



Salford City Council
Supplementary Planning Document

Hot Food Take Aways
Adopted 18th July 2007

Preface

This document can be provided in large print, audio, electronic and Braille formats. Please contact Spatial Planning 0161 793 3782.

إذا احتجت للمساعدة في فهم هذه النشرة , برجاء الاتصال بفريق المساواة في مجلس سالفورد,
هاتف رقم 0161 793 3536

এই পুস্তিকাটি বোঝার জন্য যদি আপনার সাহায্যের প্রয়োজন হয় তাহলে সেলফোর্টে কাউন্সিলের ইকুয়ালিটি টিমের সঙ্গে যোগাযোগ করুন টেলিফোন নম্বর 0161 793 3536

如果您有關於本宣傳頁的任何問題,請聯繫 Salford 理事會的 Equalities 團隊,電話號碼為
0161 793 3536

જો આ લીફલેટ સમજવા મોટ તમને મદદની જરૂરત હોય, કૃપો કરી ઇકુવાલિટીજ ટીમ સર્વોડ કાઉન્સિલનો ટેલિફોન નમ્બર 0161 793 3536 પર સંપર્ક કરો.

ਜੇ ਤੁਹਾਨੂੰ ਇਸ ਲੀਫਲੈਟ ਨੂੰ ਸਮਝਣ ਵਿਚ ਸਹਾਇਤਾ ਦੀ ਜ਼ਰੂਰਤ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਸਾਲਫੋਰਡ ਕੌਂਸਲ (Salford council) ਵਿਚ ਇਕੁਅੈਲਿਟੀ ਟੀਮ (Equalities Team) ਨਾਲ ਫੋਨ ਨੰਬਰ 0161 793 3536 'ਤੇ ਸੰਪਰਕ ਕਰੋ।

اگر آپ کو اس لیف لیٹ کے سمجھنے میں مدد کی ضرورت ہو تو براہ کرم اکیویٹی ٹیم کو سلفورڈ کونسل سے اس ٹیلی فون نمبر 0161 793 3536 پر رابطہ قائم کر سکتے ہیں۔

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1 Introduction

- 1.1** This Supplementary Planning Document (SPD) expands on the policies in Salford's Unitary Development Plan (UDP) (adopted 21st June 2006) to provide additional guidance on the development of hot food take aways. It explains the council's overall approach to hot food take away development, and sets out detailed advice on appropriate concentrations of hot food take away establishments, measures to protect the amenity of surrounding residential occupiers, appropriate standards for parking, and servicing for delivery and waste collection services.
- 1.2** The SPD specifically supplements the following policies of the UDP:
- DES7 Amenity of Users and Neighbours
 - S3 Loss of Shops
 - S4 Amusement Centres, Restaurants and Cafes, Drinking Establishments and Hot Food Takeaways
 - A2 Cyclists, Pedestrians and the Disabled
 - A8 Impact of Development on the Highway Network
 - A10 Provision of Car, Cycle and Motorcycle Parking in New Developments
- 1.3** The provisions of this SPD will be implemented primarily through the development control process and the determination of applications for hot food take away development.
- 1.4** The SPD does not have the same status as the development plan, but, once adopted, will be an important material consideration in the determination of planning applications.
- 1.5** This document is intended to complement rather than duplicate other planning documents. Details of all of the planning documents that are currently in force within Salford, and a timetable for the production of new documents, are set out in the city council's Local Development Scheme.

Process for Producing this Document

2 Process for Producing this Document

Overview

- 2.1** The SPD has been produced in accordance with the advice contained in PPS12: Local Development Frameworks, and the requirements of the Town and Country Planning (Local Development) (England) Regulations 2004.

Sustainability Appraisal

- 2.2** The document has been subject to a Sustainability Appraisal (SA) at all stages. The SA considers the implications of the SPD from social, economic and environmental perspectives, by assessing the SPD and other reasonable and relevant options against available baseline data and sustainability objectives.
- 2.3** The SA can be viewed via the city council's website at <http://www.salford.gov.uk/hftaspd>

Public Involvement in the Production Process

- 2.4** A series of meetings, discussions and workshops with stakeholders took place between September 2006 and November 2006, including workshops with recent applicants for hot food take away development in Salford. A questionnaire was also distributed to community representatives, and members on the Planning Sub-Group of the Environment, Housing and Planning Scrutiny Committee, and the Planning and Transportation Regulatory Panel. All of this consultation activity provided a significant amount of information that fed into the production of this SPD.
- 2.5** The formal public consultation on this draft version of the SPD took place between 9th February and 22nd March 2007. The city council has had regard to all of the comments received during that consultation period, and amended the SPD as appropriate.
- 2.6** A Consultation Statement is available on the council's website [<http://www.salford.gov.uk/hftaspd>] which sets out who has been consulted in the preparation of this SPD, how they were consulted, a summary of the main issues raised, and how those issues have been addressed in the final version of the document.

3 Hot Food Takeaways and the Need for the Document

- 3.1** Hot food take aways represent a popular service for local communities and an important complementary use in town and neighbourhood centres. They can also offer important economic development and employment opportunities. Nevertheless, it is recognised that hot food take aways have a greater potential than retail uses to create disturbance and detract from residential amenity and environmental quality.
- 3.2** Planning applications for hot food take aways, particularly those in close proximity to residential properties, frequently generate a significant number of objections, and it is therefore important that potential applicants have access to appropriate advice before making planning applications.
- 3.3** The Hot Food Take Aways Supplementary Planning Document replaces the council's Development Control Policy Guidance Note on Hot Food, Cafés and Snack Bars. The increasingly popular nature of these services has intensified the potential impact on the amenity of surrounding areas, and has also reinforced the need for up-to-date guidance.
- 3.4** This Supplementary Planning Document provides more detailed planning guidance to assess and determine planning applications and is intended to guide prospective take away owners and their agents to encourage the submission of good quality planning applications.
- 3.5** The SPD also encourages hot food take aways to provide healthier eating options. Poor health has been identified as a major problem within Salford, and it is therefore important that the SPD is consistent with attempts to address this.
- 3.6** The principal policy within the City of Salford Unitary Development Plan that is supplemented by this SPD is Policy S4: Amusement Centres, Restaurants and Cafes, Drinking Establishments and Hot Food Takeaways. This SPD will provide additional guidance on how this policy will be implemented. **UDP Policy S4** states that:

Proposals for amusement centres, and any uses falling within classes A3, A4 or A5 of the Town and Country Planning (Use Classes) Order 1987, will not be permitted where the use would have an unacceptable impact, either in itself or cumulatively, on:

- i. **the amenities of surrounding residential occupiers by reason of noise, disturbance, smells, fumes, litter, vehicular traffic movements, parking or pedestrian traffic;**
- ii. **the safety of pedestrians and road users, with respect to car parking, servicing or the effect on the free flow of traffic;**
- iii. **the vitality or viability of a town centre or neighbourhood centre;**
- iv. **visual amenity; or**
- v. **the drainage system.**

Reasoned Justification

The city council recognises the important role that amusement centres, restaurants and cafes (Class A3), drinking establishments (Class A4) and hot food takeaways (Class A5) play in the economy, in adding interest and vitality to local and district centres, and main thoroughfares, and in providing an important and increasingly popular service to the general public.

Hot Food Takeaways and the Need for the Document

However, these uses have significantly greater potential than retail uses to create disturbance, and detract from residential amenity and environmental quality. In addition, the levels of vehicular traffic associated with developments serving food and drink can create extra amenity and safety problems. It will also be important to evaluate the possible adverse effects of an overabundance of amusement centre and food and drink uses on the vitality and viability of existing district and neighbourhood centres, in accordance with Policy S3. The potential impact on the drainage system will be an important consideration for food and drink uses, and grease traps/tanks may be required for such developments.

3.7 In light of the issues highlighted above, six key objectives have been identified for the SPD:

1. To ensure there is high quality hot food take away provision within the city to satisfy demand and diversify the range of local services;
2. To ensure town and neighbourhood centres retain their primary purpose of providing a range of shopping and other functions and also contain an appropriate concentration of hot food take away establishments;
3. To protect the amenity of surrounding residential occupiers from adverse effect by reason of noise, disturbance, smells, fumes, litter or vehicular traffic movements by restricting the introduction of hot food take aways in residential areas, and providing advice on appropriate mitigation measures where residential properties are nearby;
4. To provide clear guidance on appropriate standards for parking and servicing for delivery and waste collection services;
5. To encourage informed pre-application discussions and the submission of good quality planning applications; and
6. To encourage hot food take aways to ensure that a range of healthy eating options are provided.

4 Do you require Planning Permission?

- 4.1** Planning permission will be required if you intend to build new premises for use as a hot food take away.
- 4.2** Permission will also be needed to change the use of an existing shop, office, house or other use to a hot food take away. The Town and Country Planning (Use Classes) Order 1987 (as amended) subdivides different development types into separate Classes of Use. In general, to change the use of a property from one use to another requires planning permission. Hot food take aways, where the primary purpose of the property is the sale of hot food for consumption off the premises, fall within Class A5 of the Use Classes Order. If it is intended to use a property, which is currently used for another purpose, as a hot food take away then a change of use planning application will be required.
- 4.3** Where a property currently has permission for use as a hot food take away, planning permission will not be required to use the property for any other type of hot food take away. However, the conditions attached to the previous planning permission, such as restrictions on opening hours, will still apply. Further information on the conditions attached to a hot food take away can be obtained from Urban Vision, which provides Salford's development control service on behalf of the city council.
- 4.4** External building works or alterations that materially change the appearance of an existing hot food take away, such as the building of an extension or the installation of a new shop front to the property, will usually require planning permission.
- 4.5** External shutters and grilles also usually require planning permission. When placed on shop fronts they can have a major impact on the appearance of the premises, especially given hot food establishments are often only open during evening hours. Solid, faceless aluminium/steel shutters or grilles can engender a fortress type atmosphere and provide a vulnerable target for graffiti. Further guidance about appropriate designs for shutters is available in the city council's Design and Crime Supplementary Planning Document.
- 4.6** Separate Advertisement Consent is sometimes required if you intend to display shop advertisements. For example, consent would be required for signs above fascia level, including projecting signs or banners, and illuminated signs of any kind.
- 4.7** If you are in doubt as to whether you require planning permission you should contact Urban Vision on 0161 909 6545

5 Planning Policies

Policy HFTA 1

Hot Food Take Aways and Residential Properties

Planning permission for hot food take away establishments will not normally be granted where a unit of residential occupation exists directly above or adjacent to the proposed hot food take away.

Similarly, applications to convert properties directly above or adjacent to an existing hot food take away use into a residential unit will not normally be permitted.

Reasoned Justification

- 5.1** Consideration must be given to the potential impact hot food take aways can have on the amenity of neighbouring properties, particularly if these are residential properties. Hot food take aways can give rise to a number of problems for residential neighbours and other occupiers in their immediate vicinity as well as the surrounding area in general.
- 5.2** A balance is needed between the provision of these increasingly popular facilities and the need to protect the amenity of residents living near to hot food establishments from excessive odour, noise, vibration, disturbance and traffic, by restricting the introduction of hot food establishments in close proximity to residential properties.
- 5.3** The impact of cooking smells is largely dependent on the proximity of the premises to neighbouring uses. In the case of this policy 'adjacent to' includes those properties which are directly above adjoining uses.
- 5.4** Effective removal of fumes from premises is essential, although, in practice, it is virtually impossible to completely eliminate all cooking smells, irrespective of the extraction equipment installed. In older properties, fumes, smells and odours can often penetrate the fabric of the building and can have a significant detrimental impact on the occupiers of adjacent properties. Therefore, residential properties directly adjacent to a hot food take away are not normally acceptable, irrespective of the extraction system installed.
- 5.5** Furthermore, it is recognised that hot food take aways can cause particular disturbance because activities are often at their peak in the evening and late at night when background noise levels are low. The noise generated from the cooking process (including extraction systems which inevitably have to discharge at a high level to aid with the dispersion of the odourous emission), the late night opening and attraction of large numbers of people in particular periods of the day (afternoons and evenings) mean take aways can produce a higher degree of noise and disturbance than other kinds of retail use.
- 5.6** Consequently, the protection of the living conditions of nearby residents will be a significant issue when considering applications for hot food establishments.

5.7 This policy supplements UDP Policies DES7 and S4.



Figure 5.1 Residential properties above and adjacent to the Chip Shop are highlighted in red

Policy HFTA 2

Appropriate Concentrations of Hot Food Take Aways in Town and Neighbourhood Centres

When considering whether a proposed hot food take away would result in an over-concentration of such uses to the detriment of the vitality or viability of a town centre or neighbourhood centre, regard will be had to:

- The number of existing hot food take away establishments in the immediate area and their proximity to each other;
- The type and characteristics of other uses, such as housing, shops and public houses;
- The existence of vacant shop units and the condition of the unit;
- The importance of the location for local shopping, and the number, function and location of shops that would remain to serve the local community;
- The potential benefits of the proposal for the wider community; and
- Any known unresolved amenity, traffic or safety issues arising from existing uses in the area.

Reasoned Justification

5.8 It is acknowledged that hot food take aways offer a popular service to local communities and have a significant role to play within town centres and other shopping areas. However, it is important to evaluate the possible adverse effects of an over-abundance of hot food take aways on the vitality and viability of existing town and neighbourhood centres.

5.9 An over-concentration of such establishments can have an unacceptable impact on the vitality or viability of a centre and, as a result, affect the overall attractiveness of the centre to shoppers. It is important that such uses do not detract from the primary retail function of the centres, or result in a loss of shops to the detriment of local residents.

Planning Policies

5.10 Consequently, the impact of the proposal, by itself or cumulatively, with other non-retail uses, on the role, character, vitality and viability of a town centre or other shopping area will be an important material consideration in determining proposals for hot food take aways.

5.11 This policy supplements UDP Policies S3 and S4.

Policy HFTA 3

Hours of Opening

For the use of a premises as a hot food take away to be considered acceptable it may be necessary to restrict the hours of opening.

The hours of opening of a hot food take away within 30 metres of a residential property will normally be restricted to 8:00 – 22:00 Monday to Saturday. Opening on Sundays and Bank Holidays will not normally be permitted.

When considering appropriate hours of opening for hot food take aways regard will also be had to:

- **The existence of an established late night economy in the area;**
- **The character and function of the immediate area; and**
- **The potential benefits of the proposal for the wider community.**

Reasoned Justification

5.12 The city council recognises that hot food take aways often open different hours from most other businesses, but it is important that those with later opening hours are located where they would not adversely affect residential amenity. Furthermore, the noise generated from the cooking process and the attraction of large numbers of people at particular times of the day mean hot food take away establishments can produce a higher degree of noise and disturbance than other kinds of retail use. This noise generated by the activities of the trader and from the patrons can be very difficult to control.

5.13 Accordingly, in order to protect the amenities of the surrounding area from adverse effect, by reason of noise, disturbance, vehicular traffic movements, or pedestrian traffic, it is often essential to restrict the hours of opening of a proposed hot food take away. Consequently, in deciding to grant planning permission for hot food take away uses the city council may impose conditions to control opening hours.

5.14 The city council acknowledges that the viability of hot food take away establishments may be reliant upon late evening trade. However, concerns about residential amenity may dictate that a take away use may be completely unacceptable unless its hours of opening are restricted. Additional mitigation measures may be required to make such late night opening acceptable.

5.15 The proposed hours and days of opening should be specified as part of applications for hot food take away development. Any agreed hours of opening will be made a condition of the planning permission if it is granted.

5.16 This policy supplements UDP Policies DES7 and S4.

Policy HFTA 4

Highway Safety

When considering whether a proposal for a hot food take away would have an unacceptable impact on the safety of pedestrians and road users, regard will be had to:

- **The existing use of the site;**
- **Existing traffic conditions;**
- **The accessibility of the site by public transport and cycling;**
- **The availability of public parking provision in close proximity to the premises, including on-street parking;**
- **The availability of easily accessible private parking provision; and**
- **The implications for the amenity of the surrounding area (particularly if predominantly residential).**

Reasoned Justification

5.17 The impact of hot food take aways on traffic flow and road safety is an important consideration when determining applications. A significant proportion of the trade generated by hot food take aways is car-borne and short stay, particularly for those establishments located on the main routes out of towns and in local shopping parades.

5.18 Where there is limited or no parking, either outside or in the immediate vicinity of the premises, customers may be tempted to indulge in short stay parking of an opportunistic and possibly dangerous nature, for example, near to junctions, on dangerous bends or within the approaches to pedestrian crossings. Combined with the manoeuvring of vehicles (in order to park in a confined space, for example) and the additional movements of vehicles stopping at and leaving the premises, the free flow of traffic on the main roads can be obstructed, causing congestion and inconvenience and potentially jeopardising the safety of other road users.

5.19 The impact of inadequate car parking provision can be detrimental to the amenity of the area, especially if there are nearby residential properties, as it usually leads to an increase in parking in adjacent streets where parking problems may already exist, causing inconvenience to residents. Hot food take aways cause most parking problems in the evenings and at weekends when the demand for on-street parking spaces by residents is likely to be heaviest.

5.20 Hot food take aways located in the town and neighbourhood centres are more likely to attract a large proportion of customers travelling by foot due to linked journeys and good accessibility by public transport and cycling. In addition, hot food take aways in established shopping centres often benefit from adequate car parking spaces in the vicinity of the site. Consequently, dedicated off-street parking provision is not normally necessary for those establishments located in town and neighbourhood centres, as defined in UDP Policy S1.

5.21 This policy supplements UDP Policies S4, A8 and A10.

Policy HFTA 5

Extraction of Odours

To effectively disperse odours from hot food take aways, extraction systems, where practicable, should normally:

- Have a flue that terminates at least 1 metre above the ridge height of the building to which it is attached, unless it can be demonstrated that an alternative height would be acceptable;
- Route ducting so as to avoid proximity to residential or office windows on neighbouring properties;
- Incorporate flue terminals that do not impede discharge;
- Have a minimal number of bends in the ducting;
- Use ducting with a smooth internal surface;
- Maximise dispersion by being capable of achieving a ventilation rate of 30 air changes per hour for kitchen areas;
- Have an efflux velocity of at least 8m/s;
- Use circular duct cross sections whenever possible;
- Fit all ductwork with anti-vibration couplings or mountings to minimise the vibration caused by air passing through; and
- Not exceed the existing background noise level as measured or calculated at the nearest residential property.

Extraction systems must also be designed so that they do not have an unacceptable impact on visual amenity. Consequently, the installed systems must not appear as an incongruous feature in the street scene. To be acceptable the proposed extraction system will normally have to be:

- Located to minimise its visual impact on the street scene;
- Of a colour, finish and design to blend in with the buildings to which it is attached, incorporating cladding where appropriate; and
- Where practicable, but especially in conservation areas or within the setting of listed buildings, installed predominantly within the building. Special attention will have to be paid to the effects of noise and vibration when installed internally.

If unacceptable smells and fumes cannot be prevented by means of an effective extraction or abatement system, or if ducting cannot be installed without significant detriment to visual amenity, planning permission will not normally be granted.

Reasoned Justification

5.22 Cooking smells from hot food take aways can cause amenity problems, especially if there are nearby residents. An effective system for the extraction and dispersal of cooking odours must be provided. In most cases, natural ventilation is insufficient and an extract duct with a fan and filters is required to ventilate cooking fumes and remove odours without causing a nuisance to neighbouring properties.

- 5.23** The design of the fume extraction/ventilation equipment should ensure that odours, fumes, or noise cause no nuisance or disturbance to nearby properties. Odours must be extracted directly upwards at a speed and height that will ensure adequate dispersion past adjacent buildings. Regular cleaning and maintenance will be necessary to any equipment, including the flue stack, to prevent the possibility of fires due to grease build up and also to prevent the generation of smoke from the flue.
- 5.24** Consideration must also be given to the visual impact of flues and care should be taken to locate them where they will not appear prominent. The council will take into account issues of visual amenity in deciding whether or not a proposed extraction system is acceptable.
- 5.25** Applicants must submit details of the size, design, siting, finish, acoustic treatment and odour abatement techniques of the flue extraction system with all planning applications for hot food establishments. If details are not submitted, the application may be refused on the grounds of insufficient information.
- 5.26** This policy supplements UDP Policies DES7 and S4.

Policy HFTA 6

Disposal of Waste Products

Where possible, commercial bin stores should be contained within the main building.

Where this is not possible, secure structures should be provided on site. The bin stores provided should adequately screen stored refuse and be designed so as to respect the character of the area.

Refuse storage structures should be sited so as not to cause an odour nuisance to neighbouring residential or commercial properties but be convenient to access for refuse collection services.

Suitable grease traps must also be installed on all drains for hot food take aways to prevent blockages and the flooding of properties.

Reasoned Justification

- 5.27** Hot food take aways can generate a significant volume of waste. Consideration must be given to providing bins that are of a suitable size, appropriately sited and screened. These should be accessible at all times for the proprietor as well as for servicing without affecting adjacent residents.
- 5.28** Inadequate storage facilities for refuse can result in harm to visual amenity as well as serious risk to public health. Consequently, it is important to ensure that there is sufficient physical space for their accommodation. Proposals for hot food take aways should therefore include adequate facilities on the premises for the storage/disposal of waste generated by the business.

Planning Policies

- 5.29** The operation of hot food take aways can cause significant problems for the drainage system as a result of the disposal of fat/grease from these premises. Most fat or grease discharged into private drains is liquid but in the cooler temperatures of the drains the fat/grease then solidifies. A build up of fat deposits may block the drain either locally or further down the sewerage system. These blockages can create subsequent problems, such as the leakage of foul sewage or the internal flooding of properties or of neighbouring areas. Consequently, the installation of grease traps is often necessary to prevent fat/grease from entering the public sewerage system.
- 5.30** Full details of refuse storage arrangements and grease traps should be included in all planning applications. If information is not submitted with an application, it may be refused on the grounds of insufficient information.
- 5.31** This policy supplements UDP Policies S4 and DES7.

Policy HFTA 7

Litter

Hot food take aways will normally be required to provide a litter bin outside the premises at all times when the business is open. Where necessary, one or more litter bins may also be required within the surrounding area.

Reasoned Justification

- 5.32** Litter is inherently unsightly and causes considerable annoyance to residents and adjoining businesses. It also raises concern about the potential attraction of pests and vermin. Irrespective of how careful the owner/operator is, hot food take aways have the potential to generate a significant amount of litter because customers need to dispose of food wrappings/containers after the food is consumed. The problem, however, may actually be more likely to arise at some distance from the premises.
- 5.33** Objectors often quote litter dropped by the clientele of hot food take aways as a reason for refusing permission for a hot food take away. Although the proprietor has no control over whether patrons drop litter, this is still a potential negative impact of a proposal on the surrounding area, which can be diminished through the provision of litter bins.
- 5.34** A condition may be attached to planning permission to require the operator to provide a bin outside the premises at all times when the business is open. Where a litter bin is required it should be positioned so as not to create any obstruction that would unduly restrict the free flow of pedestrians or wheelchair users. The bin should also be positioned so that it does not impede visibility splays and sight lines required for adjacent junctions and major access points. Details of the design and siting of the bin should be submitted with all planning applications. If information is not submitted with an application, it may be refused on the grounds of insufficient information. If the bin is to be sited on a public highway it may also be necessary to apply for a license from the city council's Highway Services department. If you require further information on licenses you should contact Highway Services on 0161 909 6505.

- 5.35** The proprietor should make every effort to keep the area around the premises litter-free. If a litter problem does arise and it can be clearly traced to a specific takeaway, the council can issue a Street Litter Control Notice. This is a formal notice that makes the owner responsible for keeping the front of the premises, plus a reasonable distance either side, clear of litter.
- 5.36** In areas where there is already a sufficient provision of bins within the vicinity, it will not normally be necessary for the operator of a hot food take away to provide a bin.
- 5.37** This policy supplements UDP Policies S4 and DES7.

Policy HFTA 8

Healthy Eating Options

Hot food take aways are encouraged to provide a range of healthy eating options wherever possible, and to minimise the sugar, salt and fat content of the food that they sell. Proprietors are encouraged to make contact with the city council's Health and Well-Being Manager, who will be able to advise on the development of healthy menus.

Reasoned Justification

- 5.38** Recent research in schools indicates that 14.5% of Salford's children are obese, and obesity has been identified as being associated with more than twenty medical conditions including diabetes, heart disease and some cancers, many of them life threatening. The average life expectancy in Salford for men is 3.1 years below the national average, and for women it is 2.6 years below the national average (2002-2004). Diet is a key determinant both of general health and obesity levels.
- 5.39** In this context, it is important that all food providers, including hot food take aways, play a part in improving the health of the city's residents, by making their products as nutritious as possible. The city council's Health and Well-Being Manager will be working with hot food take aways and other food providers to support the development of healthier eating options, and this will be a key way of delivering Salford's Obesity Strategy.
- 5.40** This policy supplements UDP Policies ST1 and S4.

6 Associated Issues

Competition / Type of Food Being Sold

- 6.1 The type of hot food to be sold in the proposed hot food take away is not a material consideration in determining a planning application.
- 6.2 Similarly, the effects of competition between existing and proposed take aways also cannot be taken into account.

Local Food Markets

- 6.3 Hot food take aways are encouraged to maximise the use of local food suppliers wherever possible. This will help to support the local economy, as well as reducing the distance that food has to travel and therefore the contributions to climate change and congestion.

Hygiene

- 6.4 Under the Food Hygiene (England) Regulations 2006 hot food takeaway operators are required to ensure that all staff who handle food are supervised by someone who is suitably qualified with a basic food hygiene certificate or that the staff themselves are appropriately qualified in the practical procedures and methods of applying food hygiene in the workplace.
- 6.5 In addition, the Food Hygiene (England) Regulations 2006 obliges the proprietors of food businesses to ensure that any of the following operations are carried out in a hygienic way: the preparation, processing, manufacturing, packaging, storing, transportation, distribution, handling and offering for sale or supply, of food.
- 6.6 The proprietor of any hot food take away must register the premises as a food business with the city council's Environmental Health team at least 28 days before the hot food use opens for business.
- 6.7 It is strongly advised that the applicant should contact the Environmental Health team prior to the application for planning permission. Environmental Health Officers can provide detailed advice on the current requirements according to Food Hygiene and Health & Safety Legislation. Advice provided before an application is submitted can ensure that all necessary requirements are met prior to the commencement of the business.
- 6.8 The Environmental Health team can be contacted on 0161 737 0551. Further information is also available at the city council's website www.salford.gov.uk/business/envhealth.

Anti-Social Behaviour

- 6.9 When determining planning applications for hot food take aways concern is often raised about the proposed use having the potential to create anti-social behaviour, particularly if the proposed establishment would be situated in close proximity to public houses.

6.10 Noise generated by people using a hot food take away can be a material consideration when determining planning application. However, as the threat of public disorder at a hot food take away is not inevitable, it is usually unreasonable to assume that granting permission for a hot food take away would result in an increase in congregating youths and/or anti social behaviour. Consequently, objections to take away development on the grounds that the proposed use will give rise to anti-social behaviour are unlikely to constitute a reason for refusal.

Access for All

6.11 The council is committed to ensuring that the needs of people with disabilities are catered for. Hot food take aways should strive to achieve inclusive design that allows the premises to be used safely and easily by as many people as possible.

6.12 Part 3 of the Disability Discrimination Acts 1995 and 2005 gives disabled people a right of access to goods, facilities and services. This requires service providers to:

- Alter a barrier feature so that it no longer has effect;
- Provide a reasonable means of avoiding that feature; or
- Provide a reasonable alternative method of making the service available.

6.13 These requirements apply to all buildings where services are provided to the public, which, therefore, includes hot food take aways.

6.14 In addition, applicants are strongly encouraged to consider the provision of a section of the counter within the take away at an appropriate height for wheelchair users and the provision of sufficient space to allow for the movement of wheelchairs within the premises.

6.15 Where the hot food take away is a new build or change of use from any use other than retail the premises will need to comply with Building Regulations Part M – Access to and Use of Buildings. Details of Part M of the Building Regulations can be found at www.communities.gov.uk

6.16 Information on how issues relating to access have been addressed should be included in the design and access statement when one is required with the application.

7 Implementation, Monitoring and Review

Implementation

- 7.1** The provisions of this SPD will be implemented primarily through the development control process and the determination of planning applications. It will inform all hot food take away development within the city. The SPD does not have the status of the development plan (for the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004), but will be an important material consideration in determining planning applications.
- 7.2** Applicants are advised to discuss possible schemes with Urban Vision, which provides Salford's development control service on behalf of the city council, at the earliest opportunity, and wherever possible prior to any planning application being submitted. This will help to ensure that the requirements of this SPD are fully understood and are taken into account in development proposals.

Monitoring

- 7.3** The effectiveness of the SPD will be assessed each year in Salford's Annual Monitoring Report. This will identify whether there have been any problems in implementing the SPD, and assess whether it is having its intended effects. The key indicators will be:
- “% of people who like the neighbourhood they live in” to act as a proxy.
 - Number of complaints to Environmental Services about noise, litter and odours from hot food take aways
 - Number of complaints to the Engineering and Highways division about parking problems outside hot food take aways

Review

- 7.4** The assessment of the SPD's performance in the Annual Monitoring Report will help to identify whether there is a need for the SPD to be reviewed. If a need for review is identified, then a timetable for this process will be included in Salford's Local Development Scheme as resources permit.

Salford City Council

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