

Matter 6 – Provision for retail and other town centre uses

Issue – Does the Plan set out positively prepared policies for protecting and enhancing town centres and supporting retail growth, which are justified, effective and consistent with national policy?

Question (a) – Is Policy R5 justified and effective? Is it clear with regard to opening hours? How would a proposal demonstrate it would not contribute to obesity?

1. Policy R5 is consistent with national policy.
2. Government policy relating to public health has been clear on the option to use planning policy to help address the issue of an increasingly overweight or obese population. The Department of Health and Social Care document Childhood obesity: a plan for action states: *'Local authorities have a range of powers and opportunities to create healthier environments. They have the power to develop planning policies to limit the opening of additional fast food outlets close to schools and in areas of over-concentration'*.
3. Chapter 8 of the National Planning Policy Framework (NPPF 2019) advises that planning should *"take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community"*.
4. It also states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which: *'enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling'*.
5. The National Planning Practice Guidance (NPPG) on health and wellbeing was updated on 28 July 2017 to state that: *'Planning can influence the built environment to improve health and reduce obesity and excess weight in local communities. Local planning authorities can have a role by supporting opportunities for communities to access a wide range of healthier food production and consumption choices. Planning policies and supplementary planning documents can, where justified, seek to limit the proliferation of particular uses where evidence demonstrates this is appropriate (and where such uses require planning permission). In doing so, evidence and guidance produced by local public health colleagues and Health and Wellbeing Boards may be relevant. Planning policies and proposals may need to have particular regard to the following issues:*

- *proximity to locations where children and young people congregate such as schools, community centres and playgrounds*
- *evidence indicating high levels of obesity, deprivation, health inequalities and general poor health in specific locations*
- *over-concentration of certain uses within a specified area*
- *odours and noise impact*
- *traffic impact*
- *refuse and litter'*

6. Policy R5 is justified in light of the growing issue of obesity across Lancashire and nationally. Rossendale's prevalence of year six obesity has been increasing over recent years from 19.1% in 2015/16 to 20.5% in 2017/18. Six of Rossendale's wards are above the England average for year six obesity and two wards are over the England average for reception obesity over the 3 year period 2015/16 to 2017/18.

7. Public Health England has determined that Rossendale has seen a 27% increase in fast food outlets (which includes the A3 use) between 2012 and 2016 and has a fast food takeaway density that is significantly above the England average.

8. Lancashire County Council responded to the REG 19 version consultation in October 2018 and requested changes to policy R5 to reflect these recommendations and improve its effectiveness. These recommendations reflected the Public Health advisory note called 'Hot Food Takeaways and Spatial Planning' drafted by the Lancashire County Council's Director of Public Health and Wellbeing. This highlights the link between the density of unhealthy food outlets in a neighbourhood and the prevalence of excess weight and obesity in children. It also emphasises the importance of reducing exposure to unhealthy food through planning policy, and contains local plan policy recommendations. We again request these changes to improve the effectiveness of policy R5 as follows.

9. Policy R5: Hot Food Takeaways states: *'where the proposed development is located within 400m of a primary school and/or secondary school that lies outside of designated town and district shopping centres, takeaway opening hours are restricted at lunchtimes and school closing times'*;

10. The Public Health advisory note 'Hot Food Takeaways and Spatial Planning' recommends a 400m restriction zone surrounding secondary schools.

11. The policy benchmark of a 400m restriction zone surrounding schools (and/or a restriction on A5 use opening hours within the restriction zone) has been tried and tested by an increasing numbers of local authorities at this point. This exclusion approach will help to limit secondary school children's access to unhealthy food at lunchtimes and immediately after school and would work best if implemented alongside healthy eating policies within schools. This is an area in which local authorities and schools can work together in partnership for the benefit of children's health'.

12. It is considered that 400m restrictions around primary schools may be overly restrictive as there are many more of them, and the young age of pupils mean they are less able and likely to be purchasing food from hot food takeaways independently.

13. Policy R5: Hot Food Takeaways states: *'development for A5 use would not adversely contribute to obesity in wards where more than 22% of Reception class age pupils are classified by Public Health England as obese'*.

14. The Public Health advisory note 'Hot Food Takeaways and Spatial Planning' recommends obesity thresholds which would trigger ward level restrictions on new A5 planning applications, however our policy recommendations differ on the proposed thresholds. We recommend refusing new A5 uses within wards where more than 15% of year 6 pupils or 10% of reception pupils are classed as obese.

15. This reflects the aim stated Childhood obesity: a plan for action Chapter 2' (2018) to "halve childhood obesity" and "significantly reduce the gap in obesity between children from the most and least deprived areas by 2030". This amounts to reducing reception obesity to 5%, and year 6 obesity to 10% - the percentage triggers we are using are 5% above this target for each group.

16. The obesity threshold stated in Policy R5, 22% of reception year children, would not currently affect any wards in Rossendale and is therefore not deemed to be effective. In Rossendale the ward with the highest percentage of reception obesity is Worsley ward at 10.8% (2015/16 – 2017/18). The highest recorded percentage in England is 19.7% (Newbiggin Central and East, Northumberland).

17. Policy R5: Hot Food Takeaways states *'healthy eating options are promoted as part of the menu'*;

18. Whilst it is commendable that the policy seeks to have takeaways promote healthy options, our own advice stops short of such measures for reasons of practicality. It is unclear how this policy would be enforced, and what criteria planning officers would be using to consider the "healthy" option and how it was being "promoted".