

1 What is your name? SSA Planning Limited

3 Are you commenting for an organisation or on behalf of someone else? If yes, please state which organisation or person.

Organisation: Kentucky Fried Chicken (Great Britain) Limited

Themes

47 Which theme would you like to comment on? (you will get the opportunity to select additional themes to comment on throughout the survey)

Please select a theme:

Economy and Town Centres

Economy and Town Centres

72 Policy BE5 (Protecting Retail in Town Centres, Betting Shops, Adult Gaming Centres and Pawnbrokers):

Agreement matrix BE5 - How strongly do you agree/disagree with this policy?:

Strongly disagree

Is not Positively prepared, Is not Justified, Is not Effective, Is not Consistent with national/regional policy

For those which have been checked, please state your reasons:

POSITIVELY PREPARED

Criteria (a), (b), (c) and (e) of the part of draft Policy BE5 headed "Takeaways" are not based on any objectively assessed development requirement. There no evidence on optimum use mix or separation in primary frontages, school zones or frontages generally.

Because criteria (a) and (b) create areas within which no new hot food takeaways would be permitted and because permitted development rights only allow changes of use from (and not to) hot food takeaways, over time there would be no hot food takeaways in those areas.

There is no assessment of the total area or number of households affected or projected nutritional intake in those areas, so it is impossible to balance any benefits of having no hot food takeaways with the impacts to jobs, facilities, viability, accessibility or footfall.

JUSTIFIED

The heading "Takeaways" cannot be justified, as the policy goes on to deal only with uses within Class A5, which are hot food takeaways. The policy does not address hot or cold drinks takeaways and cold (or re-heated) food takeaways within Classes A1 or A3.

Whilst food of high energy density or poor nutritional value is available at some hot food takeaways, there is evidence that other food and drink facilities are similar or worse in that respect (Robinson, 2018), so that focussing on one use class cannot be justified.

The June 2014 survey of takeaway use among Brent's school students used as evidence for the policy explicitly set out to support the policy, relied on self-reporting and assumed that students that did not eat school dinners or sandwiches necessarily used takeaways.

Criterion (b) now also includes primary schools, vastly increasing the area affected. Appeal decisions (e.g. APP/P4415/A/11/2159082 and APP/W4515/W/16/3154960) are clear that such pupils are the responsibility of parents or carers when travelling.

EFFECTIVE

Criterion (b) requires evidence for a causal link between the proximity of hot food takeaways to all types of school or further education establishment and the incidence of overweight or obesity; however, such evidence is limited and conflicting.

Because a causal link is not established, it is not possible to monitor effectiveness and is therefore unclear whether zones would be reduced, expanded or withdrawn in the event of changes in the incidence of overweight or obesity in the areas affected.

Criterion (e) increases the minimum separation between hot food takeaways, but there is no evidence that this is necessary to prevent over-concentration and no assessment of how this would affect centres with relatively fewer units in their frontages.

CONSISTENT WITH NATIONAL POLICY

The NPPF seeks to enable healthier lifestyles by creating, not restricting choice, by increasing access to recreation and health services, and by ensuring developments are within walkable distances of local facilities and public transport to other facilities.

The draft policy would work against this by restricting choice, reducing accessibility and preventing the location of a type of main town centre use within town centres. There is no assessment of how many town centres would be affected by criterion (b).

The PPG states that policies to limit proliferation of specific uses may need to have regard to proximity, incidence of obesity or poor health and over-concentration within specific areas. However, there is no evidence of proliferation in the areas affected by the policy.

Fair Processing Statement

101 Would you like for your personal data to be used for reasons other than identifying your representation and for contact in relation to this?

Yes