaway and fast food consumption and obesity as measured by BMI corrected for age and gender
Smith D et al. 2013	Obesity and schools - causal effect of	Local retail food environment and change over time	Between 2001 and 2005 the number of takeaways and grocers/convenience stores within 400 m of schools increased, with many more grocers reported within 800 m of schools in 2005

Author and year	Area of interest	Criteria for inclusion in analysis/search terms	Outcomes
	takeaways being close to schools / Clustering of Hot Food Takeaways and link to Obesity and 400 metre guidance	Association between change in retail food environment and effect on secondary school children's diet	Some evidence that the local food environment around secondary schools may influence adolescent diet, though effects were small Further research on adolescents' food purchasing habits with larger samples in varied geographic regions is required to identify robust relationships between proximity and diet

Summary

Deprivation and Obesity

A lot of the papers in this area are published in the US, Canada and Australia. These papers overall show a link between deprivation and obesity, but the evidence from papers published in the UK is less conclusive. Fraser et al (2010) state that “results from the ecological studies show that there are more FF [fast food] and takeaway outlets in more deprived areas” and “These results have started to change policy; in 2008 the City of Los Angeles passed a bill to ban the opening of any Fast Food restaurants in the poor neighbourhoods in the city”.

Obesity and Schools - causal effect of takeaways being close to schools

The evidence is not conclusive as to whether or not there is a direct link between hot food takeaways being close to schools and obesity levels increasing. It does seem as though children do not eat as healthily though if takeaways are close to schools. This is also true of convenience stores being close to schools as children choose to go to the stores and choose crisps and chocolate over more healthy alternatives such as fruit. Fraser et al. (2010) state that “People may eat at a FF [Fast Food] outlet simply because there is no alternative food outlet nearby. This is an easier area to address with policy decisions than if people are choosing to eat at FF outlets rather than healthier alternatives”. Smith et al. (2013) look at the importance of the cost of food at the local takeaways and shops, and say that the results “highlight the importance of local shops in urban deprived areas as a source of food for adolescent students, who report that prices in local shops or takeaways are usually lower than in the schools ... Students may compare prices and choose to purchase food away from school to save money”. The price of food in schools needs to be examined therefore. In the introduction to their study on the proximity of fast food establishments to schools and the effect on children's health, Davis et al. (2009) say that the research on this area has not “yielded consensus”. “Multiple studies have found that fast-food restaurants are systematically concentrated within a short walking distance of schools, giving children greater access to low-quality food, but these studies do not make an explicit connection between proximity to fast-food restaurants and diet-related outcomes”. Davis et al. set out to prove if there is a connection and in their conclusion they acknowledge that their results are limited as they looked at only one state in the USA, California, but they state that as a “more drastic” public policy measure, governments could “restrict commercial permits for fast-food restaurants within walking distance of a school. Policy makers could also consider restrictions on the menus of restaurants that already exist within those zones, especially during lunch times and immediately before and after school. Alternatively, officials could consider ways to encourage vendors of healthful food to locate near schools”.

Clustering of Hot Food Takeaways and link to Obesity and 400 metre guidance

The 400 metre rule has been established because this is considered a distance that may deter children from walking to the takeaway during their lunch break from school. Other distances have been considered, for example, 800 metres from a school and an article in The Conversation mentions

residents in Adelaide trying to impose a ban on a McDonalds being built within 200 metres of a primary school. Some of the studies are from countries outside the UK and the results might not translate to the UK population. In fact, Fraser et al. (2010) state that all the studies that they looked at “that showed a positive association between FF availability and overweight/obesity were undertaken in the USA” so “There is a need for studies from other countries with good quality height and weight data to be undertaken”. Smith et al. (2013) examined distance between takeaways and schools and say that “Unhealthy diet scores are negatively correlated with the median distance to takeaways within 400 m, and the minimum distances to grocers within 800 m and takeaways at both distances ... The small significant relationships between proximity to takeaways and unhealthy diets indicate that students who must go further from school to reach a takeaway have a less unhealthy diet”. They also say that “We cannot assume that takeaways are the only source of ‘unhealthy’ food, or that consumers will avoid the fizzy drinks and crisps at the grocers”. There are alternative outlets to takeaways that supply unhealthy food too.

Overall Summary

Difficulties exist in establishing a definitive answer as to whether or not there is an association between takeaways being in close proximity to schools or in there being a cluster of takeaways near schools and higher levels of overweight/obesity. Buck et al. (2013) explain that the “great heterogeneity in study designs, measures etc. limits a comparison of findings regarding the community food environment. Furthermore, these findings can hardly be transferred to European communities, because structures of the studied communities differ in many aspects from European communities ... communities in the U.S. and Europe differ with regard to urban patterns, location of stores, and range of products, as well as travel behaviour and eating behaviour of consumers. Portion size of fast food restaurants also strongly differs between the U.S. and Europe”. As a result Buck et al. call for further European studies and in fact further research in England/the UK is needed for a greater impact on policies in this country.

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WARRINGTON Borough Council



Warrington Borough Council

New Town House, Buttermarket Street
Warrington
WA1 2NH

Tel: 01925 443322
www.warrington.gov.uk