



Hot Food Takeaway SPD

Report of Consultation

March 2019

INTRODUCTION

- 1.1. In accordance with regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 this consultation statement summarises the process involved in preparing and conducting the second consultation on the Hot Food Takeaway (HFT) Supplementary Planning Document (SPD). It provides a summary of the outcomes of the consultation, and how they informed any subsequent changes to the document.

BACKGROUND

- 2.1. Leeds has an ambition to be the 'best city in the UK'. Working with local communities to prepare a Local Plan that provides a framework for sustainable development, delivering the homes, jobs and other development that the District needs, whilst protecting the environment and local distinctiveness, will be important in achieving this.
- 2.2. The SPD will be a material consideration in the determination of planning applications for subsequent A5 use (hot food takeaway) applications and sets out new guidance on controlling the locations of HFTs around schools and in high concentration areas.
- 2.3. An initial consultation on the Draft Hot Food Takeaway SPD took place between 18th July 2017 to the 29th August 2017 seeking the views of local people, businesses and other key stakeholders on the key themes of the document and the new policies. A report of consultation for the first consultation was published as part of this consultation, and is available at Appendix 3.

CONSULTATION PRINCIPLES

- 3.1. The City Council adopted its Statement of Community Involvement (SCI) on the 21st February 2007. The SCI sets out the Council's approach for involving the community in the preparation and revision of Local Development Documents and planning applications. It outlines how the community can get involved in the planning process and how the Local Planning Authority (LPA) will facilitate this involvement. The main methods of community engagement are outlined in the SCI, including a list of key consultation structures and organisations in Leeds which the Council consults on in the preparation of plans. It also includes a list of community and stakeholder groups to be consulted as minimum requirements under the planning regulations.
- 3.2. In 2012, the Government implemented changes to planning legislation as part of its modernising planning agenda. The Town and Country Planning (Local Planning) (England) Regulations 2012 came into force on 6th April 2012. The 2012 regulations revoked the Town and Country Planning (Local Development) (England) Regulations 2004 and any subsequent amendments. The above changes in legislation simplified and streamlined the local plan document preparation process. In addition, the 'Duty to Cooperate' was introduced via primary legislation. This reduced the separate stages of front

loading through public consultation. Whilst the SCI precedes these changes, the approach it sets out in relation to how the community and stakeholder groups will be engaged in the plan making process remains relevant.

- 3.3 This statement of consultation in line with Regulation 12 sets out:
- (i) The persons the local planning authority consulted when preparing the supplementary planning document (Appendix 1);
 - (ii) a summary of the main issues raised by those persons (Appendix 2); and
 - (iii) how those issues have been addressed in the supplementary planning document (Appendix 2).

CONSULTATION

- 4.1 The second consultation on the Draft Hot Food Takeaway SPD took place between Monday 26th November and the Monday 7th January 2019 seeking the views of local people, businesses and other key stakeholders on the key themes of the document and the new policies.
- 4.2 Consultation materials and online response information were also available on leeds.gov.uk/planning/planning-policy/supplementary-planning-documents-and-guidance/emerging-supplementary-planning-documents/hot-food-takeaway-spd. 18 written responses were received in total. They reflect a wide spectrum of views from a range of stakeholders including local residents, people who work in the area, businesses, community based groups and non-regulatory organisations.
- 4.3 The comments received are set out in Appendix 2 of this statement alongside the Council's response and any proposed modifications.
- 4.4 The representations made at the first stage of the consultation are available at Appendix 3.

Appendix 1: List of Consultees at Second Consultation stage

Organisation Name
Leeds City Council
University of Leeds
Physical Education Service
University of Leeds
Centre for Comparative Housing Research
Bowland Ecology Ltd
Aggregate Industries
Dennis Gillson & Son
Lidl UK
Hallam Land Management
George Wimpey Strategic Land
Maven Plan Ltd
The Vodafone House
CPRE
Aggregate Industries UK Ltd
Diocese of Wakefield
Planware Ltd
X Leisure
Humberts Leisure
RenewableUK
Ecology Building Society
Smiths Gore
West Yorkshire Fire and Rescue Service
CPRE, Yorkshire
Calderdale Metropolitan Borough Council
North Yorkshire Police Authority
Greater Yorkshire Forestry Authority
Road Haulage Association - Northern Region
Yorkshire Ambulance Service NHS Trust
The Gypsy Council
Railfreight
united utilities (Transco)
West Yorkshire Police Authority
Canal & River Trust
Gypsy Roma Traveller Achievement Service
West Yorkshire Fire & Rescue Service

Northern Powergrid
Skills Funding Agency
Leeds City Council - Health
Church Commissioners
Yorkshire Water Services
Age UK
RSPB
Leeds, York and North York Chamber of Commerce
IoD Yorkshire
Sport England
Civil Aviation Authority
Highways England
Crown Estate Office
Selby District Council
Fields in Trust
West Yorkshire Archaeology Advisory Service
Centrica Plc
Historic England
Mobile Operators Association
City of York Council
Natural England Consultation Service
Environment Agency
Marine Management Organ Management Organisation
Ramblers' Association
Office of Rail Regulation
National Grid
British Telecom Repayment Projects
Disability Rights Commission
Ministry of Defence
Equality and Human Rights Commission
Rail Freight Group
British Geological Survey
Wakefield Metropolitan District Council
National Grid
Freight Transport Association
Department for Education
Traveller Law Reform Project
Hull City Council
Kirklees Metropolitan Council

Harrogate Borough Council
Bradford Metropolitan District Council
AMEC E&I Ltd
Airport Operators Association
Bradford Council - Highways
North Yorkshire County Council
The Coal Authority
Hutchison 3G UK Ltd
EE (UK) Ltd
Kingston Communications (HULL) Plc
O2 – Telefónica UK Ltd Core Strategy Team
Bradford Metropolitan District Council
National Offender Management Service
British Toilet Association
Alwoodley Parish Council
Yorkshire Wildlife Trust
North Yorks Moors Forest District
Freightliner
The Georgian Group
National Landlords Association
West Yorkshire Combined Authority
National Federation of Gypsy Liaison Groups
Network Rail
Craven District CouncilCraven District Council
North Yorkshire County Council
Leeds Teaching Hospitals NHS Trust
Yorkshire Local Councils Associations
The Garden History Society
The Theatres Trust
Council for British Archaeology
Design Council
Homes and Communities Agency
Benn Hilary MP
Rachel Jane Reeves MP
Alec Shelbrooke MP
Fabian Hamilton MP
Alex Sobel MP
Andrea Jenkyns MP
Stuart Andrew MP
Richard Burgon MP
Leeds Centre for Integrated Living

Home Builders Federation
BRADLEY STANKLER PLANNING
Mone Bros. Limited
Wildblood MacDonald Architects
Headingley Development Trust Ltd
Pegasus Planning Group
Richard Mills Counselling
The Thorpe Park Hotel
Advent Development
PC Outlet Ltd
Mark Taylor
Hanson Aggregates Ltd
Agfa
Sustrans
I J Williams
CAMRA
Leeds Bradford International Airport
Carplus
Carter Jonas LLP
Persimmon Homes
Francis Delbuono
KPMG
Federation of Small Businesses
Parklane Properties
Town Centre Securities
West Yorkshire Combined Authority
Bury & Walker Solicitors
Carter Jonas
Royal Armouries
LNT Construction
Walker Morris
CPRE
Home Housing Association
Sanderson Wetherall
Rushbond Plc
Leeds Property Forum
Allsop
Taylor Woodrow Developments
Redrow Homes (Yorkshire) Ltd
Leeds Financial Services
Persimmon Homes West Yorkshire

Connect Housing
Polskie Forum Polish newsletter
CANPLAN (Chapel Allerton Neighbourhood Plan)
Scholes Community Forum
Concord (Leeds Interfaith Fellowship)
Otley Town Partnership
Can Plan Chapel Allerton Neighbourhood Plan
Moor Park Residents Association
Far Headingley Village Society
Wetherby Civic Society
Leeds HMO Lobby
Otley and Yeadon Labour Party
Otley Conservation Task Force
Society for the Protection of Ancient Buildings
Scholes Community Forum
The Irish Traveller Movement in Britain
Leeds Gypsy Traveller Exchange
Leeds guide
Jehovah's Witnesses
Leeds Justice for Travellers
Commercial Boat Owners Association
Guiseley and Menston Green Belt Action Group
Adel & Wharfedale Branch Labour Party
Janet McComas
Leeds Racial Equality Council
Pool in Wharfedale E News
Horsforth Civic Society
St George's Church Crypt
Leeds Youth Council
Adel Neighbourhood Forum
Oulton Civic Society
Leeds Involvement Project
Voluntary Action Leeds
Leeds Society for Deaf & Blind People
Rawdon Model Boat Club
Leeds Older Peoples Forum
Leeds Connecting Communities
People in Action
Older Peoples Reference Group
Leeds Christian Community Trust
Leeds Cycling Action Group

Wykebeck Way Community Forum
SAA UK
Shantona Womens Centre
Burley Lodge Centre
Leeds Ahead
Volition
Disabled Persons Transport Advisory Committee
New Wortley Residents Association
Genesis Project
Leeds City Credit Union
Leeds Tenants Federation
Weetwood Residents Association
Hyde Park Olympic Legacy Group
Morley Town Manager
Leeds Local Involvement Network (LINK)
Leeds Cycling Action group
Harewood House Truct
Drummond & Churchwood Residents
Sandgate Residents Action Group
Becketts Park Residents Association
Ash Road Resident's Association
Leeds Local Access Forum
A660 Joint Council
Aireborough Civic Society
Save Our Scholes Action Group
Leeds Involvement Project/ Older Peoples Group
Chair, Oulton and Woodlesford Neighbourhood Forum
Terrence Higgins Trust
Rawdon Billing
WARD (Wharfedale & Airedale Review Development)
Friends of Allerton Grange Frields
Headingley Network
Aireborough Neighbourhood Forum
People in Action Learning Disability Forum
Leeds Youth Council
Barwick-in- Elmet & Scholes NhooD DevPlan Steering
Unity Housing Association
Barratt Homes & David Wilson Homes Yorkshire West
Leeds Hotels Association
CBI Yorkshire & Humber
Leeds Civic Trust

The Diocese of Ripon & Leeds
Leeds Residential Property Forum (LANDLORDS)
West & North Yorkshire Chamber of Commerce
Leeds Youth Council
Enquiries@notredamecoll.ac.uk
info@abbeygrangeacademy.co.uk;
agadmin@allertongrange.com;
mainoffice@allertongrange.com;
info@allertonhigh.org.uk;
secretary@bentonpark.net;
info@bostonspa.leeds.sch.uk;
office@brigshaw.com;
info@bruntcliffe.leeds.sch.uk
info@cardinalheenan.com;
info@carrmanor.org.uk;
info@cockburnschool.org;
info@corpuschristicollege.leeds.sch.uk;
info@crawshawacademy.org.uk;
info@garforthacademy.org.uk
info@guiseleyschool.org.uk
info@horsforthschool.org;
enquiries@johnsmeatonacademy.org.uk
school@lawnswoodschool.co.uk
info@whiteroseacademies.org;
info@leedseastacademy.org.uk;
info@ljfs.org;
info@leedswestacademy.org.uk
thehub@mountstmarys.org
info@priesthorpe.org
info@princehenrys.co.uk
contactus@pudseygrangefield.co.uk
headteacher@ralphthoresby.com
secondary@roundhayschool.com;
info@roydsschool.org
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contactus@swallowhill.org;
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Historic England, Ian Smith.
Environment Agency, Claire Dennison
Minerals and Waste Plans Team, North Yorkshire County Council, Joan Jackson
Selby Council, Clare Dickinson
Peter Mudge, Area Officer
Trudie Canavan, Adult and Social Care
Highways England, Simon Jones
Forestry Commission England
George Hall
Natural England, Carla Wright
Equality and Human Rights Commission
Martin Staniforth
Canal River Trust, Simon Tucker
City of York Council, Neil Bellerby
North Yorkshire County Council, Michelle Saunders
Wakefield Council, Rob Ellis
Andrew Furber
Richard Tyler
Christine Thom, The Main Deal
Leeds Civic Trust
Sue McQuire, Garforth Neighbourhood Forum
Donna Smith, Planware Ltd/ McDonalds *Received after consultation deadline
Cllr Tom Leadley

Appendix 2: Main issues raised and Council's response

Respondent	Ref No
Jacqui Salt, Natural England	1
Clare Dickinson, Selby Council	2
Nancy Ingham	3
Sally Bavage	4
Jane Riley	5
Rita Marshall	6
John Thorne	7
Cara Close, City of York Council	8
Cllr Tom Leadley	9
Wendy Maynard Light, Morley Town Council	10
Ian Bond, Adel Neighbourhood Forum	11
Ian Stokes, City of York Council	12
Robert Ellis, Wakefield Council	13
Richard Tyler	14
Sue McQuire, Garforth Neighbourhood Forum	15
Steve Simms, SSA Planning	16
Ben Fox, Planware	17
Simon Tucker, Canal and River Trust	18

Comment Number	Comment	Response	Consultee Ref Number
General			
1	No Comment	No changes required.	1,2, 8, 12,13
2	General Support	No changes required.	4,5, 6, 9,10
3	There are inadequate catering facilities found within schools so therefore pupils are forced to use HFTs offsite.	Outside the scope of this SPD. No changes required.	3
4	Other shops can provide unhealthy food items.	The purpose of the SPD is to look at the impacts of HFTs and no other A Class uses. No changes required.	4
5	Although this is about Planning, the document would be stronger and more coherent, and would therefore provide more confidence to local people if it cross referenced what other actions the Council is taking to influence hot food takeaways. For instance, it could go into more detail about the powers of Environmental Health, and the links to Neighbourhood Plans, where local people do have the opportunity to set out local policies including about HFTs	Section 3 of the document goes into details about how Public Health, Environmental Health and Licensing help control HFTs and to mitigate against their adverse impacts. A sentence has been added in paragraph 8.1 that refers to the ability of Neighbourhood Plans to write their own HFT policies.	5
6	Note that it is proposed that the approach does not extend to primary schools. However, research on the impact of local food environment round schools and its	Discussions about whether primary schools should be a focus of this SPD were had during the preliminary stages of the process. It was decided that the SPD would only subject secondary schools to a 400m exclusionary zone	5

Comment Number	Comment	Response	Consultee Ref Number
	<p>impact on diet, has shown that the close proximity of hot food takeaway not only influences the obesity of the secondary school pupils but also the primary school pupils. Reference: Smith, D, Cummins S, Clark, C and Stansfeld S (2013): Does the local food environment around schools affect diet? Longitudinal associations in adolescents attending secondary schools in East London, BMC Public health, 13(1), 70</p> <p>As a result of this research, many other LAs have taken the decision to extend their HFT SPDs to cover primary schools: given the scale of obesity in Leeds, and its position at the top of the table on numbers of HFTs, the Council should reconsider extending the coverage of the SPD to include all schools, including primary schools.</p>	<p>as these pupils have a greater level of independence than primary school pupils. Primary school pupils are more likely to walk between home and their school with adult supervision, who will have the agency to make their own decisions and choices about where they visit on their journey/trip. No changes required.</p>	
7	<p>Paragraph 7.14: this should reflect that many people who use HFTs do not live near them, particularly car-borne journeys and those that use delivery services, so they are not necessarily a benefit to the most local community so their negative</p>	<p>The evidence within the SPD shows that a person's food environment can have a direct impact on their health, although we acknowledge that meal deliveries may serve a large proportion of their customers. No changes required.</p>	5

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	impacts are not necessarily off set by apparent benefits.		
8	Also the schools should be encouraged to increase the number of children eating health dinner in school.	Outside the scope of this SPD. No changes required.	6
9	Reference should be given to provision of free school meals to children from backgrounds of financial hardship.	Outside the scope of this SPD. No changes required.	7
10	Para 1.1 'health' should be 'healthy'.	Amended.	9,10
12	Para 5.2 – National increases in obesity have been even more marked since 1980 than since 1993.	Acknowledged. The evidence base only serves as a background to the SPD and we believe the impact and change of obesity related issues are already laid out within the document. No changes required.	9,10
13	Para 6.4 – This addition is welcomed. It is notable that rates of obesity, cardiovascular disease, hypertension and Type Two Diabetes are particularly high in some ethnic groups, such as South Asians, West Indians and Gypsies and Travellers.	Acknowledged. No changes required.	9,10
15	Para 7.10 – Would look better if re-written to begin “As previously mentioned, nutritional content of HFT food in the UK often is poor and contains high amounts of . . . “. In the original ‘nutritionally’ seems redundant and it would be as well to concede that some healthy food might be sold in HFTs.	Deleted ‘nutritionally’ in first sentence. Amended.	9,10

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16	Para 7.12 – As Leeds LPA is second in population in England only to Birmingham, being second in number of HFTs is hardly surprising but the fact that it is 15th out of 325 in terms of density per 100,000 population is cause for concern and shows that this SPD is long overdue.	Acknowledged. No changes required.	9,10
17	Para 7.15 – Delete ‘daytime’ from the first line.	Acknowledged. Deleted.	9,10
18	Para 10.1 – Monitoring should include amendment of maps from time to time to take account of new high school openings and closure of old one.	Acknowledged. Sentence added to paragraph 10.1.	9,10
19	For instance, the SPD should take the opportunity to require those planning HFTs to work more closely with LCC, including Environmental Health, to try to align objectives so that businesses can thrive but not at the expense of local people.	Environmental Health and other Council services were involved with the preparation of the document and have had input in the SPD and the previous consultation statement. No changes required.	11
20	There should be a presumption that any new A5 HFT application should be rejected unless there are strong reasons for not doing so. If a HFT closes, then consideration should be given to whether it can be replaced by another HFT before such an establishment can open, as a	Doesn't comply with national policy/local policies that acknowledge HFTs are a permitted use in certain locations. No changes required.	11

Comment Number	Comment	Response	Consultee Ref Number
	means of reducing the proportion of existing HFTs in an area.		
21	Leeds should also learn from other LAs about how to encourage and influence providers in terms of the health and sustainability of ingredients and recipes, and this needs to be more strongly cross referenced so that potential providers are clear that they will need to take account of health and wellbeing in their plans.	Outside the scope of this SPD. No changes required.	11
22	We would also argue that there needs to be a clear definition of “parade”. For instance, the Otley Road is not a single run of shops as there are several side roads that intersect. Some developers may seek to argue that each chunk of shops constitutes a parade, enabling them to increase the proportion of HFTs even further. We propose that Neighbourhood Forums, Parish Councils or similar bodies should determine the definition of a Parade.	The comment has been noted, however this SPD would not be the correct place to define a parade and give it significant planning status. The definition of a parade can be assessed through future reviews of the Leeds Local Plan. No changes required.	11
23	It is unfortunate that this SPD policy HF2 in allowing ‘ further considerations’ may hinder the health promotion projects aimed at improving the health of the City’s	Unclear. No changes required.	15

Comment Number	Comment	Response	Consultee Ref Number
	residents and will result in greater pressure on the city's health and social services provision.		
24	We consider that no regard has been given to national or local policy and advice in preparing the SPD because no National Planning Policy Framework (NPPF) policies deal with dietary issues. This means that the draft SPD does not comply with sub-section 19 (2) (a) or (h) of The Planning and Compulsory Purchase Act 2004 (PCPA04). Specifically, considering proximity of hot food takeaways to schools has no basis in local policy.	<p>The SPD builds upon saved and adopted UDP policy GP5. The updated NPPF (July 2018) has added a sentence to paragraph 91 c) that states planning policies should:</p> <p>c) 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.</p> <p>As the highlighted text above shows, the NPPF encourages local authorities to produce planning policies and guidance that influences people's access to healthier food. This SPD complies with this guidance by restricting access to unhealthy food. Section 7 of the SPD has been updated to reflect the changes to the NPPF.</p>	16
25	The draft policy is not based on any objectively assessed development requirement. It effectively assesses the requirement for hot food takeaways within 400 metres of the boundary of a secondary school as zero, but does so without	We believe the evidence within the SPD justifies the need of an SPD. Several Local Authorities across the country have also found the need for HFT policies in their Local Plans or SPDs. An evidence list will be published with the adoption of the SPD. No changes required.	16

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	<p>evidence of either a link between the incidence of obesity and the proximity of hot food takeaways to such places or any particular distance at which that link is demonstrated. Consequently, the development requirement has not been objectively assessed.</p>		
26	<p>No assessment has been made of the number of hot food takeaways that might be refused as a result of this or what the social, economic or environmental impacts of that might be, so it is not possible to balance these impacts.</p> <p>And</p> <p>No plan illustrating the significance of these resisted zones has been produced to assess the extent or implications of the policy. This would demonstrate the potential embargo against A5 uses.</p>	<p>The Annual Monitoring Report (AMR) will monitor the effectiveness of the policies within the SPD. Plans have been made that show the exclusion zones. Centres have been excluded from HFT1 so as to not have an impact on the vitality and viability of centres. No changes required.</p>	16,17

Comment Number	Comment	Response	Consultee Ref Number
27	The policy is negative in its assumptions, using the concept of 'unhealthy food', which is at best unhelpful in isolation from an understanding of the person eating the food, their health and lifestyle, and at worst is simply subjective. Furthermore, it assumes all hot food takeaways offer little choice and serve the same type and standard of food.	It is acknowledged that some HFTs can serve healthy food, however the SPD provides evidence that most takeaway food is inconsistent with UK dietary recommendations. It is outside the scope of planning to enforce menu choices upon A5 uses. No changes required.	16
28	We are further of the view that food of high energy density or poor nutritional value is sold from and at a range of premises within a variety of other classes, including many in Class A1, such as coffee or sandwich shops, bakeries or, simply, supermarkets, and that focussing on Class A5 uses is both unhelpful and unfair.	The purpose of the SPD is to look at the impacts of HFTs and no other A Class uses. No changes required.	16
29	The Evidence Base contains no evidence of any threshold number of hot food takeaways at which the harm that the draft policy seeks to mitigate occurs or is noticeably greater.	The evidence demonstrates that increased proximity to HFTs results in increased likelihood of negative health effects (Paragraph 5.6). The council feels that a proportionate response is to limit their delivery in locations most likely to cause harm, particularly those areas within a reasonable walking distance of secondary schools. No changes required.	16
30	It is better to rely on objective evidence in a retail study to set maximum proportions of hot food takeaways. Whilst these are primarily directed at protecting the retail	Primary drivers of the SPD is to reduce the negative effects of HFTs on health amenity. A retail study would not be able to adequately explore this factor. No changes required.	16

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	<p>health of designated centres, there is scope to widen their application to support the retail health of retail provision outside centres, such as standalone or parade units.</p> <p>As it is usually impractical to apply a maximum frontage proportion outside centres, the 400-metre walk distance might be applied, within which the proportion (rather than number) of units, be they in- or out-of-centre, used as hot food takeaways would not be permitted to exceed the same threshold as set for centres.</p> <p>In adopting such an approach, it would be preferable to consider optimal proportions of all retail uses that could contribute to healthy centres or to a healthy offer generally, whether in- or out-of-centre, instead of focussing on particular uses considered to be a problem, apparently for wider social reasons unrelated to retail planning.</p>		
31	On a practical point, there is a significant difficulty in using distance radii in that it takes no account of real barriers, physical or perceptual, so that premises on the	Using school entrances has aimed to counteract the difficulty in using distance radii for the 400m zone. It is noted and agreed that they do not take account of physical and real barriers. Therefore, we will add a	16

Comment Number	Comment	Response	Consultee Ref Number
	other side of a line feature such as a canal or busy road could be affected despite in reality being more than a 400m walk away. It is far better to use real walk isochrones.	supplementary sentence to the supportive text (Para 7.9) of the Policy that states: <i>Consideration will be given if it can be demonstrated that an applicant's site falls outside of a 10 minute walking trip due to physical or geographical barriers on the ground.</i>	
32	The area that would be affected by the policy covers a significant part of the City, so it is hard to see how the effectiveness of its extent could be monitored. Would poor or negative achievement against objectives result in reduction or expansion of the zones? What other corrective action might be taken short of its withdrawal?	The AMR will monitor A5 applications, as paragraph 10.1 of the SPD states. No changes required.	16
33	Diet is clearly a key determinant both of general health and obesity levels. Exercise is the other key determinant and must be considered for a complete picture. Focussing on improving access to open space, sport and recreation facilities would be a far more effective strategy for reducing childhood obesity.	Leeds City Council currently has numerous health initiatives spread across several council services that aim to improve health and well-being. This SPD will form part of a holistic strategy to reduce obesity in Leeds, alongside other adopted planning policies relating to green and open space, and the work and initiatives of other Council services. No changes required.	16
Policies			
34	POLICY HFT 1 – This sets out limits on siting new HFTs close to high schools. A HFT should not be within 400 metres of the entrance gates to the grounds of a high	Noted. No changes required.	9,10

Comment Number	Comment	Response	Consultee Ref Number
	school, taking account of the fact that some have more than one entrance gate.		
35	Policy HFT 2 – This deals with clustering, such as heavy concentrations in some neighbourhoods. Existing A5 premises would be immune from these new planning controls but adding more premises might be resisted. There is already some control of the proportion of A5 outlets in designated shopping centres, so policy HFT 2 is an extension of which has gone before. Changing from percentages to whole numbers is sensible, especially as numbers of premises would be small in local centres and isolated parades.	Agree. No changes required.	9,10
36	HFT2 - Clustering needs more consideration. It suggests that a “parade or frontage with 11+ shops should be restricted to four A5 HFTs”. In a small parade of say 12 shops the % of HFTs could therefore be as high as 33%. This could mean a significant proportion of local services solely for this purpose, which would reduce local choice, as well as encouraging more traffic, litter, noise and odours in a small area. As you will be	We appreciate that it may lead to a high percentage of HFTs within a parade. Core Strategy Policy P4 can help protect parades when the vitality and viability of the range of shops to meet day to day local needs will be undermined. However, it is acknowledged that the proportions set out within HFT 2 are guidelines and as such each application will be treated on its own merits and this sentence has been inserted into paragraph 7.18.	11

Comment Number	Comment	Response	Consultee Ref Number
	<p>aware, the Royal Society for Public Health in their 2015 report recommended a limit of 5%. The emerging Adel Neighbourhood Plan proposes no more than 15% in our Parade of 25 shops, which abut the Otley Road. Thus, in a small parade of up to a half-dozen units, 50-100% units could be Hot Food Takeaways. In a medium parade up to a dozen units, a third or more could be Hot Food Takeaways. This does not therefore achieve the objective of Policy HFT2, which is to prevent clustering. Indeed, the policy is self-defeating, as it would allow HFTs to dominate small and medium parades.</p> <p>May I therefore repeat the earlier recommendation, that criterion iii be phrased in terms of a percentage (say, 20%). If this is unacceptable, an alternative would be to state: "An A5 unit will be allowed in a parade of units only where there would be a minimum of two (or three, or four) units which are not A5 units."</p>		
37	How will these figures meet the Core Strategy policy P4 which seeks to restrict all non A1 frontages to 30%?	Policy P4 does not set a 30% restriction on non A1 uses. No changes required.	15

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38	<p>The SAP policy RTC-3 and Core Strategy Policy P4 both relate to percentages of non A1 frontages, however the SAP June 2015 page 21 para 2.24 explains the ‘further considerations of frontage policies’ and has been used to permit additional HFTs in Garforth. There are always empty shopping frontages in Garforth (this is a nationwide issue). There are several parades on Main Street:</p> <p>2 parades of 4 frontages and using policy HFT-2c could permit 4HFTs</p> <p>3 parades of 7 frontages and could permit 9 HFTs</p> <p>2 parades of 8 frontages and could permit 9 HFTs</p> <p>1 parade of 9 frontages and could permit 5 HFTs</p> <p>2 parades of 11 frontages and could permit 8 HFTs</p>	<p>Main Street, Garforth is a Town Centre and therefore will be protected by Core Strategy policies P2, UDP Shopping Frontages policies and emerging SAP retail policies RTC3 and RTC4. See comment 36 above for changes regarding to HFT2. No changes required.</p>	15

Comment Number	Comment	Response	Consultee Ref Number
	<p>1 parade of 12 frontages and could permit 4 HFTS</p> <p>Whilst a total of 39 HFTs is unlikely, it illustrates the problem with the current proposed policy and will in effect allow more HFTs if at a local planning committee meeting policy P4 is replaced by the 'further considerations' and policy HFT-2 is implemented.</p>		
39	<p>The Inspectorate, regarding the Greenwich Local Plan concluded that it would be unsound if it contained the attempt in paragraph 4.3.55 to restrict new hot food takeaways within 400 m of a school. The Inspectors Report published May 2014 confirms "If such a restriction is to be imposed as a matter of policy then it must be included in Policy TC(c). However, I do not consider that such a restriction serves any land use planning purpose. In any event, I can foresee difficulties in attempting to implement such a restriction. For example, what criteria would be used to determine "unhealthy" food, and how frequently would this be assessed for an</p>	<p>The updated NPPF now encourages Local Authorities to adopt policies that allows access to healthier foods. UDP Policy GP5 also refers to the need to <i>avoid danger to health or life</i>, therefore the Council feels that we have policy justification for the SPD. Evidence also changes over time, and the SPD contains the evidence that justifies the SPD. No changes required.</p>	17

Comment Number	Comment	Response	Consultee Ref Number
	individual business? In addition, the practicalities of enforcement at a time when public expenditure is being reduced may render such a policy incapable of enforcement. Whilst it may be a laudable aim, the Local Plan would be unsound if it contained this provision.”		
40	McDonald’s has made major steps in recent years to expand the range of healthy offerings. McDonalds serves healthy food options.	This is not in dispute. However, the majority of A5 establishments provide unhealthy food, as established in the SPD’s evidence. It is outside the scope of planning to enforce menu choices upon A5 uses. No changes required.	17
41	When McDonald’s looks at the economic viability of a new site, it does not factor in predicted sales from school children or proximity to schools.	The Council is not suggesting that McDonald’s does factor in sales from school children. However, from McDonald’s own submissions it is clear that a significant number of children are using A5 Hot Food takeaways to purchase food. This SPD seeks to control that use class. No changes required.	
Evidence			
42	There is a lack of evidence to demonstrate the link between fast food, school proximity and obesity. We confirm this at Appendix A to this objection.	We believe the evidence within the SPD justifies the need of an SPD. Several Local Authorities across the country have also found the need for HFT policies in their Local Plans or SPDs. No changes required.	17
	There is lack of evidence to demonstrate that purchases in fast food outlets are any more or less healthy than purchases in	The purpose of the SPD is to look at the impacts of HFTs and no other A Class uses. No changes required.	17

Comment Number	Comment	Response	Consultee Ref Number
	other A Class premises. Evidence confirming this is set out in Appendix C.		
43	Only limited purchases of food are made at A5 uses on journeys to and from school. Further details are set out in Appendix D.	The evidence suggests that there are some purchases made on journeys to and from school, and this SPD aims to address those journeys. No changes required.	17
44	The evidence provided at Appendix B confirms that 70% of purchases by students in the school fringe are purchased in non A5 shops.	The purpose of the SPD is to look at the impacts of HFTs and no other A Class uses. No changes required.	17
Maps			
	No Comments Received	N/A	
Consultation Statement			
45	Comment 6 related to the upkeep and appearance of HFTs. The UDP Policy BD7 mentioned in para 3.17 only relates to shutters so the concern about upkeep would not appear to have been addressed.	Policy P10 of the Core Strategy refers to new developments according several key principles, including "Car parking, cycle, waste and recycling storage should be designed in a positive manner and be integral to the development". No changes required.	15
46	Comment 7 and 20 relating to closure of HFTs during the day has not been addressed and the response only relates to UDP policy BD7 which states that solid shutters will only be permitted in exceptional circumstances. We need to know what are the 'exceptional circumstances' as the vast majority of HFTs have shutters closed during the day.	No work has been undertaken to survey how many HFTs are shuttered throughout the day. However, it is for the applicant to provide reasons for exceptional circumstances as to why shutters would be required, and this would not normally apply to HFT applications. HFTs that have shutters down during the day may be historical applications pre-dating the adoption of BD7, or may be in non-compliance with their planning permission and	15

Comment Number	Comment	Response	Consultee Ref Number
	Has any research been undertaken to seek the proportion of HFTs which are shuttered during the 'working day' ?	therefore require enforcement action. No changes required.	
47	Comment 21 asked how this SDP will work with The Health and Wellbeing Board to implement the Leeds Health and Wellbeing Strategy. The response stated that members of the Health and Wellbeing Board have been involved, however there is no documented evidence given as to their response. Para 5.5 page 41 accepts that the majority of HFTs provide nutritionally poor and unhealthy items and para 4.25.2 page 27 highlights the importance of a healthy city . At the time of producing this draft policy Leeds had 966 HFTs and over 60%of adults were overweight or obese ,it is disingenuous to expect that the members of the Health and Wellbeing Board would accept that this SPD would help to implement their Health and Wellbeing Strategy and concern for the health of Leeds residents.	Throughout the process of creating this SPD, Public Health have been involved and consulted. This included a presentation to the public health DLT, which contained members of the Health and Wellbeing Board. No changes required.	15
48	Comment 27 requested a percentage figure be used rather than a number of units as it could lead to an increase. The response is completely inadequate as parades of	See comments 36 above regarding HFT2. No changes required.	15

Comment Number	Comment	Response	Consultee Ref Number
	<p>< 5 frontages 2 HFTs can be permitted ie up to 40%</p> <p>5 – 10 frontages 3 HFTs can be permitted ie. 30 – 60%</p> <p>11+ frontages 4 HFTs can be permitted ie>36%</p>		
49	<p>Comment 29 suggesting that HFT1 should cover all schools, should be considered, and whilst primary school children do not have the same ability to influence their own food choices, HFTs near schools may well influence parents when collecting their children at the end of a school day. All the hot food takeaways in Garforth are within easy walking distance of schools.</p>	<p>See comment 6 above regarding why primary schools are not subject to this guidance. No changes required.</p>	15
50	<p>Para 8.1 of the SPD refers to existing adopted policies that concern waste management, however the River and Canal trust aren't aware of any policy within the Local Plan. Therefore the SPD should amplify the need for litter management which would help limit the exposure of the local and natural environment in Leeds generated by takeaways. Alternatively, section 8 should be expanded to refer to waste management policies.</p>	<p>Policy P10 refers to the design of "waste and recycling storage". This has been expanded upon in paragraph 8.5. Environmental Health may be consulted on planning applications where the application may create harmful impacts on noise, odour, litter and light. No changes required.</p>	19

Comment Number	Comment	Response	Consultee Ref Number
Other Changes			
	Error in HFT 1 referring to buildings and not entrances.	The wording has been amended to correct an error in the wording of HFT 1. The guidance previously reflected an earlier draft that used “main school building” rather than “entrance”. Using school entrances was agreed at Development Plans Panel. Main school entrances has been referred to in the supporting text (para 7.8) and the maps provided for the document, therefore the amendment to the policy is reflecting this.	
	NPPF Section Updated, Section 7.	To reflect NPPF updates.	
	Para 3.9 Factual Changes		



Hot Food Takeaway SPD

Report of Consultation

November 2018

INTRODUCTION

- 1.1. In accordance with regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 this consultation statement summarises the process involved in preparing and conducting consultation on the Hot Food Takeaway (HFT) Supplementary Planning Document (SPD). It provides a summary of the outcomes of the consultation, and how they informed subsequent changes to the document.

BACKGROUND

- 2.1. Leeds has an ambition to be the 'best city in the UK'. Working with local communities to prepare a Local Plan that provides a framework for sustainable development, delivering the homes, jobs and other development that the District needs, whilst protecting the environment and local distinctiveness, will be important in achieving this.
- 2.2. The SPD will be a material consideration in the determination of planning applications for subsequent A5 use (hot food takeaway) applications and sets out new guidance on controlling the locations of HFTs around schools and in high concentration areas.

CONSULTATION PRINCIPLES

- 3.1. The City Council adopted its Statement of Community Involvement (SCI) on the 21st February 2007. The SCI sets out the Council's approach for involving the community in the preparation and revision of Local Development Documents and planning applications. It outlines how the community can get involved in the planning process and how the Local Planning Authority (LPA) will facilitate this involvement. The main methods of community engagement are outlined in the SCI, including a list of key consultation structures and organisations in Leeds which the Council consults on in the preparation of plans. It also includes a list of community and stakeholder groups to be consulted as minimum requirements under the planning regulations.
- 3.2. In 2012, the Government implemented changes to planning legislation as part of its modernising planning agenda. The Town and Country Planning (Local Planning) (England) Regulations 2012 came into force on 6th April 2012. The 2012 regulations revoked the Town and Country Planning (Local Development) (England) Regulations 2004 and any subsequent amendments. The above changes in legislation simplified and streamlined the local plan document preparation process. In addition, the 'Duty to Cooperate' was introduced via primary legislation. This reduced the separate stages of front loading through public consultation. Whilst the SCI precedes these changes, the approach it sets out in relation to how the community and stakeholder groups will be engaged in the plan making process remains relevant.
- 3.3 This statement of consultation in line with Regulation 12 sets out:

- (i) The persons the local planning authority consulted when preparing the supplementary planning document (Appendix 1);
- (ii) a summary of the main issues raised by those persons (Appendix 2); and
- (iii) how those issues have been addressed in the supplementary planning document (Appendix 2).

CONSULTATION

- 4.1 Consultation on the Draft Hot Food Takeaway SPD took place between 18th July 2017 to the 29th August 2017 seeking the views of local people, businesses and other key stakeholders on the key themes of the document and the new policies.
- 4.2 Consultation materials and online response information were also available on the [Leeds.gov.uk/HFT](https://www.leeds.gov.uk/HFT) website. 23 written responses were received in total. They reflect a wide spectrum of views from a range of stakeholders including local residents, people who work in the area, businesses, community based groups and non-regulatory organisations.
- 4.6 The comments received are set out in Appendix 2 of this statement alongside the Council's response and any proposed modifications.

Appendix 1: List of Consultees at Initial Consultation stage

Organisation Name
Leeds City Council
University of Leeds
Physical Education Service
University of Leeds
Centre for Comparative Housing Research
Bowland Ecology Ltd
Aggregate Industries
Dennis Gillson & Son
Lidl UK
Hallam Land Management
George Wimpey Strategic Land
Maven Plan Ltd
The Vodafone House
CPRE
Aggregate Industries UK Ltd
Diocese of Wakefield
Planware Ltd
X Leisure
Humberts Leisure
RenewableUK
Ecology Building Society
Smiths Gore
West Yorkshire Fire and Rescue Service
CPRE, Yorkshire
Calderdale Metropolitan Borough Council
North Yorkshire Police Authority
Greater Yorkshire Forestry Authority
Road Haulage Association - Northern Region
Yorkshire Ambulance Service NHS Trust
The Gypsy Council
Railfreight
united utilities (Transco)
West Yorkshire Police Authority
Canal & River Trust
Gypsy Roma Traveller Achievement Service
West Yorkshire Fire & Rescue Service
Northern Powergrid
Skills Funding Agency
Leeds City Council - Health
Church Commissioners
Yorkshire Water Services
Age UK
RSPB
Leeds, York and North York Chamber of Commerce
IoD Yorkshire

Organisation Name
Sport England
Civil Aviation Authority
Highways England
Crown Estate Office
Selby District Council
Fields in Trust
West Yorkshire Archaeology Advisory Service
Centrica Plc
Historic England
Mobile Operators Association
City of York Council
Natural England Consultation Service
Environment Agency
Marine Management Organ Management Organisation
Ramblers' Association
Office of Rail Regulation
National Grid
British Telecom Repayment Projects
Disability Rights Commission
Ministry of Defence
Equality and Human Rights Commission
Rail Freight Group
British Geological Survey
Wakefield Metropolitan District Council
National Grid
Freight Transport Association
Department for Education
Traveller Law Reform Project
Hull City Council
Kirklees Metropolitan Council
Harrogate Borough Council
Bradford Metropolitan District Council
AMEC E&I Ltd
Airport Operators Association
Bradford Council - Highways
North Yorkshire County Council
The Coal Authority
Hutchison 3G UK Ltd
EE (UK) Ltd
Kingston Communications (HULL) Plc
O2 – Telefónica UK Ltd Core Strategy Team
Bradford Metropolitan District Council
National Offender Management Service
British Toilet Association
Alwoodley Parish Council
Yorkshire Wildlife Trust
North Yorks Moors Forest District

Organisation Name
Freightliner
The Georgian Group
National Landlords Association
West Yorkshire Combined Authority
National Federation of Gypsy Liaison Groups
Network Rail
Craven District CouncilCraven District Council
North Yorkshire County Council
Leeds Teaching Hospitals NHS Trust
Yorkshire Local Councils Associations
The Garden History Society
The Theatres Trust
Council for British Archaeology
Design Council
Homes and Communities Agency
Benn Hilary MP
Rachel Jane Reeves MP
Alec Shelbrooke MP
Fabian Hamilton MP
Alex Sobel MP
Andrea Jenkyns MP
Stuart Andrew MP
Richard Burgon MP
Leeds Centre for Integrated Living
Home Builders Federation
BRADLEY STANKLER PLANNING
Mone Bros. Limited
Wildblood MacDonald Architects
Headingley Development Trust Ltd
Pegasus Planning Group
Richard Mills Counselling
The Thorpe Park Hotel
Advent Development
PC Outlet Ltd
Mark Taylor
Hanson Aggregates Ltd
Agfa
Sustrans
I J Williams
CAMRA
Leeds Bradford International Airport
Carplus
Carter Jonas LLP
Persimmon Homes
Francis Delbuono
KPMG
Federation of Small Businesses
Parklane Properties

Organisation Name
Town Centre Securities
West Yorkshire Combined Authority
Bury & Walker Solicitors
Carter Jonas
Royal Armouries
LNT Construction
Walker Morris
CPRE
Home Housing Association
Sanderson Wetherall
Rushbond Plc
Leeds Property Forum
Allsop
Taylor Woodrow Developments
Redrow Homes (Yorkshire) Ltd
Leeds Financial Services
Persimmon Homes West Yorkshire
Connect Housing
Polskie Forum Polish newsletter
CANPLAN (Chapel Allerton Neighbourhood Plan)
Scholes Community Forum
Concord (Leeds Interfaith Fellowship)
Otley Town Partnership
Can Plan Chapel Allerton Neighbourhood Plan
Moor Park Residents Association
Far Headingley Village Society
Wetherby Civic Society
Leeds HMO Lobby
Otley and Yeadon Labour Party
Otley Conservation Task Force
Society for the Protection of Ancient Buildings
Scholes Community Forum
The Irish Traveller Movement in Britain
Leeds Gypsy Traveller Exchange
Leeds guide
Jehovah's Witnesses
Leeds Justice for Travellers
Commercial Boat Owners Association
Guiseley and Menston Green Belt Action Group
Adel & Wharfedale Branch Labour Party
Janet McComas
Leeds Racial Equality Council
Pool in Wharfedale E News
Horsforth Civic Society
St George's Church Crypt
Leeds Youth Council
Adel Neighbourhood Forum
Oulton Civic Society

Organisation Name
Leeds Involvement Project
Voluntary Action Leeds
Leeds Society for Deaf & Blind People
Rawdon Model Boat Club
Leeds Older Peoples Forum
Leeds Connecting Communities
People in Action
Older Peoples Reference Group
Leeds Christian Community Trust
Leeds Cycling Action Group
Wykebeck Way Community Forum
SAA UK
Shantona Womens Centre
Burley Lodge Centre
Leeds Ahead
Volition
Disabled Persons Transport Advisory Committee
New Wortley Residents Association
Genesis Project
Leeds City Credit Union
Leeds Tenants Federation
Weetwood Residents Association
Hyde Park Olympic Legacy Group
Morley Town Manager
Leeds Local Involvement Network (LINK)
Leeds Cycling Action group
Harewood House Truct
Drummond & Churchwood Residents
Sandgate Residents Action Group
Becketts Park Residents Association
Ash Road Resident's Association
Leeds Local Access Forum
A660 Joint Council
Aireborough Civic Society
Save Our Scholes Action Group
Leeds Involvement Project/ Older Peoples Group Chair, Oulton and Woodlesford Neighbourhood Forum
Terrence Higgins Trust
Rawdon Billing
WARD (Wharfedale & Airedale Review Development)
Friends of Allerton Grange Fields
Headingley Network
Aireborough Neighbourhood Forum
People in Action Learning Disability Forum
Leeds Youth Council
Barwick-in- Elmet & Scholes Nhood DevPlan Steering

Organisation Name
Unity Housing Association
Barratt Homes & David Wilson Homes Yorkshire West
Leeds Hotels Association
CBI Yorkshire & Humber
Leeds Civic Trust
The Diocese of Ripon & Leeds
Leeds Residential Property Forum (LANDLORDS)
West & North Yorkshire Chamber of Commerce
Leeds Youth Council
Enquiries@notredamecoll.ac.uk
info@abbeygrangeacademy.co.uk;
agadmin@allertongrange.com;
mainoffice@allertongrange.com;
info@allertonhigh.org.uk;
secretary@bentonpark.net;
info@bostonspa.leeds.sch.uk;
office@brigshaw.com;
info@bruntcliffe.leeds.sch.uk
info@cardinalheenan.com;
info@carrmanor.org.uk;
info@cockburnschool.org;
info@corpuschristicollege.leeds.sch.uk;
info@crawshawacademy.org.uk;
info@garforthacademy.org.uk
info@guiseleyschool.org.uk
info@horsforthschool.org;
enquiries@johnsmeatonacademy.org.uk
school@lawnswoodschool.co.uk
info@whiteroseacademies.org;
info@leedseastacademy.org.uk;
info@ljfs.org;
info@leedswestacademy.org.uk
thehub@mountstmarys.org
info@priesthorpe.org
info@princehenrys.co.uk
contactus@pudseygrangefield.co.uk
headteacher@ralphthoresby.com
secondary@roundhayschool.com;
info@roydsschool.org
admin@stmarysmenston.org
contactus@swallowhill.org;
info@tlacademy.org.uk;
contact@tmhs.co.uk
info@cal.coop
info@farnley.leeds.sch.uk
info@morley.leeds.sch.uk
contact@rodillianacademy.co.uk;
principal@ruthgorse.leeds.sch.uk;
info@tsla.org.uk;

Organisation Name
info@wetherbyhigh.co.uk
woodkirkreception@woodkirkacademy.com

Appendix 2: Main issues raised and Council's response

Respondent	Ref No
Historic England, Ian Smith.	1
Environment Agency, Claire Dennison	2
Minerals and Waste Plans Team, North Yorkshire County Council, Joan Jackson	3
Selby Council, Clare Dickinson	4
Peter Mudge, Area Officer	5
Trudie Canavan, Adult and Social Care	6
Highways England, Simon Jones	7
Forestry Commission England	8
George Hall	9
Natural England, Carla Wright	10
Equality and Human Rights Commission	11
Martin Staniforth	12
Canal River Trust, Simon Tucker	13
City of York Council, Neil Bellerby	14
North Yorkshire County Council, Michelle Saunders	15
Wakefield Council, Rob Ellis	16
Andrew Furber	17
Richard Tyler	18
Christine Thom, The Main Deal	19
Leeds Civic Trust	20
Sue McQuire, Garforth Neighbourhood Forum	21
Donna Smith, Planware Ltd/ McDonalds *Received after consultation deadline	22
Cllr Tom Leadley	23

Comment Number	Comment	Response	Consultee Ref Number
General			
1	No comment	No changes required.	1,2, 3, 4, 10,11, 14, 15, 16
2	HFTs should be made to ensure that most sales are eat in.	By definition A5 Hot Food Takeaway uses cannot be required to have a majority of sale as 'eat in' as that would render the use an A3 use, rather than A5. In order to classify the application as an A5 or having a significant A5 use, information regarding the amount of seats and expected sales will be considered through the validation/DM process. No changes required.	5
3	HFTs should be banned from neighbourhood centres as school children will visit them then.	Core Strategy Policies P2, P3 and P4 state that HFTs are acceptable uses within neighbourhood parades and local/town centres. No changes required.	5
4	HFTs bring anti-social behaviour to centres.	Licensing can control the amount of takeaways in Hot Spot areas. UDP policy GP5 and HFT 3 take into account the impacts on the residential amenity of any HFT application. No changes required.	5
5	As HFTs deliver food, they do not need to be located within neighbourhood centres.	Core Strategy Policies P2, P3 and P4 state that HFTs are acceptable uses within neighbourhood parades and local/town centres. No changes required.	5
6	There are currently no restrictions on the upkeep and appearance of the HFTs.	Core Strategy Polices P10 and P11 (if in Conservation Area) and UDP Policy BD7 deal with the appearance of HFT planning applications. Environmental Health can inspect the health standards of HFTs. If a HFT is believed to be non-compliant with its planning	5

Comment Number	Comment	Response	Consultee Ref Number
		permission, enforcement action can be taken by our compliance team. No changes required.	
7	HFTs which are closed during the day have a negative impact on the function of the neighbourhood centre	UDP Policy BD7 states that solid shutters will only be permitted in exceptional circumstances in order to promote attractive centres. No changes required.	5
8	HFTs should sell good quality food	Planning Policy cannot control what HFTs can sell, however Public Health initiatives are aiming to increase the quality of HFT food. No changes required.	6
9	Should be a restriction on HFTs due to the effect on local amenity	Effects on local amenity are taken into account in HFT 3 and UDP Policy GP5. No changes required.	6
10	More environmental health inspections	Outside the scope of planning. No changes required.	6
11	No licenses consented for trading on crown land in the interests of the ongoing safe operation and maintenance of the Strategic Road Network.	Outside the scope of planning. No changes required.	7
12	Should be reference in the document to inspection/monitoring	The implementation of this SPD will be assessed through the Annual Monitoring Report (AMR). No changes required.	9
13	Support the SPD and Policies	No changes required.	12, 17 , 13 , 20, 9, 24
14	HFTs near waterways have the potential to increase the likelihood of litter entering the waterways.	Changes on litter are detailed below under the Policies section of this report.	13
15	The local authority should speak to local community groups or towns people who can inform planning what the town is like	Outside the scope of the SPD. No changes required.	19

Comment Number	Comment	Response	Consultee Ref Number
16	Needs to be a balance of chain, franchise and independent establishments.	Outside the scope of the SPD. No changes required.	19
17	Core Strategy policies regarding HFTs should be highlighted within the SPD.	They can be found on Page 20 of the SPD. No changes required.	20
18	SPD is focussed on location, the opportunity should be there to provide more specific guidance on ventilation, litter, parking etc.	Links to policies that cover these issues can be found in Section 8 of the SPD. Changes on litter are detailed below under the Policies section of this report below.	20
19	Comments on SAP policies.	Outside the scope of the SPD. The SAP hearing sessions and public consultation allowed comments on these policies. No changes required.	21
20	The SPD should state what are the exceptional circumstances in the UDP policy BD7 as many parades in Leeds consist of shops with shutters down during the day.	It is the responsibility of the applicant to provide reasons for the exceptional circumstances and this will be dealt with on a case by case basis through the development management process. No changes required.	21
21	How will the SPD work with the Health and Wellbeing board and help implement the Leeds health and Wellbeing Strategy.	Members of the Health and Wellbeing Board have been involved with the preparation of the SPD. No changes required.	21
22	UDP policy GP5, which has proved to be too vague and generalised to be of much use when trying to control siting or proliferation of HFTs	The policy has been used in planning refusals and successful appeals. The SPD aims to provide further detail for the successful implementation of Policy GP5. No changes required.	23

Comment Number	Comment	Response	Consultee Ref Number
23	There is a lack of evidence to demonstrate the link between fast food, school proximity and obesity.	We believe the evidence within the SPD justifies the need of an SPD. Several Local Authorities across the country have also found the need for HFT policies in their Local Plans or SPDs. No changes required.	22
24	70% of purchases by students in the school fringe are purchased in non A5 shops. There is lack of evidence to demonstrate that purchases in fast food outlets are any more or less healthy than purchases in other A Class premises	The purpose of the SPD is to look at the impacts of HFTs and no other A Class uses. No changes required.	22
25	When McDonald's looks at the economic viability of a new site, it does not factor in predicted sales from school children or proximity to schools.	The Council is not suggesting that McDonald's does factor in sales from school children. However, from McDonald's own submissions it is clear that a significant number of children are using A5 Hot Food takeaways to purchase food. This SPD seeks to control that use class. No changes required.	22
26	McDonalds serves healthy food options.	This is not in dispute. However, the majority of A5 establishments provide unhealthy food, as established in the SPD's evidence. It is outside the scope of planning to enforce menu choices upon A5 uses. No changes required.	22
Policies			

Comment Number	Comment	Response	Consultee Ref Number								
27	Policy HFT2 should look at using a % rather than a number as it could lead to an increase in A5 units in certain parades/frontages.	<p>Rather than using a %, the wording of HFT 2, criterion III has been changed to:</p> <p>Where the number of units in a parade or frontage fall within the thresholds in column 1 in the table below, no more than the number of A5 units in column 2 will be permitted in total.</p> <table border="1" data-bbox="1178 679 1727 943"> <thead> <tr> <th data-bbox="1178 679 1447 826">Number of units in parade/frontage</th> <th data-bbox="1447 679 1727 826">Number of A5 units permitted under HFT 2iii</th> </tr> </thead> <tbody> <tr> <td data-bbox="1178 826 1447 866">Fewer than 5</td> <td data-bbox="1447 826 1727 866">2</td> </tr> <tr> <td data-bbox="1178 866 1447 906">5-10</td> <td data-bbox="1447 866 1727 906">3</td> </tr> <tr> <td data-bbox="1178 906 1447 943">11+</td> <td data-bbox="1447 906 1727 943">4</td> </tr> </tbody> </table>	Number of units in parade/frontage	Number of A5 units permitted under HFT 2iii	Fewer than 5	2	5-10	3	11+	4	12, 18, 21
Number of units in parade/frontage	Number of A5 units permitted under HFT 2iii										
Fewer than 5	2										
5-10	3										
11+	4										
28	There should be a cross reference to towards policies concerning litter within section 8 of the SPD and e would welcome the addition of guidance concerning litter, such as the provision of litter bins on site, and the provision of adequate litter management plans.	<p>The following legislation has been inserted into the SPD at paragraph 3.5</p> <p>Guidance on bin storage and waste management can be found within the Environmental Protection Act 1990.</p> <p>Also the wording in paragraph 8.1 has been changed to “a new A5 application must be in accordance with the following policies.”</p>	13								

Comment Number	Comment	Response	Consultee Ref Number
29	HFT1 should cover all schools.	Primary school children do not have the same independence and ability to influence their own food choices as secondary school children. No changes required.	6, 18
30	Support HFT1	No changes required.	21, 23
31	Support HFT2	No changes required.	23
32	Support HFT3	No changes required.	23
Evidence			
33	It might be mentioned that obesity, cardiovascular disease, hypertension and type two diabetes are particularly high in some ethnic groups, such as South Asians, West Indian and Gypsies & Travellers.	Equalities Impact Assessment Screening has been undertaken. Comments provided have been considered and resulted in changes to the SPD to reference BME statistics.	23
Maps			
34	For Benton Park School, the town/local centre area is described as "Moor Allerton Rawdon Leeds Rd" which probably is incorrect. Other maps don't name shopping centres, or parts of shopping centres, which fall within them'	Amended to Rawdon Local Centre.	23
35	Elliott Hudson have new premises, a former office block at the entrance to the White Rose or Arilngton Business Park, which may need to be taken into account.	Amended to include the new premises.	23