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For and on behalf of
London Councils

**Draft London Plan
Response to Panel Matter M91
Hot Food Takeaways**

**Matter M91:
Are policies E9C and E9D relating to proposals containing hot food takeaways justified and consistent with national policy and guidance about healthy communities and limiting the proliferation of certain use classes in identified areas?**

**Prepared by
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1.0 INTRODUCTION

- 1.1 This Hearing Statement has been prepared by DLP Planning Ltd on behalf of our client, London Councils.
- 1.2 London Councils represents London's 32 boroughs and the City of London. They are a cross-party organisation that works on behalf of all of its member authorities regardless of political persuasion.
- 1.3 Representations at previous stages of the London Plan development have been submitted under representor number 2601.
- 1.4 Matter M39 considers Policies E9C and E9D on Hot Food Takeaways.
- 1.5 The draft London Plan (dLP) should be consistent with national policy, this is set out in the National Planning Policy Framework (Framework) and Planning Practice Guidance (PPG). Guidance in the Framework and PPG refers in general to Development Plans, however as approached by previous Inspectors to the London Plan, and confirmed by the Panel, we have considered the dLP in the context of paragraph 182 of the Framework. It is in this context we make reference to matters of soundness in these representations.

2.0 MATTER M91. ARE POLICIES E9C AND E9D RELATING TO PROPOSALS CONTAINING HOT FOOD TAKEAWAYS JUSTIFIED AND CONSISTENT WITH NATIONAL POLICY AND GUIDANCE ABOUT HEALTHY COMMUNITIES AND LIMITING THE PROLIFERATION OF CERTAIN USE CLASSES IN IDENTIFIED AREAS? IN PARTICULAR:

a) Is the development of hot food takeaways and associated planning conditions a matter of strategic importance to London, or a detailed matter that would be more appropriately dealt with through local plans or neighbourhood plans?

b) What evidence is there indicating high levels of obesity, deprivation and general poor health in London?

c) What evidence is there of over-concentration and clustering of hot food takeaways in London?

d) Would restricting development of hot food takeaways within 400 metres walking distance from the entrances and exits of existing and proposed primary and secondary schools positively support the delivery of policy GG3 “creating a healthy city”?

2.1 London Councils, representing the 32 boroughs, strongly support the inclusion of this policy, the ability to resist new hot food takeaways within 400m of a school, as well as resisting the over-concentration of takeaways in all areas. This policy is in line with the requirements of the Government’s Planning Practice Guidance (PPG-ID-53-006-20170728), insofar as it is clearly justified by the submitted Hot Food Takeaways Topic Paper (Examination Library Reference: NLP/TP/06) and Public Health England’s publication on ‘Obesity and the environment’ (Examination Library Reference: NLP/EC/017).

a) Is the development of hot food takeaways and associated planning conditions a matter of strategic importance to London, or a detailed matter that would be more appropriately dealt with through local plans or neighbourhood plans?

2.2 Yes, it is a matter of strategic importance. The level of childhood obesity is a matter of strategic importance to London, as this is higher than the national average, as evidenced in Hot Food Takeaways Topic Paper (Examination Library Reference: NLP/TP/06, paragraph 2.1). The policy appropriately balances the need to have a strategic policy and allow for further local interpretation, demonstrated in the way it stipulates 400m but acknowledges that individual boroughs may wish to set locally justified boundaries from schools.

b) What evidence is there indicating high levels of obesity, deprivation and general poor health in London?

c) What evidence is there of over-concentration and clustering of hot food takeaways in London?

d) Would restricting development of hot food takeaways within 400 metres walking distance from the entrances and exits of existing and proposed primary and secondary schools positively support the delivery of policy GG3 “creating a healthy city”?

2.3 In response to questions b) – d), the following clearly set out the evidential basis for justifying this policy:

- The Hot Food Takeaway Topic Paper, Jan 2018 (Examination Library Reference: NLP/TP/06),
- Public Health England’s Local Authority Health Profiles, 2018 (Examination Library Reference: NLP/AD/88)
- Public Health England’s publication: ‘Obesity and the environment, Density of fast food outlets’ (Examination Library Reference: NLP/EC/017. An update to this was released in 2018, Examination Library Reference: NLP/AD/89)
- Department of Health and Social Care: Childhood obesity: a plan for action, chapter 2, June 2018 (Examination Library Reference: NLP/AD/87).

2.4 Section 2 of the Hot Food Takeaway Topic Paper provides the evidence of levels, impacts

and causes of obesity. Public Health England's 'Local Authority Health Profiles' for 2018 (Examination Library Reference: NLP/AD/88), report that 23 of the London boroughs have a higher percentage than the England average of children in Year 6 that are classified as obese. Public Health England's publication 'Obesity and the environment, Density of fast food outlets' (Examination Library Reference: NLP/EC/017) demonstrates the high densities of fast food outlets across London, with 18 boroughs being higher than the national average (source: NLP/TP/06, paragraph 2.11).

- 2.5 The Government's 'Childhood Obesity: a plan for action, chapter 2' states the following in respect of local authorities using powers to limit over-concentration of fast food takeaways, particularly around schools:

*We recognise that national resources and interventions will also help local authorities to use their powers. In 2017 the National Planning Practice Guidance was updated to outline the role that planning can have in reducing obesity by limiting over-concentration of fast food takeaways, particularly around schools. Local authorities want to use these powers and have a range of tools to support them but local leaders have told us it is difficult to put these powers into practice. For example, the evidence they need to support their planning decisions and make them resilient to appeals can be difficult and expensive to obtain. We want to see more local authorities using these powers. So we will **develop resources that support local authorities who want to use their powers. We will help set out the economic business case for a healthy food environment and provide up to date guidance and training for planning inspectors.***

(Source: Department of Health and Social Care, Childhood obesity: a plan for action, chapter 2, June 2018. (Examination Library Reference: NLP/AD/87, page 25)

- 2.6 This demonstrates the Government's view of the importance of limiting over-concentration of fast food takeaways, particularly around schools.
- 2.7 The following London boroughs currently include hot food takeaway policies in their Local Plans (this has been updated since the Hot Food Takeaways Topic Paper was published in January 2018):

| Policy Approach | Policy Type | |
|---|---|--------------------|
| | Local Plan (adopted) | Local Plan (draft) |
| Proximity to schools | Hackney Lambeth Richmond upon Thames | |
| Over concentration | Barking & Dagenham Camden Croydon Greenwich Haringey Hounslow Merton Newham Sutton | Hillingdon |
| Proximity to schools and over concentration policy approach used | Brent Ealing Enfield Hammersmith and Fulham Islington Lewisham Redbridge Tower Hamlets Waltham Forest Wandsworth | Southwark |

2.8 This demonstrates the desire to have such a policy and the appropriateness of the evidence that has been prepared to justify the inclusion of policies across London.



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- 2.9 It is considered that restricting the development of new hot food takeaways within 400 metres walking distance from the entrances and exits of existing and proposed primary and secondary schools does positively support the delivery of policy GG3 - creating a healthy city, through restricting unhealthy food options. This is the policy objective of policy GG3, criteria G.

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