



Hot Food Takeaway Supplementary Planning Document March 2017

Manchester City Council



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1 Introduction

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

2 Context

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

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

Planning Policy Context

National

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

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



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Local

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

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

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

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

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

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

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

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

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

3 Background and Evidence

Obesity

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

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

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

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



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

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

District Centre Survey

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

vi The association between the geography of fast food outlets and childhood obesity in Leeds, UK, Fraser and Edwards, University of Leeds, 2010

vii Associations between exposure to takeaway food outlets, takeaway food consumption, and body weight in Cambridgeshire, Thomas Burgoine et al, 2014

viii The School Fringe: What Pupils Buy and Eat from Shops Surrounding Secondary Schools. Sarah Sinclair. J T Winkler. Nutrition Policy Unit. London Metropolitan University. July 2008

ix The school fringe: from research to action. Policy options within schools on the fringe (2009) Sinclair, S;Winkler JT. Nutrition Policy Unit, London Metropolitan University

x Engler-Stringer et al. The Community and Consumer Food Environment and Children's Diet: A Systematic Review. BMC Public Health. 2014

xi "Proximity of food retailers to schools and rates of overweight ninth grade students: an ecological study in California", Howard, P., Fitzpatrick, M. and Fulfroost, B. *BMC Public Health*, Vol. 11 No. 1, p. 68. (2011),

xii Obesity and the environment, Density of fast food outlets, 2016



4 Policy

Hot Food Takeaways

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

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

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

Policy 1

Vitality and Viability

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

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

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



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

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

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

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

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

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

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

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

xiv Our Manchester- The Manchester Strategy 2016



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

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

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

Policy 2

Amenity

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

Hours of Opening

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

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

Extraction of odours and noise abatement



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

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

Disposal of Waste Products and Customer Litter

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

Highway Safety

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

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

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

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

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

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

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

Policy 3

Hot Food Takeaways and Schools

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

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

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



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

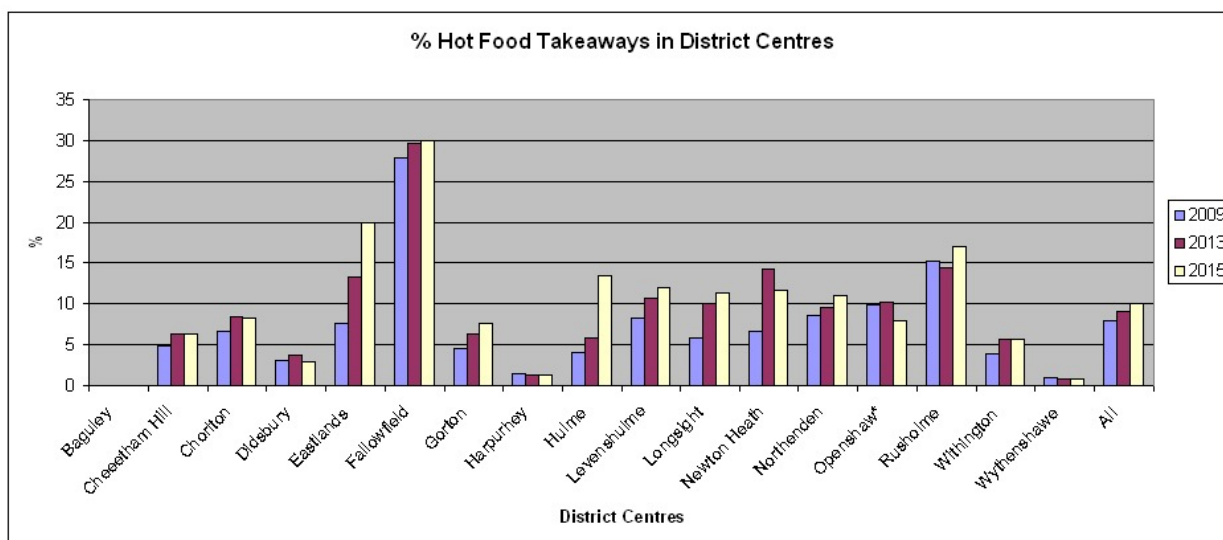
4.14 Reducing children's exposure to foods contributing towards obesity such as those sold in hot food takeaways, can reduce access to foods high in fat, salt and sugar. The aim of the policy is to ensure that during times when children are making food choices, such as lunch time and after school, the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

5 Appendix 1

District Centre Survey Results

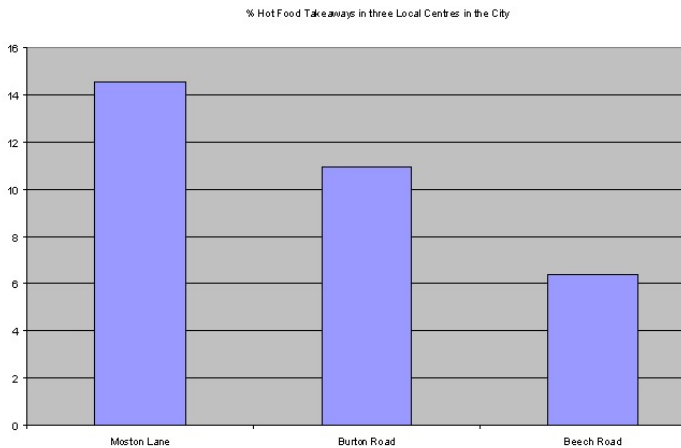
5.1 The figure below shows the results of the three district centre surveys in 2009, 2013 and 2015 and the percentage of hot food takeaways in each centre.

Figure 5.1



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

Figure 6.2

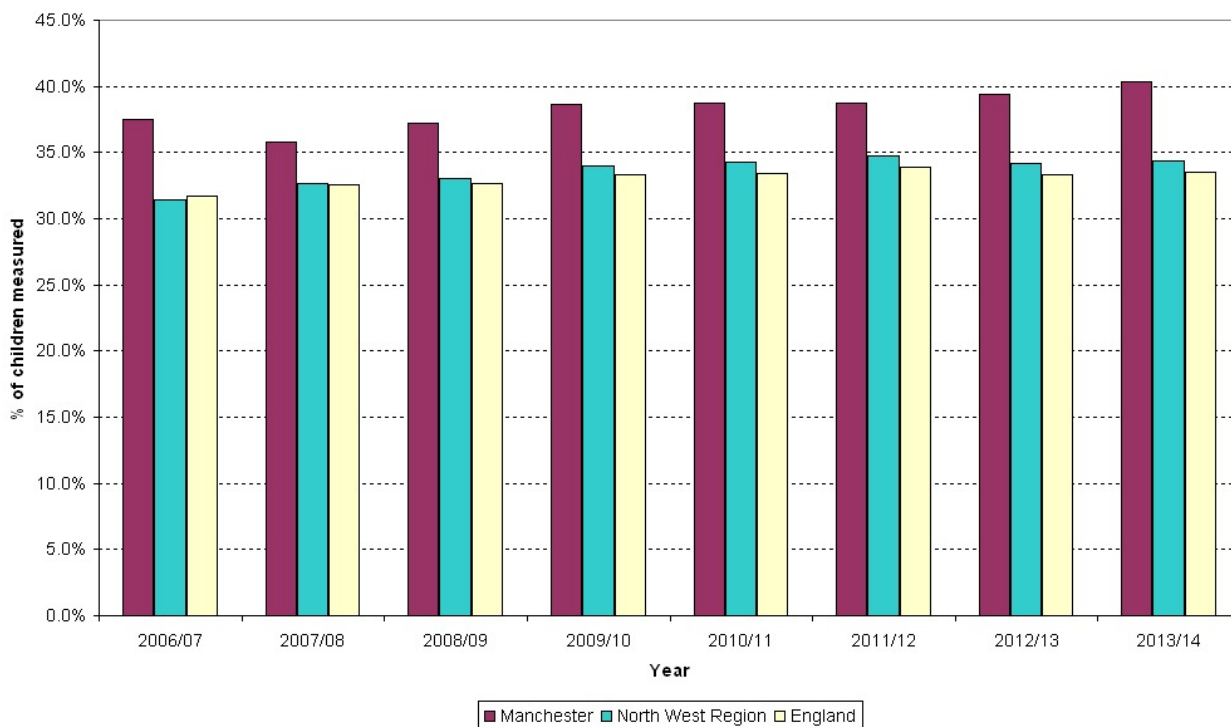


National Child Measurement Programme

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

Figure 5.2

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



Manchester's Childhood Obesity Target

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

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

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

6 Appendix 2

Excerpt from Core Strategy Policy C1

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

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



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



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