

LANCASTER DISTRICT LOCAL PLAN EXAMINATION

ACTIONS FROM DAY 8

PROPOSED MODIFICATONS TO LOCAL PLAN POLICIES:

POLICY DM20 – HOT FOOD TAKEAWAYS & BETTING SHOPS

POLICY DM27 – OPEN SPACE, SPORTS & RECREATION FACILITIES

POLICY DM31 – AIR QUALITY MANAGEMENT AND POLLUTION

POLICY DM56 – HEALTH AND WELLBEING

PROPOSED POLICY WORDING FOR DM20

Policy DM20: Hot Food Takeaways and Betting Shops

The City Council will support proposals for hot-food takeaways within identified centres unless:

- I. It would ~~not~~ result in a clustering of A5 hot food takeaway uses to the detriment of the character, function, vitality and viability of the defined centre and would not have an adverse impact on the standard of amenity for existing and future occupants of adjacent land and buildings; or
- II. There are two or more consecutive A5 hot food takeaway uses in any one length of frontage. Where hot food takeaway uses already exist in any length of frontage, a gap of at least two non-A5 uses shall be required before a further A5 hot food takeaway use will be permitted in the same length of frontage.
- III. *It would result in an additional hot food takeaways in a ward where more than 15% of year 6 pupils or 10% of reception pupils are classed as obese.*

The City Council will support proposals for betting shops within identified centres unless:

- IV. It would result in a clustering of betting shops to the detriment of the character, function, vitality and viability of the defined centre or would have an adverse impact on the standard of amenity within the local area; or
- V. There are two or more consecutive betting shops in any one length of frontage. Where betting shops already exist in any length of frontage, a gap of at least two units shall be required before further betting shop uses will be permitted in the same frontage.

PROPOSED WORDING FOR THE JUSTIFICATION TO POLICY DM20

Hot-Food Takeaways and Betting Shops

The result of high concentration of hot-food takeaways in a small geographic area can lead to significant amenity issues in the locality in terms of litter, noise, traffic and odour which can have wider detrimental impacts on the visual amenity of an area. The Council will therefore carefully consider applications for new hot-food takeaways to deter clustering of such uses.

Beyond local amenity issues, National planning policy is clear that through both the plan-making and decision-taking processes the aim should be to deliver healthy, inclusive and safe places which, particularly in relation to public health, enable and support healthy lifestyles especially where this addresses identified local health and wellbeing needs. Examples of how this could be achieved include access to a healthier range of food.

National Institute for Health and Care Excellence (NICE)¹ guidance on the prevention of cardiovascular disease outlines that food from takeaways and the 'informal eating out sector' comprises a significant part of many people's diets and indicates that local planning authorities have powers to control fast-food outlets. It recommends that local planning authorities should be encouraged to restrict permissions for takeaways and other food retail outlets in specific areas (for example, within walking distance of schools as well as consider the concentration of fast food outlets in specific areas to address disease prevention.

¹ <https://www.nice.org.uk/guidance/ph25/chapter/1-Recommendations#recommendations-for-practice>

Lancashire County Council's Public Health Team have prepared a Public Health Advisory Note on 'Hot Food Takeaways and Spatial Planning' which was published in late 2017. This builds on direction given at a national level and provides greater encouragement to local planning authorities to manage the level of new hot food takeaways to stop the proliferation of such uses that is particularly prevalent in areas of deprivation. This is highlighted with the use of the FEAT mapping tool² in relation to the location of takeaways.

As table 7.1 displays both Lancashire and Lancaster have significantly more fast food outlets per 100,000 population than England. Fast food outlets are defined as premises that prepare and supply food that is available quickly covering a range of outlets including (but not limited to) burger bars, kebab and chip shops, fish and chip and sandwich shops. It excludes outlets classed as bakeries as well as those to be considered cafes and restaurants. However, in the case of large fast food chains, all outlets including those classified as cafes and restaurants are included in the figures.

	2012		2016		Difference	
	Count of Outlets	Rate per 100,000 population	Count of Outlets	Rate per 100,000 population	Actual	%
England	40,486	77.5	47,928	87.8	+7,442	16%
Lancashire	1,028	87.9	1,282	121.9	+254	20%
Lancaster	119	84.4	127	89.9	+8	6%

Improving the health and wellbeing of communities in the district is a key objective of the Local Plan, one way this can be achieved is to encourage healthy eating. Large concentrations of hot food takeaways within our commercial centres and surrounding schools can have the opposite effect by encouraging unhealthy eating habits. Approximately 58% of adults in Lancaster District are classified as overweight or obese (2017/18). Child excess weight is of particular concern as excess weight in reception year children was significantly worse than the England average from 2014/15 to 2016/17 and currently stands at 21.6% for the district³. 32.4% of year 6 children in the district are classed as overweight or obese⁴. Obesity levels have continued to rise in recent years with approximately 65% of adults in Lancaster District classified as overweight or obese, 32% of children in the district as similarly classed as overweight or obese.

In Lancaster the ward level percentage of obese children in reception year varies between 6.1% and 12.2% (2013/14 to 2015/16), this compares to an England average of 9.3%. The percentage of obese children in year 6 in Lancaster varies between 11.4% and 22%, this compares to an England average of 19.3%. The aim of this policy is to help assist in reducing these levels by restricting new hot food takeaways within wards where more than 15% of year 6 pupils or 10% of reception pupils are classed as obese.

In making decisions on hot food takeaways, the Council will have regard to the content of the County Council's Public Health Advisory Note and seek advice and guidance from the Lancashire County Council Public Health team in relation to obesity levels within young people.

² <http://www.feat-tool.org.uk/map/>

³ <https://fingertips.phe.org.uk/profile/public-health-outcomes-framework/data#page/4/qid/1000042/pat/102/par/E10000017/ati/101/are/E07000121/iid/20601/age/200/sx/4>

⁴ <https://fingertips.phe.org.uk/profile/public-health-outcomes-framework/data#page/4/qid/1000042/pat/102/par/E10000017/ati/101/are/E07000121/iid/20602/age/201/sx/4>

Policy DM27: Open Space, Sports and Recreational Facilities

Protection of ~~Recreational~~ Open Space, ~~Sports and Recreational Facilities~~

The Local Plan Policies Map identifies a range of designated open spaces, ~~sports and recreational facilities~~ within the district which have been provided for their important value. Proposals that seek to protect and enhance existing designated open spaces, ~~sports and recreational facilities~~ shall be supported by the Council. The Council will not permit the loss of designated open space, ~~sports and recreational facility~~ unless:

- I. An assessment has been undertaken to demonstrate that ~~it the open space~~ is surplus to requirements;
- II. As assessment has been undertaken to demonstrate that ~~it the open space~~ no longer has an economic, environmental or community value, which shall include consultation with key stakeholders and the local community;
- III. The loss ~~of open space~~ resulting from development would be replaced by equivalent or better, high quality provision in a suitable location;
- IV. The development is for alternative ~~open space~~, sports and recreation provision, the ~~benefits of needs~~ for which clearly outweigh the loss.

Development proposals that are adjacent to designated open spaces, ~~sports and recreational facilities~~ will be required to incorporate design measures that ensure that there are no negative impacts on amenity, ~~landscape value~~, ecological value and functionality of the space. The Council will only permit development that has identified negative impacts on open space, ~~sports and recreational facilities~~ where appropriate mitigation measures or compensation measures have been provided.

The Council will protect amenity spaces, particularly in the main urban settlements of Lancaster, Morecambe, Heysham and Carnforth that are not specifically designated as open space but have an economic, environmental or social value to the community they serve. Development of such sites will not be encouraged unless appropriate re-provision is provided or it is clearly demonstrated to the satisfaction of the Council that the land in question does not provide any economic, environmental or social value.

The Creation of New ~~Recreational~~ Open Space, ~~Sports and Recreational Facilities~~

Development proposals located in areas of recognised open space, ~~sports and recreational facility~~ deficiency will be required to provide appropriate contributions toward open space, ~~sports and recreational facility~~ provision, either through ~~the~~ provision ~~of~~ on-site ~~facilities~~ or a financial contribution toward the creation of new ~~off-site open spaces~~ or ~~the~~ enhancement of existing ~~open spaces, sports and recreation facilities~~ spaces off-site. Development proposals should give due consideration to the standards and thresholds set out in Appendix D of this DPD in relation to open space requirements or, where appropriate, site specific policies contained within the Strategic Policies & Land Allocations DPD.

Any provision made for ~~recreational~~ open space, ~~sports or recreational facilities~~ should be fully accessible to the public without any restrictions, and will be provided in addition to any private amenity space or landscaping. Proposals should not have an adverse impact on surrounding residential amenity in terms of light and noise disturbance, with any potential impacts being appropriately mitigated against. The management and maintenance of open space, ~~sports or recreational facilities~~ should address the requirements of Appendix D of this DPD.

PROPOSED POLICY WORDING FOR DM31

Policy DM31: Air Quality Management and Pollution

All development proposals must ensure that they do not contribute to increasing levels of air pollutants and adequately protect their users, and existing users, from the effects of poor air quality.

Development which is located within an Air Quality Management Area (AQMA), or any development which has the potential to, individually or cumulatively, contribute to increasing levels of air pollution, will be required to deliver net reductions in air quality pollution levels through on-site or off-site measures. Proposals should contribute towards delivering the actions detailed within the Lancaster District Air Quality Action Plan, once in place.

Applicants are required to demonstrate how the mitigation measures will reduce the air quality impact. Any proposal must not worsen any emissions or air pollutants in areas that could result in a breach of, or worsen site-level critical loads for ecosystems within relevant European designated nature conservation sites during both construction and operational phases. Air Quality Assessments must be submitted for relevant development proposals, as outlined within the Validation Guide.

All development proposals should be in accordance with the Low Emissions and Air Quality SPD.

~~All development proposals must seek to minimise the associated emission of harmful air pollutants during operational phases. They must avoid causing or worsening a breach of an air quality objective level or limit value, or exposing those who use and occupy the site to unacceptable adverse exposure. They must also avoid worsening any emissions of air pollutants in areas that could result in a breach of, or worsen site-level critical loads for ecosystems within relevant European designated nature conservation sites during both construction and operational phases.~~

~~Where proposals are located within or have the potential to adversely affect an Air Quality Management Areas (AQMA) the Council will encourage and promote opportunities for new development to deliver net reductions in air emissions through on-site or off-site measures, for instance increasing the number of electric charging points. The Council will seek to prepare a Supplementary Planning Document on the matters of Air Quality and Low Emission Vehicles which will provide further guidance and information on this matter.~~

~~The developer must take these aims into account with regards choice of location, building design and transport arrangements. They are also likely to need to apply additional on-site mitigation and where the latter is not sufficient to meet the policy aim, a further financial contribution towards local air quality management off-site emission reduction measures may then be required and considered as part of mitigation / offsetting proposals. This contribution will be based on the calculated associated air pollutant damage costs.~~

~~Accompanying guidance provides details on site classification with reference to impacts on existing Air Quality Management Areas (AQMA), standard mitigation requirements and assessment requirements to demonstrate impact and mitigation performance levels. The latter includes the appropriate use of both mass emission and pollutant concentration assessment~~

~~methods.~~

~~For development proposals in urban areas the inclusion of solid fuel combustion appliances is discouraged.~~

PROPOSED POLICY WORDING FOR DM56

Policy DM56: Health and Well-being

The Council will expect development in the district to promote health and well-being and contribute to addressing health inequalities. To do this, development should seek to deliver health benefits to all sections of society, but must focus proportionately more to benefiting those lower down the social gradient. Measures to ensure this expectation is achieved are as follows:

- I. Ensuring that development is designed to promote physical activity, through the appropriate arrangement of buildings and uses, access, open space and landscaping and the provision of facilities to support walking and cycling;
- II. Integrating development with public realm and public transport, and in particular ensuring that local facilities and services are easily accessible by foot or bicycle;
- III. Ensuring that support infrastructure is in place to support development, such as providing or contributing to open space, children's play facilities, food growing, indoor and outdoor leisure provision and healthcare facilities;
- IV. Development should not have an adverse impact on the environment such as air, noise and water pollution and remediation of contaminated land prior to development must be undertaken where appropriate.

The Council will require the submission of Health Impact Assessments for major schemes of more than 100 housing units or 10,000sqm for commercial uses where they are considered to have potential impacts on health and well-being. This will depend on the nature and scale of such development which should be discussed at a pre-application stage ~~with both the Local Planning Authority and Lancashire County Council Public Health team.~~

In order to promote health and well-being across the social gradient the Council will:

- V. Protect and improve social and community facilities such as healthcare facilities, community halls and indoor leisure provision, and arts and cultural facilities and ensuring that new development contributes appropriately to supporting such infrastructure;
- VI. Protect, increase and enhance open space provision, allotments and food growing schemes, biodiversity and nature conservation assets and the provision of children's play facilities;
- VII. Seek to manage access to hot food takeaways such as restricting proposals for new hot food takeaways from locations within 400 metres of secondary schools and working with businesses and developers to promote healthier lifestyles through design and types of use within developments; and
- VIII. Seek to expand the network of safe pedestrian and cycle routes in accordance with the County Council's Highways and Transport Masterplan and Cycling & Walking Strategy. Ensure that areas dedicated to vehicular circulation are designed with pedestrian safety and needs of vulnerable groups in mind.

Proposals should have due regard to all relevant policies with the Local Plan, in particular Policies DM20, DM27, DM55 and DM60 of the Development Management DPD.

PROPOSED WORDING FOR THE JUSTIFICATION FOR POLICY DM56

Health and Wellbeing

Health and wellbeing is a key component of sustainable development and sustainable communities. Development should be delivered in a way that improves health and wellbeing, reduces health inequalities and enhances a sense of wellbeing and safety. Lancaster district is an attractive place to live and therefore it is important that new development consolidates the existing environment and distinctive sense of place. Proposals should utilise high quality design and contribute to residents' sense of wellbeing. Opportunities should be sought to deliver health benefits to all sections of society but must focus proportionately more to benefiting those lower down on the social gradient.

Within national planning policy, guidance is provided on how health should be considered by the planning system. It is clear that as part of delivering on the social dimension of sustainable development that planning has a role in supporting and developing strong, vibrant and healthy communities.

National planning policy is clear that through both plan-making and decision-taking processes that there is a need to take account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

Lancaster district, whilst a relatively affluent area, has some significant pockets of deprivation (particularly in Morecambe) which have health related issues. Life expectancy in Lancaster for both men and women is slightly better than the regional average, but lower than the national average with variation in life expectancy across the district.

It is important that the Local Plan contributes to working with these health issues by delivering high quality development that provides a high quality living environment and encourages healthy lifestyles. Evidence shows that health inequalities are often linked to factors such as poor access to green space and poor housing.

A wide range of factors, in addition to the provision of health services, are important for determining public health. Good health is related to good quality housing and development, well designed streets including the layout of neighbourhoods, easy access to cycle and walking networks, opportunities to experience leisure and cultural activities and green and open space. This variety of factors has led to the development of health impact assessments of policies, plans and projects which aim to appraise the health impacts of a proposal.

