

**Gateshead Council**

**Supplementary Planning Document**

**Health - controlling the location of, and access to, hot food takeaways (A5)**

**2015**

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## **Introduction**

Vision 2030 sets out a programme of transformation for Gateshead, which includes six big ideas, one of which is Active and Healthy Gateshead. It states that we want Gateshead to have one of the healthiest communities in the country, with the building blocks in place to support and encourage people to take up opportunities to improve their health and lifestyle.

The Borough of Gateshead currently has a high level of obesity, and in line with Vision 2030, the Council aim is to reduce levels of obesity within the Borough substantially. In addition the Gateshead Council Approach to Healthy Weight (May 2014) sets out the ambition to reduce the number of obese children in year 6 to less than 10% by 2025.

The link between planning and health has been set out in the National Planning Policy Framework (NPPF) and is integrated in our emerging Local Plan. One of the ways in which planning can have the greatest impact on health, and in particular obesity levels, is the restriction of new hot food takeaways. This Supplementary Planning Document (SPD) is one component in the wider Council Health and Wellbeing Strategy for tackling unhealthy lifestyles and obesity.

### Purpose of document

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

It is acknowledged that unhealthy eating may encompass a broader range of uses than hot food takeaways alone, and can include restaurants (A3) and retail units (A1); however this SPD will be used to control hot food takeaways (A5 uses) only.

### **Use Classes order**

Establishments whose primary business is for the sale of hot food for consumption off the premises fall within the Use Class A5 (as defined by the Town and Country Planning (Use Class) Order 1987 (as amended)). The proposed layouts of such premises provide a clear guide as to whether the use of the premises will fall into the A3 (restaurant) or the A5 (hot food takeaway) Use Class. In determining the dominant use of the premises consideration will be given to:

- The proportion of space designated for hot food preparation and other servicing in relation to designated customer circulation space; and/or
- The number of tables and chairs to be provided for customer use.
- The percentage of the use to the overall turnover of the business

### How to use the document

The primary users of the document are Development Management officers and developers.

Anyone intending to submit a planning application for an A5 use is encouraged to read this SPD and contact the Council's Development Management Team for further pre-application advice and information. <http://www.gateshead.gov.uk/Building%20and%20Development/Planning/advice.aspx>

#### Document status and relationship to other documents

This SPD is a material consideration in the determination of planning applications. It is intended to clarify existing policies rather than duplicate other planning documents. It should be read in conjunction with the Council's saved Unitary Development Plan (UDP) policies and the emerging Local Plan to gain an understanding of the priorities, aims and objectives of the Borough. Once Local Plan documents are adopted they will supersede the relevant saved policies of the UDP. More detail is provided in the Council's [Local Development Scheme](#), and updates on the status of policies are provided in the Council's [Annual Monitoring Report](#).

#### **Vision 2030**

Vision 2030 is Gateshead Strategic Partnership's sustainable community strategy, which, as part of the pathway, includes a target that the borough of Gateshead has the lowest obesity rate in the UK before 2030. The Local Plan is the catalyst for the spatial implementation of Vision 2030 and the policies and guidance in the Local Plan including this SPD will be part of a range of initiatives to help deliver these goals.

Vision 2030 has the ambition to have the 'healthiest communities in the country'. The desired outcomes of the implementation of Vision 2030, related to health and wellbeing include;

- Gateshead residents have the longest and healthiest lives in England
- Gateshead is recognised as a healthy community in which to live
- People have the opportunities to make positive lifestyle choices across all of Gateshead to improve their physical and mental health
- The unacceptable health and inequality gaps across the borough have been eradicated (particularly in relation to life expectancy)
- Gateshead residents have improved mental health and emotional wellbeing

It sets out the ambition that death rates from cancers and circulatory diseases in Gateshead are amongst the lowest 10% in the country (by 2025), that life expectancy gaps within Gateshead should be addressed and 75% of Gateshead residents eat 5 portions of fruit and vegetables each day. Each of these ambitions is closely related to reducing unhealthy eating.

#### **Local Plan Objectives**

The emerging Local Plan identifies a number of strategic objectives which aim to deliver the spatial vision for Gateshead and Newcastle. The Strategic Objectives are presented in the Gateshead and Newcastle Core Strategy and Urban Core Plan. The relevant objective relating to health and wellbeing is;

Objective SO10 - Provide the opportunity for a high quality of life for everyone and enhance wellbeing of people to reduce all inequalities.

### **Consultation**

Consultation is currently being undertaken on this SPD. If you wish to make comments please do so by 16<sup>th</sup> March 2015. You can make comments by;

Emailing [ldf@gateshead.gov.uk](mailto:ldf@gateshead.gov.uk),

Writing to Spatial Planning and the Environment, Communities and the Environment, Civic Centre, Regent Road, Gateshead, NE8 1HH,

or online at <https://consultation.gateshead.gov.uk/kms/dmart.aspx?noip=1&strTab=PublicDMart>

Documents are available for reference at the Civic Centre Gateshead and the libraries or online at [www.gateshead.gov.uk](http://www.gateshead.gov.uk).

## **Part 1 Context and evidence**

### Policy context

#### **National Planning Policy Framework (NPPF)**

NPPF was published on 27 March 2012 and is a material consideration in planning decisions. 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”. NPPF paragraph 23 highlights the importance of promoting competitive town centre environments and paragraph 69 sets out that “the planning system can play an important role in creating healthy, inclusive communities”.

#### National Planning Practice Guidance (NPPG) - (health and wellbeing )

The NPPG is statutory guidance which underpins the NPPF. In relation to health and wellbeing it states;

‘The built and natural environments are major determinants of health and wellbeing’

The range of issues that could be considered through the plan-making and decision-making processes, in respect of health and healthcare infrastructure, include how: the local plan promotes health, social and cultural wellbeing and supports the reduction of health inequalities; the local plan considers the local health and wellbeing strategy and other relevant health improvement strategies in the area; and considers opportunities for healthy lifestyles (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);

#### **Unitary Development Plan 2007**

A number of saved UDP policies are relevant to this SPD;

DC1: Environment - Planning permission will be granted for new development where it: ...h) does not significantly pollute the environment with dust, noise, light, emissions, out-fall or discharges of any kind.... m)incorporates appropriate recycling facilities, including a suitable wheeled bin and recycling bins for individual properties and where possible, facilities for sorting and storage of waste in both residential and commercial settings.... o)reduces the opportunities for crime by virtue of its design and layout;

DC2:Residential Amenity - Planning permission will be granted for new development where it: a) does not have an adverse impact on amenity or character of an area, and does not cause undue disturbance to nearby residents or conflict with other adjoining uses;

RCL3 GATESHEAD TOWN CENTRE: Maintaining and enhancing the role of Gateshead Town Centre as the primary shopping, cultural, visitor and administrative centre in the borough will be achieved through a range of measures, including: a) protecting and promoting the vitality and

viability of existing shopping facilities within the Primary Shopping Area to ensure the provision of a full shopping offer;

**RCL4: GATESHEAD TOWN CENTRE PRIMARY SHOPPING AREA:** The retail function of Gateshead Town Centre is protected by the designation of a Primary Shopping Area. This area contains both primary and secondary frontages. The area bounded by High Street, Charles Street, High West Street, West Street and Nelson Street, and also incorporating The Interchange Centre, contains primary ground floor frontages with a higher proportion of A1 retail uses. Within this area change of use from retailing will not be allowed where it would result in the percentage of non-A1 retail frontages exceeding 30% at ground floor. A mix of town centre uses is acceptable up to 30% and above ground floor in this area, and in all other parts of the Primary Shopping Area, where no adverse impact on its vitality and viability would result;

**RCL5 DISTRICT AND LOCAL CENTRES:** Within District Centres and Local Centres, planning permission will be granted for retail and other shopping centre uses where it: a) maintains and enhances the vitality and viability of the centre; b) does not result in an unacceptable impact on residential amenity, the local highway network or road safety; c) is compatible with the scale and nature of the centre; d) results in enhancements to public transport accessibility; e) improves the attractiveness and security of existing car parks; f) improves accessibility for socially-excluded groups and people with impaired mobility; and g) helps to improve the appearance of the centre.

In considering proposals for changes of use from retail to other uses, including other shopping centre uses, particular regard will be had to the effect the loss of retail units would have on the vitality and viability of the centre as a whole.

In particular, within the following District Centres, change of use from retailing will not be allowed where it would result in the percentage of non-A1 retail frontages exceeding 30% at ground floor:

Low Fell 439-543 Durham Road (odd numbers, including New Cannon Inn) and 536-562 (even numbers);

Whickham St Mary's Green units, 1-10 The Square, Ilfracombe House & Salesrooms, Back Row

Blaydon 1-40 The Precinct (frontages within), including the public house

Birtley 2-13 Arndale House, 1-11 Co-op Buildings, 34-56 Durham Road, Netto Durham Road

Wrekenton 157-179 High Street (odd numbers), 3-12 Wrekenton Row, 1-5 Ravensworth Villas, Co-op supermarket

Felling 1-3 Victoria Square, Victoria Jubilee Hotel block and 1-23 Crowhall Lane;

**RCL6 FOOD AND DRINK USES:** Planning permission will be granted for restaurants, cafes (A3) and drinking establishments (A4) within existing centres and hot food take-aways (A5) within an existing centre or locality provided:

a) they do not have an unacceptable impact on road safety, the environment, amenity, the character of the surrounding area or the vitality and viability of an existing centre; and



b) they would not lead to an over-concentration of such uses in any one location.

### **Emerging Local Plan policies**

#### **Planning for the Future Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne – Submission draft**

There is one related policy within the Councils emerging Local Plan;

Draft Policy CS14 Wellbeing and Health which states:

The wellbeing and health of communities will be maintained and improved by:

1. Requiring development to contribute to creating an age friendly, healthy and equitable living environment through:
  - i. Creating an inclusive built and natural environment,
  - ii. Promoting and facilitating active and healthy lifestyles,
  - iii. Preventing negative impacts on residential amenity and wider public safety from noise, ground instability, ground and water contamination, vibration and air quality,
  - iv. Providing good access for all to health and social care facilities, and
  - v. Promoting access for all to green spaces, sports facilities, play and recreation opportunities.
2. Promoting allotments and gardens for exercise, recreation and for healthy locally produced food.
3. Controlling the location of, and access to, unhealthy eating outlets.

#### **Making Spaces for Growing Places (Land Allocations and Development Management Policies Document)**

The Local Plan document Making Spaces for Growing Places is also being prepared. It is proposed that document will contain detailed site allocations and development management policies for Gateshead. Wellbeing and health policies will be contained in that document, and it is proposed that a policy on hot food takeaways or unhealthy eating outlets will be included.

#### **Sustainability Appraisal**

The Planning and Compulsory Purchase Act 2004 requires that a Sustainability Appraisal is carried out during the production of all Local Development Documents (LDDs). Sustainability Appraisals also include the needs of the EU Directive on Strategic Environmental Assessment (SEA) and a Health Impact Assessment.

Sustainability Appraisals look at the possible social, economic and environmental effects of plans. This is done by assessing the document against a set of 'sustainability objectives'. The sustainability appraisal informs plan preparation through an iterative process which ensures that the options selected are, on balance, the most sustainable when social, economic and environmental issues are considered.

However, an SA is not required for SPDs where an appropriate assessment has been made on policy within an overarching Local Plan document as an SPD is a supporting document. An SA was carried out on the Planning for the Future Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and in particular the health and wellbeing policy. This assessment is considered sufficient for the purposes of this SPD.

The SA objectives can be found in appendix 2 along with an appraisal summary of Planning for the Future Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne CS14 Wellbeing and Health.

### **Health policy**

The government's public health strategy *'Healthy lives, healthy people'*, explicitly recognises that *"health considerations are an important part of planning policy"*

*'Healthy lives, healthy people: a call to action on obesity in England'*, (2011) describes the scale of the obesity epidemic and set out plans for action across England.

The National Institute for Health and Care Excellence (NICE) guidance 2010 on Prevention of Cardiovascular Disease suggests that local authorities should influence planning decisions about retail food outlets as part of their strategy to prevent and reduce coronary cardiovascular disease.

*"Healthy people, healthy places briefing - Obesity and the environment: regulating the growth of fast food outlets"*) points to the strong association between deprivation and the density of fast food outlets, with more deprived areas having a higher proportion of fast food outlets per head of population than others.

### **Health and Wellbeing Strategy for Gateshead**

The Gateshead Health and Wellbeing Strategy recognises that, during a time of significant change to the health and social care systems, it is more important than ever to ensure the effective use of all resources to improve health and wellbeing. To do this, it identifies a number of "system improvement" priorities, one of which emphasises the important role of "place shaping" in promoting active and health lifestyles.

"Place shaping" describes the ways in which local authorities and partners can creatively use their powers and influence to create attractive, prosperous, healthy and safe communities. The Health and Wellbeing Strategy recommends taking forward opportunities arising from the Planning for Future Core Strategy and Urban Core Plan and other planning and development initiatives to secure health enabling environments. This means proactively working towards limiting potentially harmful influences while promoting those that optimise the potential for health.

### **Gateshead Council approach to Healthy Weight**

Tackling obesity is complex and requires action at every level and across all sectors. Obesity cannot be effectively tackled by one discipline alone and local authorities are ideally placed to develop co-ordinated action across its various services and partner organisations to tackle obesity. The Council's approach to improving healthy weight for health and wellbeing builds on the existing

structure and resources available, recognising the capacity of the local authority to influence the development and focus of long term initiatives that will shape future health.

As with all complex issues the healthy weight approach requires long term strategic commitment to ensure that the mechanisms are in place to drive the agenda forward. Delivery relies on commitment from a range of council services and partners across key priority areas:

- Early years for children and young people
- Building healthy communities
- Focussing on the workplace and employment
- Commissioning effective healthy lifestyle interventions

Planning forms one important strand of building healthy communities within this Healthy Weight Framework. For more details of the contribution of other council activity towards healthy weight, see Appendix 4.

#### Hot food takeaway context

The Gateshead Independent Takeaway Study Analysis of Nutrient Data, 2013 has established that hot food takeaway food in Gateshead is unhealthy. The study sampled foods from all 187 independent takeaways in Gateshead, and reported on the nutrient content of these samples. It was found that a large proportion of takeaway food contained more calories, fat and saturated fat in one portion than 66% of the recommended daily intake for a female, and in many cases nearly 100% of the recommended daily intake as demonstrated in the table below.

	Calories		Fat		Saturated Fat	
	Over 66% female RDA	Over 100% female RDA	Over 66% female RDA	Over 100% female RDA	Over 66% female RDA	Over 100% female RDA
<b>Chicken chow mein</b>	2.0%	0.0%	6.1%	0.0%	2.0%	0.0%
<b>Sweet and sour chicken</b>	84.6%	19.2%	82.7%	34.6%	9.6%	5.8%
<b>Chicken madras with naan</b>	22.0%	0.0%	53.7%	4.9%	4.9%	0.0%
<b>Chicken tikka masala with rice</b>	65.9%	0.0%	65.9%	9.8%	61.0%	36.6%
<b>Fish and chips</b>	82.0%	8.0%	96.0%	80.0%	98.0%	96.0%
<b>Pie and chips</b>	74.0%	0.0%	96.0%	36.0%	92.0%	92.0%
<b>12" Margherita pizza</b>	91.1%	13.3%	91.1%	68.9%	100.0%	100.0%
<b>12" Pepperoni pizza</b>	97.7%	29.5%	100.0%	88.6%	100.0%	100.0%

England has an average of 0.86 hot food takeaways and fast food outlets per thousand people. In Gateshead, there are 1.03 hot food takeaways per thousand people, higher than the national average, notwithstanding that the Gateshead definition includes only A5 uses. Many wards in Gateshead have a greater number of hot food takeaways per thousand people than the average for England.

<i>Ward</i>	<i>Number of Hot Food Takeaways</i>	<i>Number of Hot Food Takeaways per 1000 people</i>
<i>Birtley</i>	16	<b>1.91</b>
<i>Blaydon</i>	8	0.77
<i>Bridges</i>	16	<b>1.81</b>
<i>Chopwell and Rowlands Gill</i>	8	0.85
<i>Chowdene</i>	4	0.44
<i>Crawcrook and Greenside</i>	6	0.68
<i>Deckham</i>	6	0.61
<i>Dunston and Teams</i>	11	<b>1.19</b>
<i>Dunston Hill and Whickham East</i>	7	0.76
<i>Felling</i>	14	<b>1.54</b>
<i>High Fell</i>	8	0.82
<i>Lamesley</i>	9	<b>1.02</b>
<i>Lobley Hill and Bensham</i>	12	<b>1.17</b>
<i>Low Fell</i>	13	<b>1.51</b>
<i>Pelaw and Heworth</i>	8	<b>0.87</b>
<i>Ryton, Crookhill and Stella</i>	7	0.85
<i>Saltwell</i>	16	<b>1.56</b>
<i>Wardley and Leam Lane</i>	6	0.73
<i>Whickham North</i>	17	<b>2.05</b>

<i>Whickham South and Sunnyside</i>	3	0.36
<i>Windy Nook and Whitehills</i>	3	0.31
<i>Winlaton and High Spen</i>	8	<b>0.96</b>
<i>Total</i>	<b>206</b>	<b>1.03</b>

### Obesity context

Obesity and being overweight are major public health problems in the United Kingdom. This is very complex problem caused by multi-faceted factors. Overweight and obesity are both labels for ranges of weight that are greater than what is generally considered as normal for a given height.

Being overweight and obese mainly results from an energy imbalance. The main causes for this are eating too many calories and/or not getting enough physical activity. However, many other factors are directly associated with obesity and being overweight. Environmental, behavioural and cultural factors are the other key issues for this complex problem.

For adults, overweight and obesity ranges are determined by using weight and height to calculate a number called the 'body mass index' (BMI). An adult who has a BMI between 25 and 29.9 is considered overweight; BMI over 30 considered as obese. However, this classification is slightly different for Asian population. The obesity and overweight classification for children is based on their age and sex.

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

### **Adult obesity**

The prevalence of obesity among adults across England has been rising steadily over the past 20 years. According to the Health Survey for England (2011), the proportions that were overweight including obese increased from 58% to 65% in men and from 49% to 58% in women between 1993 and 2011. The proportion of adults that were obese rose from 13% in 1993 to 24% in 2011 for men and 16% to 26% for women. 61.9% of people in Gateshead are overweight or obese (Active People Survey, 2012).

### **Childhood obesity**

The National Child Measurement Programme (NCMP) measures the weight and height of children in reception class (aged 4 to 5 years) and year 6 (aged 10 to 11 years) to assess overweight children and obesity levels within primary schools. This provides annual data on levels of overweight and obesity. This data can be used at a national level to support local public health initiatives and inform the local planning and delivery of services.

Nearly one quarter (23%) of 10 and 11 year olds in Gateshead are obese, above the national average (19%), and the proportion has risen over the past five years. Levels of physical activity in children are lower in Gateshead than in England as a whole and we know that many of our young people do not eat a healthy diet as measured by three or more portions of fruit and vegetables a day.

Over the past 6 years, across England, the gap between the obesity rates among the most disadvantaged and the most advantaged socioeconomic groups has widened for both Reception Year and Year 6 children.

NCMP data is the most robust available data on excess weight as it is based on annual direct measurements of nearly all children in Reception class and year 6. It can be examined at a lower geographical level (eg. ward level) than the adult data. Ward level data shows us variation in the incidence of excess weight amongst children.

<b><i>Ward Name</i></b>	<b><i>% Year 6: Overweight</i></b>	<b><i>% Year 6: Obese</i></b>
<b><i>Birtley</i></b>	<b><i>22%</i></b>	<b><i>11%</i></b>
<b><i>Blaydon</i></b>	<b><i>13%</i></b>	<b><i>23%</i></b>
<b><i>Bridges</i></b>	<b><i>20%</i></b>	<b><i>22%</i></b>
<b><i>Chopwell and Rowlands Gill</i></b>	<b><i>11%</i></b>	<b><i>18%</i></b>
<b><i>Chowdene</i></b>	<b><i>11%</i></b>	<b><i>18%</i></b>
<b><i>Crawcrook and Greenside</i></b>	<b><i>12%</i></b>	<b><i>17%</i></b>
<b><i>Deckham</i></b>	<b><i>17%</i></b>	<b><i>22%</i></b>
<b><i>Dunston and Teams</i></b>	<b><i>11%</i></b>	<b><i>33%</i></b>
<b><i>Dunston Hill and Whickham East</i></b>	<b><i>16%</i></b>	<b><i>17%</i></b>
<b><i>Felling</i></b>	<b><i>10%</i></b>	<b><i>34%</i></b>
<b><i>High Fell</i></b>	<b><i>17%</i></b>	<b><i>25%</i></b>
<b><i>Lamesley</i></b>	<b><i>13%</i></b>	<b><i>23%</i></b>
<b><i>Lobley Hill and Bensham</i></b>	<b><i>12%</i></b>	<b><i>24%</i></b>
<b><i>Low Fell</i></b>	<b><i>12%</i></b>	<b><i>15%</i></b>
<b><i>Pelaw and Heworth</i></b>	<b><i>21%</i></b>	<b><i>19%</i></b>

<b><i>Ryton, Crookhill and Stella</i></b>	<b>13%</b>	<b>23%</b>
<b><i>Saltwell</i></b>	<b>7%</b>	<b>19%</b>
<b><i>Wardley and Leam Lane</i></b>	<b>19%</b>	<b>25%</b>
<b><i>Whickham North</i></b>	<b>8%</b>	<b>24%</b>
<b><i>Whickham South and Sunnyside</i></b>	<b>18%</b>	<b>11%</b>
<b><i>Windy Nook and Whitehills</i></b>	<b>21%</b>	<b>23%</b>
<b><i>Winlaton and High Spen</i></b>	<b>16%</b>	<b>20%</b>

***Gateshead NCMP Programme data***

### **Hot Food Takeaways and Obesity**

The 2007 UK government Foresight report ‘Tackling obesity: future choices’ remains the most comprehensive investigation into obesity and its causes. It confirms that changing dietary behaviours to reduce excess energy intake is central to tackling obesity. Eating out of the home has been associated with higher intakes of energy and fat, and lower micronutrient intakes. In particular, there is evidence that the consumption of hot food take-away foods and fast-foods are determinants of excess weight gain. The popularity and prevalence of eating out of home, including the consumption of take-away foods and fast-foods, has risen considerably over the last few decades.

### **Hot Food Takeaways and Schools**

Childhood obesity is linked to obesity and poorer health outcomes in later life. Once obesity develops, it is difficult to treat (Interventions for preventing obesity in children, Cochrane Review, 2005; BMA, 2009).

There is evidence that the type of food on sale nearest to schools influences the diet of schoolchildren (Engler-Stringer, 2014; Smith, 2013), and that the availability of “unhealthy” foodstuffs makes healthier choices less easy (Sinclair, 2008; BMJ Open, 2012; Howard P et al, 2011).

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

## Part 2 Guidance

### Is Planning permission required?

Planning permission is required to build new premises for an A5 use.

The Town and Country Planning (Use Classes) Order 1987 (as amended) subdivides different development types into separate classes of use. In general, to change the use of a property from one use to another requires planning permission. Permission is also needed to change the use of an existing shop, office, house or building with another use to an A5 use.

Where a property currently has permission for use as a hot food take away, planning permission is not required to use the property for any other type of hot food take away. However, the conditions attached to the previous planning permission, such as restrictions on opening hours, will still apply.

External building works or alterations that materially change the appearance of an existing hot food take away, such as the building of an extension or the installation of a new shop front to the property, will usually require planning permission. External shutters and grilles also usually require planning permission.

Separate advertisement consent is sometimes required 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.

### Planning application considerations

#### 1. Locations where children and young people congregate

Planning permission will not be granted for A5 use within a 400m radius of entry points to schools, youth centres, leisure centres and parks\*.

\*Parks are categorised as playing areas, Area parks over 5 hectares in size and Neighbourhood Open Spaces over 2 hectares in size.

#### 2. Locations where there are high levels of obesity

Planning permission will not be granted for A5 use in wards where there is more than 10% of the year 6 pupils classified as obese.

#### 3. Over proliferation

Planning permission will not be granted for A5 use where the number of approved A5 establishments, within the ward, equals or exceeds the UK national average, per 1000 population.

#### 4. Clustering

Planning permission will not be granted for A5 uses where it would result in a clustering of A5 uses to the detriment of the character and function or vitality and viability of a centre or local parade or if it would have an adverse impact on the standard of amenity for existing and future occupants of land and buildings.



In order to avoid clustering, there should be no more than two consecutive A5 uses in any one length of frontage. Where A5 uses already exist in any one length of frontage, a gap of at least two non A5 use shall be required before a further A5 use will be permitted in the same length of frontage.

An A5 use will not be permitted where it will result in the percentage of A5 uses in Gateshead Centre (Primary Shopping Area), District Centres, Local Centres or local parades exceeding 5% of total commercial uses. Where there are less than 20 units in a parade, no more than 1 A5 unit will be permitted.

#### **5. Residential amenity**

A5 uses will not be permitted where they share a party wall with a residential property.

The Discharge stack/ extraction system must be located according to best practice set out in DEFRA guidance 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'.

#### **6. Hours of opening**

When determining the appropriate hours of opening for an A5 use regard will be had to:

1. the likely impacts on residential amenity;
2. the existence of an established late night economy in the area;
3. the character and function of the immediate area, including existing levels of background activity and noise.

#### **7. Extraction of odours and noise abatement**

A5 uses must provide appropriate extraction systems to effectively disperse odours. Such systems must:

1. have minimal impact on visual amenity, including location and external finish;
2. be acoustically attenuated;
3. not have an unacceptable impact on the amenity of neighbouring occupiers, for example by virtue of vibration or odour;
4. be properly operated, serviced, cleaned and maintained in accordance with industry best practice; and
5. where appropriate, be improved to reflect any subsequent changes in the mode or type of cooking that could increase odours.

Extraction equipment must at least meet the minimum standards set out in the guidance on control of odours and noise produced by the Department of Environment, Food and Rural Affairs (Defra).

#### **8. Anti-social behaviour**

Proposals for A5 uses, which, on the advice from Northumbria Police would adversely affect personal safety or crime and disorder will be restricted in their opening hours and/or will be required to provide or contribute to deterrent measures.

#### **9. Disposal of waste products**

For A5 uses, where possible, commercial bin stores should be contained within the main building.

Where this is not possible, secure structures should be provided on site. The bin stores provided should adequately screen stored refuse and be designed so as to respect the character of the area.

Refuse storage structures should be sited so as not to cause an odour nuisance to neighbouring residential or commercial properties but be convenient to access for refuse collection services.

Suitable grease traps must also be installed on all drains for A5 uses to prevent blockages and the flooding of properties.

#### **10. Litter**

Where there would otherwise be an insufficient availability of litter bins to serve customers, proposals for A5 uses will be required to provide and maintain:

1. a litter bin outside the premises at all times when the business is open; and
2. one or more litter bins within the surrounding area, as appropriate to meet likely need.

#### **11. Transport**

Planning permission for A5 uses will only be granted where there would not be an adverse impact on highway safety. Regard will be given to;

1. Existing traffic conditions including availability of parking spaces
2. Availability of safe loading areas

#### **12. Health Impact Assessment**

Applications for A5 uses will be required to include a health impact assessment\*. Where an unacceptable adverse impact on health is established, permission should not be granted.

\*template in appendix 1

### Part 3 Implementation and monitoring

Implementation of this SPD will primarily be through the planning application process. Applications will be assessed against the development plan and other material considerations including this SPD, and decisions will be made in accordance with the guidance set out, unless there is a material consideration to do otherwise. As a result there is likely to be a reduction in the number of A5 Uses approved in Gateshead and in particular in locations where they are deemed unsuitable.

Monitoring of the implementation of all SPDs will be included in the Council's Annual Monitoring Report (AMR). The AMR will monitor the efficiency of the SPD, including when it has been used in the decision making process. It will also provide data on the location of A5 uses, and rates of being overweight/obesity, which will be used to inform the planning application process in conjunction with this SPD.

<b>Base line</b>	<b>Indicator</b>
Number of A5 establishments for Gateshead as a whole, and by ward.	A5 granted planning permission, by location
	loss of A5 units
Number of A5 within 400 m of school/park/youth centre/leisure centres	A5 granted planning permission within 400 m of school/park/youth centre
Obesity in Gateshead by ward	Obesity in Gateshead by ward
	Applications for A5 developments refused on the basis of guidance within the Health SPD

## Appendices

### ONE

#### Health Impact Assessment template

1. Which groups of the population do you think will be affected by this proposed, development (there may be other groups beyond this list)?

- minority ethnic people (incl. Gypsy/Travellers, refugees & asylum seekers)
- women and men
- people in religious/faith groups
- disabled people
- older people, children and young people
- lesbian, gay, bisexual and transgender people
- people of low income
- people with mental health problems
- homeless people
- people involved in criminal justice system
- staff

2. What positive and negative impacts do you think there may be?

3. What impact will the proposal have on lifestyles?

- diet and nutrition
- exercise and physical activity
- substance use: tobacco, alcohol or drugs
- risk taking behaviour
- education and learning, or skills

4. What impact will the proposal have on the social environment?

- social status
- employment (paid or unpaid)
- social/family support
- stress
- income

5. What impact will the proposal have on equality?

- Discrimination
- equality of opportunity
- relations between groups

6. What impact will the proposal have on the physical environment?

- Living conditions
- Working conditions
- Pollution or climate change e.g. existing pollution impact: air, noise, contaminated land
- Accidental injuries or public safety
- Transmission of infectious disease

7. How will the proposal impact on access to and quality of services?

- Health care

- Transport
- Social services
- Housing services
- Education
- Leisure

## **TWO**

### **SA objectives**

1. Promote strong and inclusive communities
2. Ensure that equality, diversity and integration are embedded in all future development
3. Improve educational achievement and skill levels across Gateshead and Newcastle
4. Improve health and well-being and reduce inequalities in health
5. Promote, enhance and respect our culture, heritage and diversity
6. Ensure good accessibility to jobs, facilities, goods and services
7. Adapt to and mitigate against the impacts of climate change
8. Live within environmental limits, both locally and globally
9. Protect and enhance our environmental assets and infrastructure
10. Strengthen our economy
11. Improve access to a stable and sustainable employment market

### THREE

#### **Appraisal summary of Planning for the Future Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne CS14 Wellbeing and Health.**

##### **Social:** Major positive effect

The key focus of this policy is on improving health and wellbeing of the residents of Gateshead and Newcastle irrespective of their cultural background, ethnicity or age, thereby reducing health inequalities. Ensuring that development contributes positively to health, wellbeing and safety of communities, along with the enhanced provision of social, health, education, leisure and sports facilities and services (provided by supporting policies) mean that this policy will make strong positive contributions towards social sustainability objectives. Improving access to healthy, affordable locally-produced food and controlling the location and access to unhealthy eating outlets, alongside the requirement of Health Impact Assessments for major development, further builds upon these positive contributions. Supporting text in Chapter 12 (and alongside the Development Principles in Policy CS1: Paragraphs 5.8 to 5.13) strengthens the policy aim to promote healthy communities and reduce health inequalities, stating the Councils' commitment to equality and fairness the promotion of community cohesion, ensuring health facilities are in sustainable accessible locations that are responsive to the diverse needs of residents. This commitment to demand responsive facilities and services that promote health and wellbeing of Gateshead and Newcastle citizens will ensure positive effects particularly in the long term.

##### **Environmental:** Neutral to positive effect

The policy has the potential to cause negative impacts on environmental objectives through the enhanced provision of infrastructure (new building developments) to support health and wellbeing (e.g. new social, health, education, leisure and sports facilities). These potential impacts can be offset and mitigated by the measures within some of the supporting strategic policies that ensure environmental protection (e.g. Policy CS15: Place Making, CS16: Climate Change, and Policy CS18: Green Infrastructure and Natural Environment). There will also be positive contributions made by the encouragement of locally produced food that can help to reduce the carbon footprint generated by the transport of food from overseas or north to south across the country. Overall this policy is assessed as having a neutral to slightly positive effect.

##### **Economic:** Neutral to positive effect

The policy is focused on improving health and wellbeing rather than economic prosperity and therefore is assessed to be generally neutral in its impact on economic objectives. It could be argued that promoting healthy urban planning, healthy lifestyles and active living should all support a healthier workforce which in turn should make an indirect contribution towards strengthening the economy particularly in the longer term. There also are some potential economic opportunities from increased health and wellbeing infrastructure provision but, as the focus is on equality of access and affordability to all of these facilities, it is unlikely they will have a strong economic impact on the region.

**FOUR**

**Council departmental contribution to healthy weight**

<b>Directorate / Group</b>	<b>Council service area</b>	<b>Contribution to healthy weight / lifestyle agenda</b>	<b>Children and young people</b>	<b>Build Healthy communities</b>	<b>workplace and employment</b>	<b>lifestyle interventions</b>
Local Environmental Services	Environment cleaning and maintenance for health & recreational use	Green environment, play areas	x	x		
	Enforcement team	Fly tipping, clean environment	x	x		
	Infrastructure	Sanitation, drains, equipment	x	x		
	Allotments	Development and promotion of food growing / exercise	x	x		
	Countryside ranger volunteers	Sustainable food / countryside volunteers		x		
	School meals service	Healthy eating	x	x		
Development and Enterprise	Business development -	worklessness / employment and training	x	x	x	
	Environmental health	Take Away food, environment, licensing, enforcement hygiene at work, pollution	x	x	x	
	Trading standards	Enforcement, food standards / hygiene / high flying business award		x	x	
	Licensing	Alcohol, anti social behaviour		x	x	



	Planning	Newcastle Gateshead core strategy / Transport infrastructure / green spaces / Hot Food Take Aways	x	x	x	
	Travel planning/ smarter choices	Healthy business and school travel, reduce car usage, pollution	x	x	x	
	Cycling strategy	Promote physical activity, reduce car usage, pollution	X	x	X	
	Local Transport Plan maintenance/improvement	Promote physical activity, reduce car usage, pollution	x	x	X	
	Road safety	Promote physical activity, pedestrian and cycle safety	x	x		
	Climate change	Support interest in the environment / future food supply	x	x	x	
	Catering service	Bewicks, vending machines			x	
	Property & Design	Capital projects	x	x	x	
Community based services	Neighbourhood management	Community engagement and capacity building	x	x		
	Community safety	Safer neighbourhoods / adult safeguarding	x	x		
	Safer families	Signposting for lifestyle choices / wellbeing	x	x		
	Learning disabilities	Signposting for lifestyle choices /	x	x		

		wellbeing				
	Carers, intermediate care links	Signposting for lifestyle choices / wellbeing	x	x		
	Commissioning adult social care	Staff Policy / nutritional standards in care		x		
	Housing / Asylum and refugees	Signposting for lifestyle choices / wellbeing	x	x		
Children and families	Child and family support service	Every child / education / community link	x	x		x
	Child and family support service- youth services	Lifestyle choices/ risk taking	x	x		
	Looked after children	Lifestyle choices/ risk taking	x	x		
	YOT	Lifestyle choices/ risk taking	x	x		
Education Gateshead	Educational standards	Ofsted inspection	x	x	x	
	Adult education	Community engagement / employability / wellbeing	x	x	x	
	Schools sport partnership	PE in schools / community health	x	x		
Public Health	System leadership	Co-ordination of partnership working, data analysis and evidence based practice	x	x	x	x
	National child measurement programme	Measuring / monitoring outcomes of commissioned	x	x		x

		services				
	Healthy schools	Health promotion models in schools	x	x		x
	Integrated lifestyle services	Commissioned services		x	x	x
	School nurses	Child health	x	x		x
	Health Visitors	Pregnant women, breast feeding	x	x		x
	Balance it	1-1 support for Obese children	x	x		x
	Change4Life	Health promotion and marketing	x	x		
Libraries, Sport and culture	Leisure service infrastructure	Leisure facilities	x	x	x	
	Sport, Physical Activity & Health Development	Group and 1:1 lifestyle Interventions, Health Promotion, and capacity building	x	x	x	x
	Arts Development Team	Health / Wellbeing promotion, and arts in health initiative	x	x		
	Libraries	Health / wellbeing promotion, and community engagement	x	x	x	
Adult social care	Adult independent living	Signposting across life course	x	x		
	Disabilities services	Signposting across life course	x	x		
	Troubled families	Signposting across life course	x	x		
	Adult social care	Signposting by care	x	x		

		call staff				
Finance& ICT	Customer services	Signposting by benefits staff	x	x	x	
	Corporate finance	Corporate risk management	x	x	x	x
	ICT	Support for ICT issues	x	x	x	x
Chief Executives / HR / Health and Safety	Genie team	JSNA data	x	x	x	
	Strategic planning	Place shaping	x	x	x	
	Communications and marketing	Health promotion	x	x	x	
	health and safety	Staff health and best practice models for area		x	x	
	Workforce health	Staff health and best practice models for area		x	x	
	Occupational health	Staff health and best practice models for area		x	x	