



# Hull Local Plan: 2016 to 2032

## Healthy Places, Healthy People Supplementary Planning Document

2<sup>nd</sup> Consultation Statement -

February 2021



## **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 14 – Healthy Places, Healthy People was made available for final public consultation prior to adoption between Monday 4<sup>th</sup> January and Monday 1<sup>st</sup> February 2021.

## **Consultation responses and main issues**

- 2.1 Following the four week consultation period the Council received two further representations. One representation was submitted by SSA Planning on behalf of Kentucky Fried Chicken (Great Britain) Limited (KFC) and the second response was from Persimmon Homes Yorkshire. A summary of these representations, together with the Council's response is contained in Table 1.
- 2.2 The main issues raised through their consultation were:
  - Linking the amount of hot food takeaways to increasing levels of obesity - KFC disagree with this assertion;
  - Density of hot food takeaways - KFC considers the density of hot food takeaways is not always in areas with the highest levels of deprivation;
  - Viability of traditional shop units - KFC questions using land use controls to limit levels of obesity, and suggests that this could impact on the viability of centres;

- New planning policies - Persimmon Homes Yorkshire considers that SPD is trying to introduce new polices.
- Extra financial burdens on development - Persimmon Homes Yorkshire considers that new technical standards are being introduced in the SPD.

## 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:

Table 1: Summary of representations

Respondent	Comments Received	Council Response
SSA Planning	<p>Considers the first sentence of paragraph 4.26 to be incorrect. Submits that few if any studies focus just on the former A5 use (hot food takeaways), rather they have looked at uses that have a broader range of definitions as to what qualifies as takeaway food operation. These studies do not include A1 uses that may sell unhealthy food.</p> <p>Suggests deleting the first sentence of paragraph 4.26 – ‘There is also a growing body of evidence identifying the link between the number, and ease of access to, hot food takeaways and the increasing levels of obesity in society.’</p> <p>Adds none of this is to minimise the obesity problem, but rather to suggest that targeting specific land uses is unlikely to be effective.</p> <p>Further suggests that the studies so far conducted suggest that food and drink accessibility generally correlates with (and, therefore, may drive obesity). Therefore there could be a tension between reducing obesity through controlling land uses against, maintaining accessibility to facilities and services, especially in terms sustainable travel and reducing deprivation.</p> <p>Suggests deleting ‘And in particular,</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). Although would acknowledge that some studies have used a broader definition of a ‘takeaway’ food, that can include sandwiches and other cold food.</p> <p>See above.</p> <p>Comment noted.</p> <p>Comment noted</p> <p>Agreed.</p>

<p>Persimmon Homes Yorkshire</p>	<p>how' in the 2<sup>nd</sup> sentence of para. 4.26, and starting the sentence with 'The' and then delete 'sold in takeaways'.</p> <p>Proposes that while the highest density of hot food takeaways is often in areas with the highest levels of deprivation, this is not always the case.</p> <p>Questions the viability of maintaining traditional shop units when conversion to other uses is seen as more viable.</p> <p>Submits that the evidence on which this SPD is based does not support it, neither does it support the Local Plan policy (Policy 12, point 14) or a land use based approach. Suggests other approaches may show success.</p> <p>Suggests generally, reconsider and be more specific about what is meant by 'fast food', 'unhealthy food and drink' and unhealthy food and drink environments'.</p> <p>Supports the overall aims of the SPD and in particular the link between good health and the built and natural environment.</p> <p>Suggests that the SPD unlawfully seeks to introduce new planning policy, rather than providing more detailed advice or guidance on policies in the adopted Local Plan. They highlight that Government guidance (PPG - Plan making) states that SPD's 'should not add unnecessarily to the financial burdens on development.</p> <p>Housing and homelessness – Suggests that the first and second bullet points of para. 4.19 are at odds with Local Plan Policy 5 and 6. The</p>	<p>Change the sentence as suggested.</p> <p>Agreed. Insert the word 'often' after 'The highest density of hot takeaways is' in the third sentence in para. 4.26.</p> <p>Comment noted.</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 14 was accepted by an independent Planning Inspector at a public enquiry prior to the adoption of the Local Plan in November 2017.</p> <p>Insert 'hot food' before the word 'takeaway' in the 'Food and healthy choices' chapter to clarify which type of food outlet this chapter/policy refers to.</p> <p>Support welcomed.</p> <p>The Council would maintain that this SPD is not attempting to introduce new policy, rather it is simply providing by way of example, how applicants could if they wished to satisfy existing policies within the Local Plan.</p> <p>Likewise, the Council would maintain that the bullet points of para. 4.19 simply state what is required by the policies (i.e.</p>
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	<p>first bullet point states that ‘the Council will expect applicants to demonstrate that the proposed development:- seeks to achieve standards ensured through third-party certification such as the BRE Home Quality Mark’ whereas Policy 6 does not mention the Home Quality Mark. Reason therefore that this requirement is not justified and should be removed from the SPD. Likewise the second bullet point tries to link affordable housing and the development of specialist housing, whereas Local Plan 5 separates them. Reasons therefore that there is no policy basis for residential development to contribute towards specialist housing (above the requirements set out in Policy 6 and 21).</p> <p>Proposes that the statement ‘provides affordable rental housing for all ages’ is unreasonable and not supported by the wording of para. 7.2 of the adopted Affordable Housing SDP. Therefore this bullet point should be removed from the SPD.</p> <p>Suggests that the third bullet of para. 4.19 wording ‘considers using new and modern methods of construction’ is not a Local Plan requirement and cannot properly be introduced in an SPD.</p> <p>Air Quality – Proposes that the third bullet point of para. 4.24 needs greater clarification with regards to Local Plan Policy 26. This policy expects proposed developments of 50 or more new homes to make provision for electric charging points not all developments. And the ‘installation of low NOx boilers is not set out in existing policy, therefore this is unreasonable and should be removed in the SPD. Suggests that the bullet point should be revised to add the following text ‘in accordance with the requirements of Local Plan Policy 26.</p> <p>Open space and community facilities – Supports the need for developments to provide new physical and social infrastructure and acknowledge the role new development can play in supporting the creation of healthier environments and quality open spaces.</p> <p>Propose that as currently drafted para.</p>	<p>the ‘in compliance’ bit – as in the first bullet point) and then what ideally we would encourage applicants to do, i.e. ‘seek to achieve’. The applicant could choose to make use of this opportunity, there is no requirement to do so. For extra clarity to show that we will not ‘require’ applicants to demonstrate these bullet points, delete the word ‘expect’ before ‘applicants’ and replace with ‘encourage’ in the first paragraph 4.19.</p> <p>Agreed. Delete the sentence ‘and provide affordable rental housing for all ages’ from the second bullet point of paragraph 4.19.</p> <p>Again as above, the Council would maintain that it is not imposing on applicants to use new and modern methods of construction, only asking applicants to consider the use of such techniques.</p> <p>Agreed. For clarity add the ‘(having regard to Policy 26) or if appropriate’ before ‘alternative fuel sources...’</p> <p>The Council would maintain that the wording ‘installation of low NOx boilers’ is not unreasonable as this is a future alternative fuel source and this caveat was designed to take account of new technologies.</p> <p>Support welcome.</p> <p>Comment noted, but again the Council</p>
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	<p>4.29/4.43 are unjustified and cannot be properly introduced in a SPD, as specific open space types are not mentioned in Local Plan Policy 42 (Open space). Therefore reasons that requirements not listed in the policy, such as community growing spaces/community tennis courts or bowling greens should be removed from the SPD or the wording of each paragraph should be revised to make clear that specific types of open space and community facilities are only required where identified by the latest assessment of need.</p> <p>Street trees – Suggests that there is no specific policy basis for the wording of para. 4.34/4.43 in regard of providing street trees. Reasons that there can be several technical issues with providing street trees, including road/footway mountainous issues/design implication and cost issues adversely effecting development viability. Suggests adding the words 'where possible to relevant subparagraphs of the SPD.</p>	<p>would maintain we do not 'require' applicants to demonstrate these bullet points.</p> <p>But for clarity in the introduction to paragraph 4.29 delete the wording 'when a development is submitted to' before the text 'the LPA' and add the text 'will expect applicants to consider the following' and deleting the previous ending to the sentence.</p> <p>Likewise in Para. 4.43 insert the wording '(where a deficit exists)' into the first bullet point after the text 'outdoor sports facilities'.</p> <p>Comment noted. But no change required as the Council is again, only asking applicants to consider using examples given in the bullet points, such as street trees.</p>
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