



Hull Local Plan: 2016 to 2032

Vitality and viability of centres Supplementary Planning Document

Consultation Statement - addendum

December 2018

Background

- 1.1 In preparing Supplementary Planning Documents (SPDs) the Council is required to follow the procedures laid down in the Town and Country Planning (Local Planning) (England) Regulation 2012.
- 1.2 Regulation 12 states that before adoption of a SPD the local planning authority must prepare a statement setting out:
 - the persons that the local authority consulted with when preparing the SPD;
 - a summary of the main issues raised by those persons; and
 - how those issues have been addressed in the SPD.
- 1.3 The Consultation Statement and accompanying Draft SPD 9 - Vitality and viability of centres was made available for final public consultation prior to adoption between Monday 5th November and Monday 3rd December 2018.

Consultation responses and main issues

- 2.1 Following the six weeks consultation period the Council received 1 further representation. The representation submitted was by SSA Planning on behalf of Kentucky Fried Chicken (Great Britain) Limited (KFC). A summary of this representation together with the Council's response is contained in Appendix 1.
- 2.2 The main issues raised through their consultation were:
 - Creating active frontages - KFC believe that restricting hot food takeaways from the high street will be counterproductive to creating active frontages as A5 uses increase footfall to retail areas;
 - Defining A5 uses - KFC considers the defining of a use class is a matter of law not policy and questions the identifying a unit as in A3 use or A5 use by the proposed layout of the premise only;

- Inclusion of a fried chicken shop in Table 1;
- Threshold levels for A5 uses - KFC support pursuing threshold levels as a means of ensuring variety and vitality in centres but question linking threshold levels to public health strategies;
- Linking hot food takeaways to accessing healthier foods - KFC question this linkage; and
- Linking the amount of hot food takeaways to increasing levels of obesity - KFC disagree with this assertion.

Changes to the SPD

4.1 The response to the consultation has been considered in preparing the final SPD and one change has been made to the document:

- amend paragraph 3.3 to delete 'often' from the paragraph.

Appendix 1: Summary of representations

Respondent	Comments Received	Council Response
SSA Planning	<p>Objects to the objective cited in paragraph 2.2. They state that creating active frontages is unlikely to be achieved by banning uses that are inherently experiential, citing uses such as hairdressers and hot food takeaways. They believe that this is because such uses create extra footfall.</p> <p>Objects to the assertion in paragraph 3.3 that uses can often be classified as A3 or A5 based on the layout of the proposed layout of the unit only. They suggest the classification often depends on activities taking place in the premises.</p> <p>Objects to the inclusion of a fried chicken shop in the table showing examples of uses within and not within</p>	<p>Paragraph 2.2 merely summaries a paragraph in Chapter 8 - Providing healthy and safe communities, of revised NPPF. Paragraph 91(a) promotes social interaction and advocates encouraging active frontages and 91(c) includes improving access to healthier food.</p> <p>The Council would maintain that while hot food takeaways may increase footfall at certain times of the day (i.e. night time) they often have inactive frontages (shuttered shop fronts) for long periods of the usual retail day.</p> <p>Delete the word 'often' from paragraph 3.3.</p> <p>Comment noted but the Council would maintain that although not always appropriate to consider a KFC as a fried chicken shop it is</p>

	<p>the A5 Use Class.</p> <p>Suggest that linking the proportional use of thresholds for hot food takeaways in centres with public health strategies cannot be evidenced and consider that it is better to aim to achieve better retail balance.</p> <p>Considers that the assertion in paragraph 8.3 that hot food takeaways can restrict access to healthy foods is incorrect. They question what constitutes unhealthy food, that not all hot food takeaways serve unhealthy food and that a hot food takeaway does not restrict access to green grocers unless it replaces one and this can be said of any new use of a unit.</p> <p>Disagree with the assertion in paragraph 9.2 that there is evidence of a link between the number, and ease of access to hot food takeaways and the increase in levels of obesity in society.</p>	<p>an example of the type of business that would be considered as in A5 use and given planning permission as such.</p> <p>Comment noted but the Council maintains that restricting hot food takeaways and tackling the growth of new hot food outlets is an important planning issue as evidenced in the Public Health England document 'Putting healthier food environments at the heart of planning' - June 2018. And the Hull Local Plan 2016 to 2032 Policy 12 point 13 (threshold of 20% of all units etc.) was accepted by an independent Planning Inspector at a public enquiry prior to the adoption of the local plan in November 2017.</p> <p>Comment noted but see answer above about public health strategies and planning. And the Planning Inspector did not question the policy justification paragraph 7.24 of the Hull Local Plan 2016 to 2032.</p> <p>The Council would maintain that there is evidence of a link between the density of hot food takeaways and increasing levels of obesity - see the Governments public health document 'Health matters – obesity and the food environment' (March 2017).</p>
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