

Takeaway Food Outlets Preferred Options Document



Takeaway Food Outlets Preferred Options Document January 2011

Consultation 25th January - 1st March

LDF

WORCESTER LOCAL DEVELOPMENT FRAMEWORK

 **Worcester**
CITY COUNCIL

Contents

1 Introduction	4
2 Planning Policy Context	8
3 Geographical Context	14
4 Conservation	18
5 Preferred Options	22
5.1 Litter	22
5.2 Waste Disposal	24
5.3 Crime, Safety and Anti-social behaviour	25
5.4 Noise	26
5.5 Opening Hours	27
5.6 Odours and cooking smells	29
5.7 Highway Safety	30
5.8 Over-concentration and Clustering	31
5.9 Health	32
6 Monitoring	36
7 Appendix 1	38
8 Appendix 2	42

Other Information

Glossary of Terms	44
Contact Information	48

Contents

Introduction

1 Introduction

1 Introduction

1.0.1 The City of Worcester Supplementary Planning Document on Takeaway Food Outlets explains how Worcester City Council will interpret and implement existing planning policies contained in the City of Worcester Local Plan 2004. This Supplementary Planning Document replaces Supplementary Planning Guidance 14 Food and Drink A3 Uses adopted in November 1998.

1.0.2 The primary purpose of the document is to provide advice and guidance to those proposing to make a planning application for new takeaway food outlets. It will also be a significant reference document for planning officers when considering the merits of planning applications for new takeaway food outlets. Although this guidance is not planning policy it does have a special status in planning terms and this document will be taken into account in determining planning applications and in appeal decisions issued by the Planning Inspectorate.

1.0.3 All underlined terms are defined in the Glossary of Terms.

1.0.4 The objectives of the 'Takeaway Food Outlets Supplementary Planning Document' are to deliver solutions to some of the issues that have arisen from the evidence gathering stage. Some issues won't be fully resolved until new policies are written in the South Worcestershire Development Plan (SWDP), (using evidence gathering during this exercise) because there are currently no policies to deal with them.

- Litter
- Waste Disposal
- Crime, Safety and Anti-Social Behaviour
- Noise
- Odours and cooking smells
- Hours of operation
- Highway Safety
- Clustering/Over-concentration
- Health

1.0.5 The issues and options to deal with the above will be covered individually, with a preferred option identified in following sections.

1.0.6 The supplementary planning document is accompanied by a pre-planning application checklist for people who wish to apply for a change of use or new build falling within A1, A3 or A5 of the Town and Country Planning Use Classes Order 1987 (As amended) . This will cover the material needed to be submitted with an application for determination of the application. A copy of this checklist can be found in appendix 2.

Introduction

1.0.7 Table 2.1 sets out the stages involved in producing this document, and the time frame for the production of the final document.

Table 2.1 Schedule for producing Takeaway Food Outlets Supplementary Planning Document

Time frame	Procedure
September - December 2010	Gathering of Evidence <ul style="list-style-type: none"> • Review of plans, policies and programmes, collection of baseline information. • Information gathering using a series of questionnaires. • Production of a <u>Sustainability Appraisal Scoping Report</u> sent for consultation to the Environment Agency, Natural England and English Heritage. • Production of Preferred Options document. Members steering group and planning committee endorsement for consultation.
January - February 2011	Public consultation on Takeaway Food Outlets Preferred Options.
March - June 2011	Consideration of representations and preparation of final Supplementary Planning Document. Advertising of the proposed adoption of 'Takeaway Food Outlets Supplementary Planning Document'.
July 2011	Adoption of 'Takeaway Food Outlets Supplementary Planning Document'.

1 Introduction

Planning Policy Context

Planning Policy Context

2 Planning Policy Context

Review of Policies, Plans, Programmes and Strategies

2.0.1 The Sustainability Appraisal Scoping Report for Takeaway Food Outlets reviews all relevant policies, plans, programmes and strategies. Appendix 1 contains a table showing those reviewed.

National Policy

2.0.2 The Sustainability Appraisal (SA) Scoping Report, produced prior to the writing of the preferred options document, reviewed all relevant National Planning policy and guidance relating to Takeaway Food Outlets. Some of the national guidance reviewed contained policy which can be applied in a generic way to all new developments, for example Planning Policy Statement (PPS) 1 'Delivering Sustainable Development' and its supplement 'Planning and Climate Change'. This is an issue of national importance for all types of development in order to act in a responsible manner in achieving sustainable development.

2.0.3 PPS 12 is perhaps the most important national guidance for this document as it sets out the role of Supplementary Planning Documents, i.e. expanding on policy and providing guidance to policies in development plan documents in the Local Development Framework.

2.0.4 National planning guidance for town and local centres is set out in Planning Policy Statement 4 (Policy EC4) 'Planning for consumer choice and promoting competitive town centres'. This guidance encourages local authorities to promote competitive town centres and provide consumer choice, by encouraging a range of uses that meet the needs of the local area. Consideration should be given to conserving, and where suitable, improving the 'established character and diversity' of town centres.

2.0.5 Local authorities should have consideration for the Statement of Licensing Act 2003 when managing the evening economy, and encourage a variety of 'complimentary' uses where appropriate.

2.0.6 Policy EC13 sets out considerations for determining planning applications affecting shops and services in local centres, such as the impact of a loss of a shop from change of use, upon the local community.

2.0.7 Other Planning Policy Statements contain policy relating to the issues raised in the evidence gathering stage. They have more relevance to the guidance document as set out in the main objectives and aims which have been reviewed in the Sustainability Appraisal Scoping Report.

National Guidance

2.0.8 During the evidence gathering stage and review of relevant policy documents, national guidance from the National Health Service has been published for Local Authorities to consider. Health is an important and very relevant issue to the subject matter of this

Planning Policy Context

Supplementary Planning Document and NHS recommendations have been considered. The recommendations come from NHS guidance on prevention of Cardiovascular disease and are as follows.

- Regulate opening hours of takeaways and other food outlets, particularly those near schools that specialise in foods high in fat, salt or sugar.
- Set limits for the number of takeaways or other food outlets in a given area.
- Should specify distance from schools and the maximum number to be located in certain areas.
- Help owners and managers of takeaways and other food outlets improve the nutritional quality of the food they provide.

2.0.9 These recommendations apply not just to Planning but to other departments within the council including Environmental Health, Trading Standards and Licensing. It may be that for the purpose of this document not all the recommendations can be followed because without a specific planning policy either national or local it is not possible to refuse planning permission for change of use or other types of development. The South Worcestershire Development Plan will consider whether there is sufficient evidence to introduce new planning policies restricting the number or location of takeaway food outlets, and this Supplementary Planning Document will then be reviewed.

2.0.10 Worcester City Council's Local Development Framework (LDF) consists of one Development Plan Document (DPD) (Local Plan 2004) in which current policies can be found. The saved policies in the City of Worcester Local Plan 2004 sets out current policy and the background base for the series of supplementary planning documents (SPD's) that are part of its Local Development Framework.

2.0.11 This Supplementary Planning Document will expand upon saved policies found within the Local Plan 2004. The primary policy in the Local Plan relating to Takeaway Food Outlets is Policy SH5.

Planning Policy Context

Policy SH5 Food Outlets and Hot Food Takeaways

Planning permission will be granted for food outlets and hot food take-away shops where all of the following conditions are met:

- a. The proposal is located within a predominantly commercial frontage
- b. It can be demonstrated that the proposal will not adversely affect the amenity of adjacent or nearby residential property
- c. The proposal includes satisfactory provision for the control of fumes and cooking smells in terms of its function, visual and environmental impact
- d. The proposal does not have an adverse effect on the character, setting or appearance of a listed building and would not adversely affect the appearance or character of a conservation area
- e. The proposed use will not cause the proportion of units in food/drink (use class a3) use to exceed 20% in the areas defined as approach corridors and St John's district shopping centre as shown on the proposals map
- f. There is no adverse impact on highway safety or the surrounding area due to potential increase in traffic generation

[Reasoned justification: paragraph 9.29]

Planning Policy Context

2.0.12 There are issues (e.g. retail, vitality, parking, amenity etc.) associated with Takeaway Food Outlets which are associated with other Local Plan Policies listed in table 3.1.

Table 3.1 Relevant Local Plan Policies Summary

Local Plan Policy
BE1 ENVIRONMENTAL STANDARDS FOR DEVELOPMENT
BE14 ALTERATIONS AND EXTENSIONS TO LISTED BUILDING
BE16 THE SETTING OF LISTED BUILDINGS
BE21 DEVELOPMENT WITHIN ARCHAEOLOGICALLY SENSITIVE AREAS - DESIGN PRINCIPLES
POLICY SH3 APPROACH CORRIDORS - CHANGE OF USE
POLICY SH7 DISTRICT AND NEIGHBOURHOOD SHOPPING CENTRES - RETAIL DEVELOPMENT
POLICY SH8 NEIGHBOURHOOD SHOPPING CENTRES - CHANGE OF USE
POLICY SH10 SMALL SCALE SHOPS (INCLUDING CORNER SHOPS) - CHANGE OF USE
SH12 SHOP FRONTS
POLICY TR12 PARKING STANDARDS
POLICY CC6 CONTINUOUS SHOPPING FRONTAGE (SECONDARY STREETS)
POLICY CC9 A3 USES - RESTRICTED AREAS
POLICY CC10 A3 USES – CRITERIA

2.0.13 The application of all of these policies is relevant to minimising the problems that can arise from the operation of takeaway food outlets. This document will set out how the successful implementation of these policies will be promoted to ensure new Takeaway Food Outlets do not generate nuisances in the future.

Planning Policy Context

Geographical Context

Geographical Context

3 Geographical Context

3.0.1 In gathering evidence, public workshops were held where further issues and ideas were raised. The overall approach to identifying issues led to a general agreement that some issues had different relevance in relation to geographical locations within the city. For example, litter and anti-social behaviour were perceived to be a greater problem in the city centre than other outer centre areas. This could be related to factors such as hours of operation and the night time economy.

3.0.2 This section considers the options for varying guidance to reflect circumstances at different locations within the city.

Options to deal with issues

3.0.3 The Council has considered three options to deal with this issue.

Option 1

Do not divide the city geographically but have a blanket policy covering all issues for the city as a whole.

Advantages:

- Same guidance will apply to the whole city and all planning application decisions will be made based on a uniform guidance policy for each issue.
- The document will appear easier to use by Development Control officers and those wishing to apply for planning permission.

Disadvantages:

- Some of the issues associated with Takeaway Food Outlets are not a problem in all areas. Blanket guidance may penalise areas of the city which do not have problems.
- If guidance is used to address over-concentration it may result in a limitation on where applications are granted permission.
- Affects to amenity may not apply within certain areas as they may not have a predominantly residential character.

Option 2

To create separate guidance the City Centre and the Outer Centre areas of the city which would be identified by maps within the document.

Advantages:

- Different levels of guidance will address different degrees of problems in the two areas.

Geographical Context

- The areas will be defined by a map in the final document.
- A simple approach to different levels of guidance

Disadvantages:

- If an application for a premises was located close to the boundary of the two areas, the different guidance for different areas would have an impact of how the application is determined.
- Within outer centre areas, there are district and neighbourhood shopping centres and approach corridors to which different guidance consideration may be required.
- The guidance for the city centre area could detract from the attractiveness of locating a Takeaway Food Outlet there and have negative impacts upon the viability and vitality of the area. Takeaway Food Outlets in the city centre provide a boost to the night time economy.

Option 3

The City is split up into geographical locations as defined by policies within the Local Plan. The areas would be as follows:

- City Centre
- Approach Corridors
- District Centres
- Neighbourhood Centres
- Small scale shops

Advantages

- These areas are already defined in the Local Plan and are supported by policies.
- Local plan policies will allow guidance to be attached or associated with them.
- More thorough approach to deal with issues where they occur.
- Will cover all areas fairly.

Disadvantages

- Document will have more content.
- May be too detailed.
- May result in areas being preferred for new applications.

3 Geographical Context

Preferred Option

Option 3

The City is split up into geographical locations as defined by policies within the Local Plan. The areas would be as follows:

- City Centre
- Approach Corridors
- District Centres
- Neighbourhood Centres
- Small scale shops

3.0.4 Option 3 is the councils preferred option for guidance to deal with the different issues raised in respect of various geographical areas. This option is based upon strong policy already present in the local plan referring to each of the above designated areas. The consultation workshop supported this approach and it will safeguard and strengthen the effectiveness of the guidance in the respective areas.

Question 1

Do you agree that option 3 is the most effective way of dealing with the issues relating to different locations?

Conservation

4 Conservation

4 Conservation

4.0.1 Worcester's historic core is a major tourist attraction, and an asset that the City Council is keen to preserve. There are eighteen conservation areas and there are a number of conservation area appraisals that depict aspects of character and their special qualities to be conserved. These documents provide a sound means of helping to protect the heritage of Worcester.

4.0.2 Listed building consent will usually be required for any alteration to a listed building. There can also be restrictions on the freedom of what can and can't be done with the building. Any application for a takeaway use within a listed building will need a higher degree of guidance and specific details will have to be assessed.

4.0.3 In order to fulfil the planning objectives of conserving and enhancing the City Centre, and because of the individuality of older buildings it is considered that it is not possible to set out generic design advice. The other issues outlined in this document will apply to conservation areas and listed buildings but the matter of designing in equipment such as extraction/ventilation flues will be subject to individual scrutiny. Therefore, pre-application advice should be sought from the Urban Design and Conservation section of the City Council before proceeding.

Option 1

- A generic design statement

Option 2

- Approach each application on an individual basis

Preferred Option

Option 2

To approach each application on an individual basis

4.0.4 The preferred option to deal with the issues of conservation is Option 2. There is a need to make an individual assessment of each listed building on its individuality and the wider context of the conservation area.

Conservation

4

Question 2

Do you agree that the preferred option is the most effective way of dealing with conservation issues?

Conservation

Preferred Options

5 Preferred Options

5 Preferred Options

5.0.1 After recent public information gathering through a series of questionnaires and also workshops held on the 9th of November, issues have been identified that need to be addressed. This document will provide guidance for the interim period on issues that can be targeted. Future guidance and policies will be written in the South Worcestershire Development Plan when it is adopted. This will then make use of evidence gathered for this Takeaway Food Outlets Supplementary Planning Document's production for any future new policies.

5.0.2 The issues to cover within this document are:

- Litter
- Waste disposal
- Crime, Safety and Anti-Social Behaviour
- Hours of Operation
- Noise
- Odours and cooking smells
- Highway Safety
- Clustering/Over-concentration
- Conservation

5.0.3 The following sections will discuss the preferred options to deal with the issues above.

5.1 Litter

5.1.1 The first and one of the most prevalent issues within the city is that of litter. Litter causes a problem not just to the appearance of the street scene but also incurs a large clean up cost to the Council. It has resulted in the attraction of large numbers of gulls and other vermin to the city which often exacerbate these problems. Gulls are known for pulling litter and food waste out of bins and can be threatening to people walking by. There are a number of ways in which we can minimise the nuisance caused by litter.

Preferred Options

Preferred options to deal with litter

- Design/Location of litter bins - Lids on bins to help prevent gulls pulling out rubbish.
- More enforcement - Duty of operational services issuing fixed penalty fines for dropping litter.
- Conditions on planning permission reflecting the scale of outlet:
 - Litter Picks
 - Specifying disposal times
 - Number and type of bins provided by premises
- Promote the use of recyclable packaging and encourage recycling.

5.1.2 Design and location of bins are important considerations which are key in helping to prevent litter on the streets. Enforcement by means of fixed penalty fines will hopefully discourage littering on the streets and pass the message on to others. Planning permission that is granted for a Takeaway Food Outlet could have planning conditions attached that reflect the scale of the outlet for the provision of bins for example. Worcester has an increasing rate of recycling but further recycling can be encouraged to reduce the amount of potential recyclable materials going to landfill. This could be done through making owners of premises aware of their responsibility and encouraging them to use recyclable packaging. They could provide facilities for packaging to be recycled and collected efficiently by either private or City Council waste collection services.

Other options considered

- Improving street cleansing services
- Signs discouraging littering
- Removing all litter bins

5.1.3 These options were rejected because they have the significant disadvantage of increasing costs. Street cleansing services have already been cut and still struggle to operate under the budget constraints. Public sector resources are limited and it is highly unlikely that additional cleansing services could be sustained. The introduction of signs discouraging litter would have a negative impact upon the character and attractiveness of the city and would also incur high initial and maintenance costs.

5 Preferred Options

Question 3

Do you agree that the selected preferred options would help to address the issue of litter in the city?

5.2 Waste Disposal

5.2.1 Waste disposal is directly associated with the problems of litter found in the city. Some of the problems with litter are caused by the incorrect waste disposal methods and facilities provided. The issue of waste has a negative impact upon people's amenity and the general appearance and public perception of the city. Waste collection and cleansing comes at a high cost to the council and better facilities would help to improve efficiency and reduce costs. To try and resolve these issues of cost, affects on amenity and appearance of the city, waste disposal must be addressed.

Preferred option

To deal with the issue of waste disposal the preferred option is:

- Design of facilities
 - Waste storage facilities
 - Accessibility to storage facilities
 - Grease traps over drains to prevent flooding of drainage system and staining of streets
 - Design of ventilation/extraction equipment where appropriate
- Encouraging recycling options

5.2.2 Poor design of waste disposal facilities can result in litter, and the inadequate volume of storage and disposal containers results in overflowing bins. Appropriate and good design will help to minimise the effects that are a result of poor design. It is important that waste storage facilities are off street and are easily accessible for collection.

5.2.3 Where appropriate, grease traps over drainage systems will help to prevent the flooding and blocking of drains, which can lead to street staining and high costs of street cleansing.

5.2.4 The design and location of appropriate ventilation/extraction equipment where required is important to ensure that the amenity of local residents is not affected and the visual appearance of the flue is not too intrusive.

5.2.5 As in the previous section on litter, the use of recyclable packaging would be promoted to help reduce the amount of waste going to landfill. Applications that demonstrate recycling programmes and management would be encouraged.

Preferred Options

Other options considered

- A monthly contribution to waste disposal operations within the city.
- Increase Council funded recycling options to support takeaways.

5.2.6 The above are considered to be options which would not deal with the issues in an appropriate manner. A monthly contribution to waste disposal would place financial pressures upon takeaway owners and would reduce a takeaway businesses viability. Due to budget constraints and further cuts, any Council funding for recycling options is unlikely to be secured.

Question 4

Do you agree that the preferred options to deal with the issue of waste disposal will address the issue?

5.3 Crime, Safety and Anti-social behaviour

5.3.1 Many residents feel that crime and anti-social behaviour are problems within the city. This problem could be seen as more of an issue associated with the city centre and the night time economy. There is a perception that groups of youths and teenagers hanging around are causing anti-social behaviour and as a result few families or older residents venture into the city to restaurants or for entertainment in the evenings.

5.3.2 In some cases perception of crime appears to be a bigger problem than actual crime that occurs. Worcester has a lower crime rate than the England average and low for a city of its size. Despite this there are options to help address the issues of crime, safety and anti-social behaviour.

Preferred option

The preferred option for dealing with crime, safety and anti-social behaviour (ASB) is:

- Regulating opening hours of premises
- Restrict areas where there is over-concentration of takeaways and clustering
- Guidance will recommend that CCTV is installed

5.3.3 The council's preferred option could help tackle the issues associated with crime. Careful regulating of the opening hours of premises in different areas will ensure that the demand for takeaway food, particularly for the night time economy in the city centre is met, whilst also helping to reduce levels of anti-social behaviour. Anti-social Behaviour can

5 Preferred Options

occur when people congregate outside takeaways in the same area simultaneously. Opening times could help distribute these crowds. Premises in close proximity can also contribute to anti-social behaviour. Restricting the number of premises in such areas could help to reduce this issue. The guidance will recommend that CCTV is installed to act as a deterrent and to improve the coverage of the city.

Other options considered

- The requirement of door staff could be a planning condition on a planning permission
- External lighting provision

5.3.4 The above options were also considered by the Council. The requirement to have door staff might be a solution to problems in some areas of the city. In most areas where takeaways are located sufficient lighting is already in place. If lighting was an important issue for an application the highways department are consulted and they would comment on this issue. It is down to the discretion of the development control officer if comments are sought from the police on the determination of an application.

Question 5

Do you agree that the preferred options are best to help prevent crime, anti-social behaviour and improve community safety?

5.4 Noise

5.4.1 One of the biggest issues that affects residential amenity is noise. This can often be resolved through simple measures that influence the design process and through management of Takeaway Food Outlets. Some of the causes of noise are related to other issues covered in this document. Some of the options may resolve more than one issue. The Council's preferred options to help to deal with noise are:

Preferred Options

Preferred options

- Design standards - Set out guidance for design of flues and their fixing to the building internally or externally to minimise noise from vibrations.
- Maintenance Schedule - A schedule set by management which ensures that all ventilation and extraction equipment is regularly maintained and monitored to ensure maximum efficiency for reducing noise levels.
- Management regulating delivery times and also informing deliveries of any designated delivery areas to the rear or surrounding area of a premise which helps to minimise traffic congestion and disturbance on highways.
- Where necessary parking standards for Takeaway Food Outlets should be adhered to help prevent the noise issue associated with 'fly parking'.

5.4.2 The preferred options will deal with the problems of noise affecting amenity. With good design and a regular maintenance plan noise produced from ventilation/extraction equipment should be minimised to help protect residential amenity. The highways department are a consultee on parking issues and any concern will be confirmed by a highways officer.

Other options considered

- Strict guidelines for sound insulation.
- Devised programme for the enforcement of any excessive noise produced.

5.4.3 Guidelines for the design of extraction/ventilation equipment will include details of external mounting brackets to help reduce any noise pollution from vibrations. Enforcement and control of excessive noise would require additional funding.

Question 6

Do you consider the preferred options to be an effective means of helping to reduce noise?

5.5 Opening Hours

5.5.1 Opening hours need to be considered in a balanced way between the provision of food facilities and the protection of residential amenity. Some Takeaway Food Outlets which are open late into the evening can cause noise and disturbances to local residents.

5 Preferred Options

5.5.2 Opening hours can coincide with other aspects of the evening and night time economy. Other entertainment attractions especially in the city centre can lead to a high demand for takeaway food after pubs, clubs and bars close. People tend to use takeaways on the way home after a night out. This is when problems can arise and when anti-social behavioural incidents are reported.

5.5.3 These issues only apply to certain areas of the city and different degrees of guidance may be written depending on the consultation responses received back on this document.

Preferred options

To help deal with the issue of opening hours the Council's preferred option is:

- Restricted opening hours could be a condition on a planning permission.

5.5.4 A Takeaway Food Outlet premises requires planning permission for a change of use or new build. If the applicant wishes to open after 11pm they also require a premises license to operate. This is dealt with separately by the Council's Regulatory Services Licensing department. If an applicant is successful in having planning permission granted this does not necessarily ensure that a premises license will be granted. A condition on a granted planning permission is the only way in which planning can regulate opening hours of premises.

Other options considered

- Allow a greater freedom on opening times so that a variety of choice is available even late in the evening.
- Do not allow takeaways to be open past 12am to help minimise anti-social behaviour.

5.5.5 The other options considered above were not preferred for the following reasons. A greater freedom of opening times would have a negative impact upon residential amenity. If takeaways were not permitted past 12am this would have a significant effect upon the evening economy in the City Centre especially.

Question 7

Do you agree that the preferred options are the most appropriate to deal with the issue of opening hours?

Preferred Options

5.6 Odours and cooking smells

5.6.1 One of the issues that arises from some Takeaway Food Outlets is odours and cooking smells. This can have a very negative impact upon residential amenity, especially those living in close proximity to an extraction/ventilation flue from a premises. The smells and odours can sometimes take over an area at certain times of the year and be very unpleasant for residents who have to live nearby.

5.6.2 There are options to help reduce the effects of cooking smells and odours which can be met through considerate design and through installation of an appropriate level of equipment.

Preferred options

The preferred options to deal with cooking smells and odours are mostly dependant on design. These are:

- Ventilation/extraction system design to be submitted with the planning application including details of the flue's height, location, efficiency and the residential units within close proximity of the premises.
- A standard for the level of equipment needed as a minimum for all premises.
- Maintenance Schedule submitted with planning application - A plan setting out how and when the equipment will be cleaned and serviced to ensure it is meeting the required standards.

5.6.3 The Council feels that this is one of the most significant issues affecting residential amenity. The preferred options are designed to ensure a high standard of equipment installation for approved applications and a maintenance schedule to maintain standards enforceable against the planning conditions.

Other options considered

- Restriction on takeaways in residential areas.

5.6.4 There is a demand for takeaways and they can be an important facility for the community. Therefore, a restriction for takeaways in residential areas could have a negative effect upon amenity.

Question 8

Do you consider the proposed options to be an effective way of protecting residential amenity from cooking smells and odours?

5 Preferred Options

5.7 Highway Safety

5.7.1 The ways in which people travel to takeaways to collect meals varies depending on distance to travel, time, access and convenience. The private car is commonly used perhaps to get to a favourite takeaway further a field. This leads to problems for other road users and can affect the amenity of local residents. 'Fly Parking' is a common issue where people stop to pick up a takeaway sometimes parking in inconvenient or disrespectful places. To local residents this could be people parking on driveways, entrances to homes or in residents allocated parking spaces.

5.7.2 Similar problems also occur when the premises receive deliveries of goods. Large lorries often end up blocking roads in some areas and causing disturbance to local residents due to hours they deliver. Simple management solutions could resolve this issue especially if an allocated delivery space is already available.

Preferred options

To deal with highways issues:

- Guidance will include relevant parking standards that are required for a new premises to function.
- Guidance on suitable hours for deliveries and management processes to arrange deliveries to designated delivery areas off main highways will be suggested.

5.7.3 The preferred options will deal with the issues associated with highways. Existing standards will be adhered to and guidance on delivery arrangements will minimise any affects to residential amenity.

Other options considered

- Increase numbers of traffic wardens patrolling the city.
- Soften parking restrictions during certain hours of the day when takeaways operate and when there is less traffic.

5.7.4 The other options that are considered are not economically viable due to extra resources that would need to be provided. To soften parking restrictions would further increase problems with traffic and congestion.

Question 9

Do the preferred options suggested deal with the issues relating to highway safety in an appropriate manner?

Preferred Options

5.8 Over-concentration and Clustering

5.8.1 Within certain areas of the city it is evident that there are some areas of clustering. Where clustering occurs this can increase the levels of problems experienced in the area. The city centre for example has a good night time economy which results in rubbish and litter on the streets. This is partly a result from takeaway food outlets and high numbers of people using the centre at night particularly at the weekends.

5.8.2 The Council feels that the clustering of Takeaway Food outlets in some areas should be restricted. A high proportion of Takeaway Food Outlets which often do not open during daytime hours cause dead frontages to the streets and can make the appearance of the city to visitors quite dull due to shutters on fronts of shops. This can reduce the attraction to areas of the city during the day.

5.8.3 Many takeaway units are also located in units adjacent to each other or in very close proximity. This can cause gathering of large groups of people outside the premises which can lead to anti-social behaviour. Large groups of people, who are often youths or teenagers can also be daunting to other takeaway or street users and can often cause a fear of crime and the perception that because these groups are present, the city is not safe particularly at night.

Preferred option

The preferred options are:

- Restricting number of Takeaway Food Outlets based on thresholds for different locations.
- Marketing of a unit should be taken as a material consideration. The local plan defines areas designated for different uses. If the proposed location of an application is located within one of the areas contrary to the proposed use applied for, it must be demonstrated that the unit has been marketed appropriately before the application is considered.

5.8.4 By introducing a threshold for different locations where the number of takeaway food outlets are restricted, this should help to improve the street scene and avoid dead frontages. This will also spread out the large numbers of people queuing for takeaway food, which could help to reduce the number of anti-social behavioural incidents occurring in the city.

Other options considered

- Employing blanket exclusion zones where applications will be refused planning permission.

5 Preferred Options

5.8.5 Employing blanket exclusion zones where applications for Takeaway Food Outlets will be refused could result in units remaining vacant for extended periods of time. Takeaway Food Outlets do provide a viable use for vacant units and would be beneficial for the appearance of shop frontages and street scene to have all units filled with a viable use.

Question 10

Do you agree that the preferred options deal with the issues of over-concentration and clustering?

5.9 Health

5.9.1 There is growing concern for the health of children and it is becoming more important as a material consideration for planning decisions. It is evident in Worcester that children of secondary school age in particular have takeaway food either before, during or after school hours. This raised concerns around the health of children in Worcester.

5.9.2 The issue of proximity to schools was discussed in the workshop events and concern was raised over the health of school children. From this a number of options were discussed and have led to the preferred option.

Preferred Option

- Reduced thresholds for Takeaway outlets in areas within a specific distance from schools.
- Restriction of opening hours during schools term times.

5.9.3 The preferred option will help to reduce the impact that proximity of takeaways to schools may have upon school children.

Other considered options

- Exclusion Zones covering an area where takeaways would not be permitted around a school or youth facility.
- No further Takeaway applications to be approved.

5.9.4 The above options were not included in the preferred option. Exclusion zones around every school would result in a small area within the city where a takeaway may be granted planning permission. There is a demand for takeaway food and this contributes to the economy and business within Worcester. Therefore, the suggestion that no further applications for Takeaway Food Outlets will be approved is not a viable option for the city.

Preferred Options

5

Question 11

Do you agree that the preferred options will help deal with the issues associated with health?

Preferred Options

Monitoring

Monitoring

6 Monitoring

6.0.1 This document is informed by saved policies in the existing Worcester Local Plan. These Local Plan policies are due to be replaced by those of the emerging South Worcestershire Development Plan. When new policies are adopted, there could be scope to review the content of this Supplementary Planning Document.

6.0.2 Currently annual and bi-annual retail surveys of the city centre, approach corridor and neighbourhood shopping centres are performed to survey the shops within these areas. These surveys are used to determine the number of premises within these areas in certain use class e.g. A1, A3 and A5, and to inform the application of policy thresholds when considering applications for loss of retail. There is no direct monitoring report for retail at present, but this could be investigated dependant on the Council's future staff and financial resources.

6.0.3 The NHS has suggested that health should be a consideration for planners. Whilst there is no direct causal link between food sold by take away food outlets and people becoming unhealthy, unhealthy eating could be a contributory factor. There could be an opportunity within the Annual Monitoring Report to include such information, but it would come second hand from public health bodies such as the NHS so there is a question over whether there is a need to reproduce such data. It is also dependent on resources as it would require additional work.

Appendix 1

Appendix 1

7 Appendix 1

Relevant Plans, policies and strategies reviewed in Sustainability Scoping Report

Name of Plan, Policy, Programme or Strategy
National
PPS1 Delivering Sustainable Development
Planning and Climate Change – Supplement to Planning Policy Statement 1
PPS 4 Planning for Sustainable Economic Growth
PPS 9 Biodiversity and Geological Conservation
PPS 10 Planning for Sustainable Waste Management.
PPS 12 Local Development Frameworks
PPG 19 Outdoor Advertisement control
PPS 23 Planning and pollution control
PPG 24 Planning and Noise
PPS25 Development and Flood Risk (2010)
Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems – Department for Environment food and rural affairs
Litter and Refuse - Guidance on Part 4 of the Environmental Protection Act 1990 as amended by the Clean Neighbourhoods and Environment Act 2005 – (DEFRA)
Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.
Air Quality Framework Directive (96/62/EC)
Strong and Prosperous Communities - The Local Government White Paper (2006)
Waste Strategy for England 2007
Regional
West Midlands Regional Visitor Economy Strategy (2008)
Regional Biodiversity Strategy for the West Midlands

Name of Plan, Policy, Programme or Strategy
Worcestershire Wide Plans
Partnership Towards Excellence: A Community Strategy for Worcestershire
Worcestershire County Structure Plan (1996-2011)
West Mercia Constabulary Joint policing plan 2010-2013
Strategic Flood Risk Assessment 2009.
Partnership Towards Excellence – The Sustainable Community Strategy for Worcestershire Second Edition 2008 – 2013
Worcestershire County Council Tourism Strategy
Worcester Joint Economic Strategy 2008-2018
South Worcestershire Strategic Flood Risk Assessment (2009)
South Worcestershire community safety partnership plan 2008-2011
Worcester City Plans
City of Worcester Local Plan 1996-2011 (2004)
Worcester Community Strategy
Worcester City Council’s Corporate Plan
Worcester City Council Comprehensive Performance Assessment Improvement Plan
Worcester tourism and Visitor Economy Strategy
Worcester Biodiversity and Trees SPD

Appendix 1

Appendix 2

Appendix 2

8 Appendix 2

8.0.1 The pre-application checklist will follow as a guidance for people preparing a planning application for change of use or new build falling within A1, A3 or A5 use class.

Glossary of Terms

Glossary of Terms

Glossary of Terms

Glossary of Terms

Amenity	Can be a useful or attractive facility or the experience of a place. Amenity can be degraded by environmental quality, noise, pollution etc.
Baseline Information	This refers to all information and statistical data collected as evidence to back up any introduced guidance. The baseline data can be found within the Sustainability Appraisal Scoping Report that was written prior to this document.
CCTV	Stands for Closed Circuit Television, and can be used for monitoring property in case of any criminal offence committed.
Clustering	A group of the same or similar elements gathered or occurring closely together.
Commercial Frontage	Refers to the street facing facade of commercial properties.
Conservation Area	A geographical area defined by the local authority planning department that has historical, environmental or biological importance that restricts development of certain kinds.
Consultation	A process which is done to inform and address the issues with the local community before final decisions when plan writing are made.
Dead Frontages	This refers to units in an area which are vacant, closed or have no doors opening out onto the street. Active frontages help to create a lively street scene and promote public integration.
District Shopping Centres	Worcester has only one designated district shopping centre as defined in the Local Plan. This is St John's district shopping centre. It is an area designated to primarily provide retail facilities for the local community.
Development Plan Document (DPD)	A Development Plan Document is a document that is part of the local authorities Local Development Framework (LDF). This sets out planning policies for the authority.
Enforcement	The act that occurs to observe compliance with the law or planning policies. This could also be compliance with any planning conditions attached to a granted planning permission.

Glossary of Terms

Evidence Gathering	The collection of statistical data and knowledge to back up reasons for new policy/guidance.
Exclusion Zones	Geographical areas defined by a border within which a facility is not permitted.
Fly Parking	This is when people travelling by private vehicle park on the side of the road often on the pavement to quickly pop into a takeaway to get a meal.
Geographical Context	This is how issues are looked at in relation to different areas within the city.
Issues and options	Refers to all issues associated with the matter in concern and the relevant and possible options we have to help deal with the issues.
Local Development Framework(LDF)	The new structure of planning documents introduced by the Planning and Compulsory Purchase Act in 2004. The structure consists of a number of documents making up all the planning policies for the city. The main document is the Worcester City Local Plan 1996-2011, this is supplemented by the supplementary planning documents which expand upon and contain guidance relating to policies in the Local Plan.
Local Plan	The development plan for areas setting out policies and an allocations map for an area's development prior to the introduction of the Local Development Framework in 2004.
Maintenance schedule	Timetable of when equipment on a premise will be serviced and how it will be maintained.
Marketing	The process of selling/advertising of a business or product to customers.
Neighbourhood Shopping Centres	An area of local shops with a defined boundary in the Local Plan, which serves the needs of the local community.
Night and Evening time economy	Places which provide forms of entertainment in the evening which contribute to the economy of a town, e.g. theatres, bars.
Over Concentration	Too many premises of the same type of shop for example, falling within the same vicinity. There can be a tipping point, where too many may create problems.
Preferred options	The chosen options/ways forward to tackle issues identified in a guidance document.

Glossary of Terms

Setting	The context or surrounding environment in which a building or shop for example exists.
Small scale shops	Can be a privately owned business or an individual franchise, for example.
Supplementary Planning Document (SPD)	These planning documents provide supplementary information on specific policies in Development Plan Documents. They are not subject to independent examination and do not form part of the Development Plan itself.
Supplementary Planning Guidance (SPG)	Predecessors to Supplementary Planning Documents but are equivalent, which provided guidance on the implementation of specific planning policies.
Sustainability Appraisal Scoping Report	Establishes the scope of, and methodology for, the Sustainability Appraisal and guidance document in question, and identifies appropriate information that may be of relevance to the study.
Sustainable development	Development that "meets the needs of the present without compromising the ability of future generations to meet their own needs." (United Nations. 1987)
South Worcestershire Development Plan	Will set out guidance and policies as to how South Worcestershire will be developed up till 2026. This will replace the existing Local Plans of South Worcestershire authorities once adopted.
Takeaway Food Outlets	All premises under classes A1, A3, A5 of the Use of Classes Order 2005(Amendment) which have a takeaway option.
Use of Classes Order	The Use of Classes order sets out a structure to class different uses within. It consists of 15 different classes each referring to a different type of use. The classes are defined by A, B, C, D and Sui Generis and subsequent numbers within each class.
Use Class	Each type of use is identified by a use class.

Contact Information

Contact Information

Contact Information

For any further enquiries or questions about the content of this document please contact:

Bryn Pryce

Planning Policy Officer

Worcester City Council

Email: bryn.price@worchester.gov.uk

Telephone: 01905 721170

Address: Orchard House, Farrier St, Worcester, WR1 3BB

Or

David Hobbs

Senior Planning Policy Officer

Worcester City Council

Email: david.hobbs@worchester.gov.uk

Telephone: 01905 722528

Address: Orchard House, Farrier St, Worcester, WR1 3BB

Contacts

Further copies of the preferred options document can be obtained from the address below, or online at www.worcester.gov.uk

For any further queries please contact:

Bryn Pryce

Planning Policy,
Urban Environment,
Orchard House,
Farrier Street,
Worcester
WR1 3BB

E-mail: bryn.price@worcester.gov.uk

Telephone: 01905 721170

This information is available in large print, Braille, PC, CD-Rom and audio tape on request. Call 01905 722 230 or Typetalk (text telephone for people who are hearing impaired): 1800 01905 722233, or E-mail: worcestershirehub@worcester.gov.uk for your copy.

If you need help communicating in English please contact the Customer Service Centre on 01905 722 233 or at customerservicecentre@worcester.gov.uk



WORCESTER LOCAL DEVELOPMENT FRAMEWORK



Worcester
CITY COUNCIL