Hackney’s response to Planning Inspector: LP9 Overconcentration of Uses

Addressing issues raised at Examination in Public on 19 June 2019.

The proposed policy for hot food takeaways near schools and in town centres is justified, effective and consistent with national policy, London Plan and policy in comparable areas.

Obesity is an important health issue
Compared to children who are a healthy weight, children who are obese are more likely to be ill, be absent from school due to illness, have poor self-esteem, be bullied and be overweight or obese in adulthood. Adults who are obese have a higher risk of several serious health conditions, including cardiovascular disease, diabetes and cancer (London Plan topic paper, Hot food takeaways, 2018). Overweight and obesity are the second biggest preventable cause of cancer in the UK (after smoking). More than 1 in 20 cancer cases are caused by excess weight (Cancer Research UK).

Hackney has high rates of obesity and obesity-related ill health and deaths
41% of year 6 pupils (10-11 years old) in Hackney are overweight or obese, compared to 38% in London and 32% in England. 26% of year 6 pupils in Hackney are obese, compared to 23% in London and 20% in England (National Child Measurement Program, NCMP, 2016/17). 92,000 adults (almost 60% of adults) in Hackney are overweight, of whom 33,000 adults are obese (GP practice data, 2017). 10% of deaths in Hackney every year are caused by obesity. Of the 1,110 deaths every year in Hackney and City, 301 are due to cardiovascular disease and 326 are due to cancer; obesity increases risk of cardiovascular disease and several cancers. Hackney has one of the highest rates in London of premature deaths from heart disease (Public Health Outcomes Framework, 2019).

Obesity is driving health inequalities
Obesity is a major driver of health inequalities in Hackney, with much higher obesity rates among more deprived groups and some ethnic minority groups. For example, NCMP data shows that 26.8% of the reception year children from the most deprived backgrounds are overweight or obese, compared to 17.8% of children from the least deprived groups. Every Ward in Hackney has a higher level of socioeconomic deprivation than the England average (IMD 2015). 46% of Black African year 6 pupils are overweight or obese, compared to 31.6% of White British year 6 pupils.

Evidence from Hackney and comparable areas justifies LP9
The Chartered Institute of Public Finance and Accountancy (CIPFA) Nearest Neighbours model is a measure of similarity between Local Authorities. CIPFA neighbours are calculated by comparing values for a range of indicators including population demographics, socioeconomics, retail premises density per population, mortality ratio. Evidence from Hackney’s nearest neighbours are included in this paper, on the basis of comparability and relevance to Hackney. The evidence demonstrates that:

- Fast food takeaways generally provide unhealthy food
A single typical fast food meal contains nearly 60% of recommended daily calories, half the recommended daily level of salt and saturated fat, and no portions of fruit or vegetables (London Health Commission, 2014).

Fast food sampling in Hackney found that a single portion of chips contains up to half an 11 year old girl's daily energy requirement (Shift, 2017).

While not all hot food takeaways sell unhealthy food, there is no guarantee a healthy business model will continue under an A5 use (Tower Hamlets, 2018).

- **Children and adults use takeaways frequently**
  - A study in Hackney with 800 schoolchildren found that 54% buy food from a takeaway at least once per school week, and 9% do so every day. 32% buy takeaway food on the way home from school (Rockpool Research).
  - 65% of schoolchildren in Hackney walk to/from school (Transport Strategy).
  - A study in Tower Hamlets found that 50% of schoolchildren buy food from fast food outlets 2-3 times per week and 10% do so every day (Patterson, 2012).
  - A survey of Hackney adults found that 38% eat takeaway food at least once per week (Hackney Joint Strategic Needs Assessment, 2016).

- **Fast food takeaways near schools are associated with unhealthy diets**
  - A survey of 2,500 schoolchildren in Brent found that 62% of pupils with takeaways within 400 metres of their school use a takeaway at least once per week. 43% of pupils with no takeaways 400 metres from their school do so (Brent, 2014).
  - A study of over 1,000 schoolchildren from 29 schools in Hackney, Tower Hamlets and Newham found that schoolchildren with takeaways within 400 metres of their school were more likely to have an unhealthy diet (Smith, 2013).

- **Obesity rates are higher among people more exposed to fast food outlets**
  - A study of 3,600 UK children found that increased frequency of eating at fast food outlets was associated with higher consumption of unhealthy foods, lower intake of fruits and vegetables and higher BMI (Fraser, 2011).
  - A study of over 50,000 adults in Greater London found that the people most exposed to fast food takeaways were 50% more likely to be obese than those with the least exposure to fast food takeaways (Burgoine, 2018).

**Evidence shows an existing high concentration of takeaways in Hackney**

Hackney already has high levels of fast food takeaways:

- In 2017 there were 352 fast food outlets in Hackney, and 22% of all food outlets in Hackney were fast food outlets.
- This translates to a concentration of 143 takeaways per 100,000 people.
- Hackney’s concentration of takeaways is equivalent to a per population density 50% higher than the national average (143 vs. 96 fast food outlets per 100,000 people), based on the University of Cambridge Food Environment Assessment Tool (FEAT).
- This analysis is available for the whole country using data from the Food Standards Agency Food Hygiene Rating Scheme. It provides a sound basis for asserting that Hackney has an existing high concentration of these outlets.

The map below shows the distribution of outlets and schools in Hackney. The map illustrates that there are schools throughout the borough, large numbers of hot food takeaways already...
in place, and many hot food takeaways already near schools. The proposed policy would not affect existing takeaways.

Map 1: distribution of takeaways and schools in Hackney
### Table 1: Existing concentrations of A5s in Hackney town centres

<table>
<thead>
<tr>
<th>Town Centres</th>
<th>Year of data</th>
<th>Concentration</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broadway Market</td>
<td>2017</td>
<td>2%</td>
<td>Below 5% threshold</td>
</tr>
<tr>
<td>Dalston</td>
<td>2017</td>
<td>2%</td>
<td>Below 5% threshold</td>
</tr>
<tr>
<td>Lauriston Road</td>
<td>2017</td>
<td>2%</td>
<td>Below 5% threshold</td>
</tr>
<tr>
<td>Stoke Newington Church Street</td>
<td>2017</td>
<td>2%</td>
<td>Below 5% threshold</td>
</tr>
<tr>
<td>Shacklewell Lane</td>
<td>2017</td>
<td>3%</td>
<td>Below 5% threshold</td>
</tr>
<tr>
<td>Hackney Central</td>
<td>2017</td>
<td>5%</td>
<td>At or above 5% threshold</td>
</tr>
<tr>
<td>Shacklewell South (Stoke Newington Road)</td>
<td>2017</td>
<td>5%</td>
<td>At or above 5% threshold</td>
</tr>
<tr>
<td>Stamford Hill</td>
<td>2017</td>
<td>5%</td>
<td>At or above 5% threshold</td>
</tr>
<tr>
<td>Stoke Newington High Street</td>
<td>2017</td>
<td>5%</td>
<td>At or above 5% threshold</td>
</tr>
<tr>
<td>Upper Clapton Road</td>
<td>2017</td>
<td>5%</td>
<td>At or above 5% threshold</td>
</tr>
<tr>
<td>Finsbury Park</td>
<td>2017</td>
<td>7%</td>
<td>At or above 5% threshold</td>
</tr>
<tr>
<td>Hoxton Road</td>
<td>2017</td>
<td>7%</td>
<td>At or above 5% threshold</td>
</tr>
<tr>
<td>Lower Clapton Road</td>
<td>2017</td>
<td>7%</td>
<td>At or above 5% threshold</td>
</tr>
<tr>
<td>Well Street</td>
<td>2017</td>
<td>7%</td>
<td>At or above 5% threshold</td>
</tr>
<tr>
<td>Chatsworth Road</td>
<td>2017</td>
<td>8%</td>
<td>At or above 5% threshold</td>
</tr>
<tr>
<td>Kingsland Road</td>
<td>2017</td>
<td>10%</td>
<td>At or above 5% threshold</td>
</tr>
<tr>
<td>Manor House (Brownswood Road)</td>
<td>2017</td>
<td>15%</td>
<td>At or above 5% threshold</td>
</tr>
<tr>
<td>Wick Road</td>
<td>2017</td>
<td>24%</td>
<td>At or above 5% threshold</td>
</tr>
</tbody>
</table>
National public health guidance supports LP9

Public Health England (PHE) is the expert national public health agency that fulfils the Secretary of State’s statutory duty to protect health and address inequalities. PHE’s briefing on obesity and the environment (2017) highlights the need for planning authorities to take action on obesity and the importance of modifying the environment so that it does not provide easy access to energy-dense food. PHE has stated that ‘improving the quality of the food environment around schools has the potential to influence children’s food-purchasing habits’, and that ‘there are strong theoretical arguments for the value of restricting the growth in fast food outlets’. The proposed Hackney LP9 policy would address this need for action.

The National Institute for Health and Care Excellence (NICE) (2010) Cardiovascular Disease Prevention Public Health Guideline includes recommendations to “Encourage local planning authorities to restrict planning permission for takeaways and other food retail outlets in specific areas (for example, within walking distance of schools)”; and “Use existing powers to set limits for the number of takeaways and other food outlets in a given area. Directives should specify the distance from schools and the maximum number that can be located in certain areas”. The proposed Hackney policy would comply with this guidance.

LP9 is consistent with national and regional policy

The Health and Social Care Act 2012 states that local authorities have a statutory duty to improve the health of their residents. The proposed policy contributes to fulfilling the Council’s statutory responsibilities.

National Planning Policy Framework (NPPF) states that plan-making and decision taking should take account of and support local strategies to improve health, social and cultural wellbeing for all (core planning principles, paragraph 17). Furthermore, local planning authorities should work with public health and health health organisations to understand and take account of the health status and needs of the local population.

The Planning Practice Guidance (PPG) on health and wellbeing (2017 update) sets a framework for policies that limit the proliferation of A5 use classes in identified areas to create a healthier food environment. The PPG encourages local planning authorities to have particular regard to several issues including:

- Proximity to locations where children and young people congregate, such as schools
- Over-concentration and clustering of certain use classes within a specified area

Draft new London Plan E9 (including modifications following consultation) states:

- C “Development proposals containing A5 hot food takeaway uses should not be permitted where these are within 400 metres walking distance from the entrances and exits of an existing or proposed primary or secondary school. Boroughs that wish to set a locally-determined boundary from schools must ensure this is sufficiently justified. Boroughs should also carefully manage the over-concentration of A5 hot
food takeaway uses within town centres and other areas through the use of locally-defined thresholds in Development Plans.”

**Consistency with policies in comparable/neighbouring areas**

The Chartered Institute of Public Finance and Accountancy (CIPFA) Nearest Neighbours model is a measure of similarity between Local Authorities. The table below shows the child obesity rates for year 6, 10-11 year olds (National Child Measurement Programme data), concentration of fast food outlets (University of Cambridge Food Environmental Assessment Tool), and planning policy approaches for Hackney’s CIPFA comparators (Mayor of London Hot Food Takeaways paper, M91).

All of the comparable areas have implemented an over-concentration approach to takeaways or a proximity to schools approach or both. This includes areas with lower child overweight/obesity rates and/or lower current concentrations of fast food outlets than Hackney. This evidence provides a strong basis for Hackney to adopt a policy to manage hot food takeaways in LP33, addressing both concentration of uses and proximity to schools.

*Table 2: Takeaway policies of Hackney’s CIPFA nearest neighbours*

<table>
<thead>
<tr>
<th>Borough</th>
<th>Year 6 overweight &amp; obesity rate</th>
<th>Fast food outlets, per 100,000 people</th>
<th>Over-concentration approach</th>
<th>Proximity to schools approach</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hackney</td>
<td>40.2</td>
<td>143</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tower Hamlets</td>
<td>42.1</td>
<td>158</td>
<td>Yes - 5% in Major, District or Neighbourhood town centres. No more than 1 in NP</td>
<td>Yes</td>
</tr>
<tr>
<td>Southwark (draft)</td>
<td>39.8</td>
<td>138</td>
<td>Yes - 5% in protected shopping frontages, 1/21 in other centres</td>
<td>Yes</td>
</tr>
<tr>
<td>Lambeth</td>
<td>39.5</td>
<td>120</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Lewisham</td>
<td>37.9</td>
<td>135</td>
<td>Yes - 5% in Major and District, 10% in Local Centre, 1/19 Local Parade</td>
<td>Yes</td>
</tr>
<tr>
<td>Greenwich</td>
<td>40.4</td>
<td>104</td>
<td>Yes - 25% - for all food and drink uses within retail frontage</td>
<td>No</td>
</tr>
<tr>
<td>Islington</td>
<td>38.4</td>
<td>154</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Haringey</td>
<td>37.8</td>
<td>125</td>
<td>Yes - 5% in TC, overconcentration in NP</td>
<td>No</td>
</tr>
<tr>
<td>London Borough</td>
<td>Score</td>
<td>Number of Residents</td>
<td>Development Status</td>
<td>Public Consultation Status</td>
</tr>
<tr>
<td>----------------</td>
<td>-------</td>
<td>---------------------</td>
<td>--------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>Newham</td>
<td>43.2</td>
<td>133</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Brent</td>
<td>43.3</td>
<td>117</td>
<td>Yes - 6% in TC (town centre), 15% in NP</td>
<td>Yes</td>
</tr>
<tr>
<td>Waltham Forest</td>
<td>40.4</td>
<td>132</td>
<td>Yes - 5% in primary, secondary, retail parade</td>
<td>Yes</td>
</tr>
<tr>
<td>Waltham Forest</td>
<td>40.4</td>
<td>132</td>
<td>Yes - 5% in primary, secondary, retail parade</td>
<td>Yes</td>
</tr>
<tr>
<td>Hammersmith and Fulham</td>
<td>37.5</td>
<td>135</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Ealing</td>
<td>37.7</td>
<td>105</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Hounslow</td>
<td>37.4</td>
<td>86</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Camden</td>
<td>36.1</td>
<td>184</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Wandsworth</td>
<td>32.3</td>
<td>113</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>
The geographical coverage of the London Plan and LP9 proposed policy

Map 2: areas of Hackney affected by the proposed policy

Conclusion
There is strong justification for the proposed policy, based on local evidence, existing concentration of takeaways in the borough as a whole and in designated centres, evidence from comparable areas, national policy, the emerging London Plan, and policy from comparable areas. Consequently the proposed L9 policy is justified, effective and consistent. Hackney has among the highest rates of child obesity in London and England, and has made addressing child obesity a local priority.
References

Brent Council (2014) Takeaway use among Brent's school students


Public Health England (2017) Obesity and the environment


Shift (2017) Healthier fast food: mapping the fast food environment in Hackney


Rockpool Research Associates. Healthy Living in Hackney: young people’s health behaviours and attitudes

UKCRC Centre for Diet and Activity Research (CEDAR), University of Cambridge (2017) Food Environment Assessment Tool (FEAT)

End