

Town Planning and Public Health... a journey from slum clearance to Silhillian salt intake?

James Carpenter

Head of Development and Regulatory Management

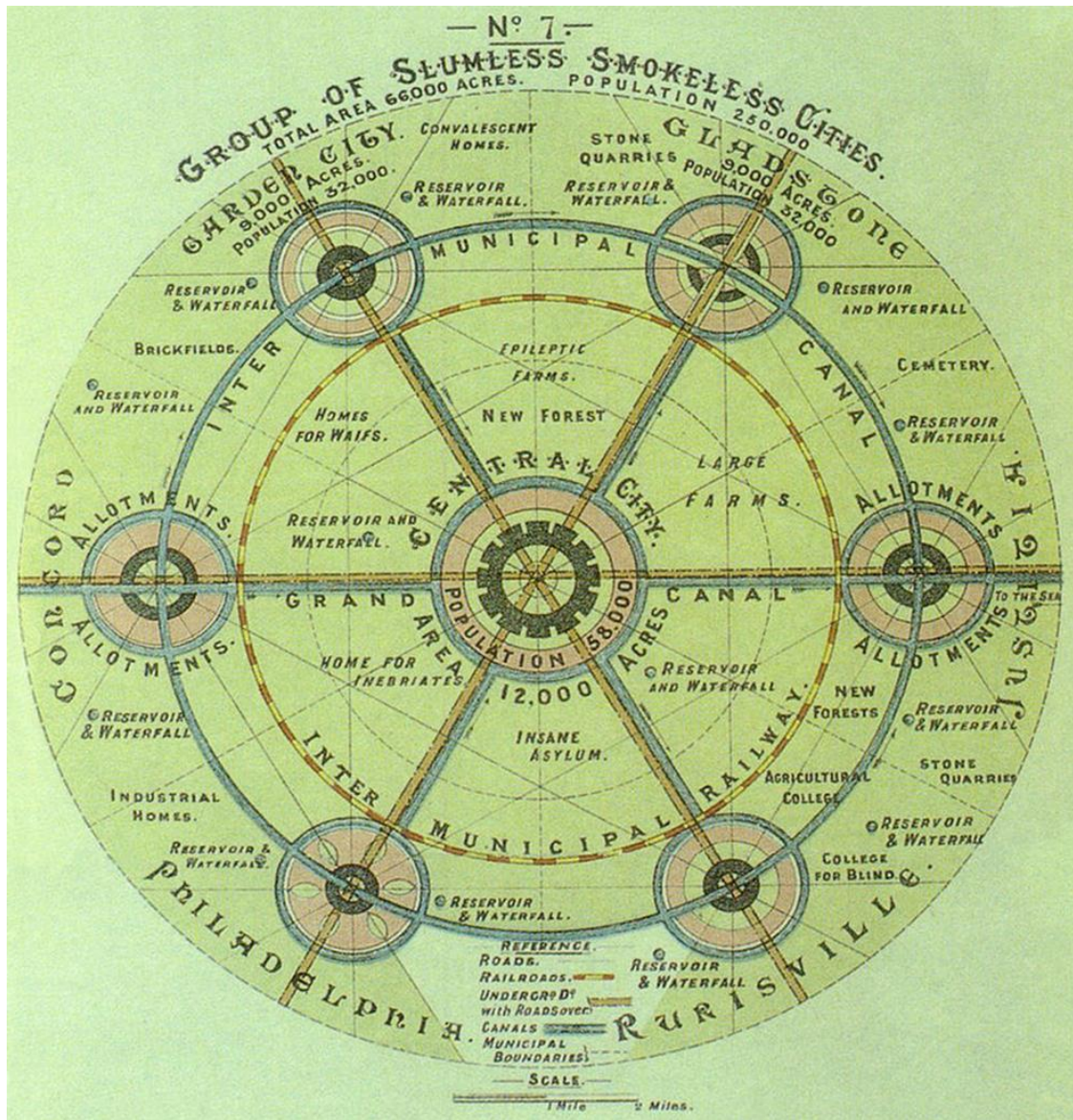
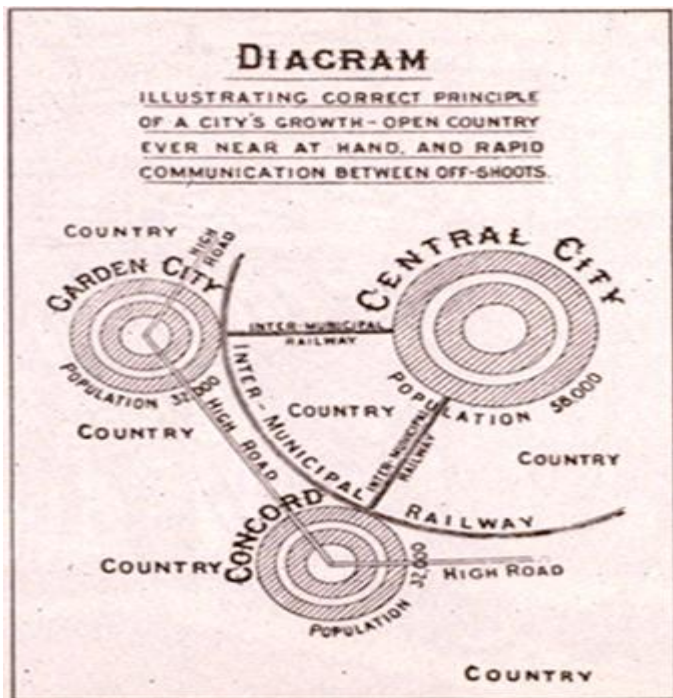
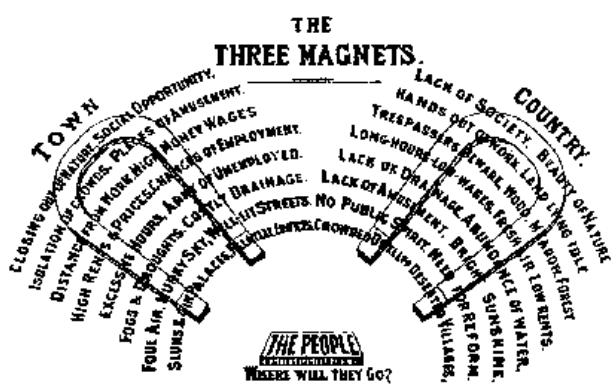
Solihull MBC

james.carpenter@solihull.gov.uk

A brief history

- Town Planning - origins in Public Health
- Slum Clearance
- The Public Health Act 1875
- Garden City Movement
- Town and Country Planning Act 1947





Current Framework

- Town and Country Planning Act 1990
- Use Classes Order 1987 (as amended)
- National Planning Policy Framework 2013
- National Planning Policy Guidance 2014
- Solihull Local Plan 2013

- Supplementary Planning Documents
- Neighbourhood Plans

TCPA Use Class	Use/ Description of Development	Permitted Change
A1: Shops	The retail sale of goods to the public: Shops, Retail warehouses, Hairdressers, Undertakers, Travel and ticket agencies, Pet shops, Sandwich bars, Showrooms, Domestic hire shops, Dry cleaners, Internet cafés.	A2 "deposit-taker" C3 ^{1,2} Mixed use of A1 and up to 2 flats for C3 use A2, A3 or B1 (up to 150 sqm; for up to 2 years) ⁵
A2: Financial & Professional Services	Financial services: Banks, Building societies, Bureau de change Professional services: Estate agents, Employment agencies Other services: Betting shops, Pay day loan shops	C3 ^{1,2} A1 (where there is a ground floor display window) Mixed use of A2 and up to 2 flats for C3 use A1, A3 or B1 ⁵
A3: Restaurants & Cafés	Places where the primary purpose is the sale and consumption of food and light refreshment on the premises	A1, A2 or B1 ⁵ A1 (where there is a ground floor display window)
A4: Drinking Establishments	Premises where the primary purpose is the sale and consumption of alcoholic drinks on the premises: Public house, Wine bar or other Drinking establishment.	A1, A2, A3 or B1 ⁵ A1, A2 or A3
A5: Hot Food Take-away	Premises where the primary purpose is the sale of hot food for consumption off the premises	A1, A2, A3 or B1 ⁵ A1, A2 or A3
B1: Business	a) Offices, other than a use within Class A2 (Financial services) b) Research and development of products or processes c) Light industry	B8 (up to 500 sqm) D1 (State-funded Schools and Nurseries) ¹ C3 (B1(a) only; exemption areas apply; until 30/05/2016) ³ A1, A2 or A3 ⁵
B2: General Industrial	Use for the carrying out of an industrial process other than one falling in Class B1	B1 or B8 (B8 up to 500 sqm)
B8: Storage & Distribution	Use for storage or distribution centre	B1 (up to 500 sqm)
C1: Hotels	Use as a Hotel, Boarding house or Guesthouse, where no significant element of care is provided	D1 (State-funded Schools and Nurseries) ¹
C2: Residential Institutions	Provision of residential accommodation and care to people in need of care: Hospital, Nursing home, Residential school, College, Training centre	D1 (State-funded Schools and Nurseries) ¹
C2A: Secure Residential Institution	Use for a provision of secure residential accommodation: Prison, Young offenders institution, Detention centre, Secure training centre, Custody centre, Short term holding centre, Secure hospital, Secure local authority accommodation, Military barracks	D1 (State-funded Schools and Nurseries) ¹
C3: Dwelling Houses	Use as a dwelling house (whether or not as a sole or main residence) by a. a single person or by people to be regarded as forming a single household b. not more than six residents living together as a single household where care is provided for residents c. not more than six residents living together as a single household where no care is provided for residents (other than use within C4)	C4
C4: Houses in Multiple Occupation	Use as a dwelling house by 3-6 residents as a "house in multiple occupation" Large HMOs of more than 6 people are unclassified, i.e. sui generis	C3
D1: Non-residential Institutions	Clinics, Health centres, Crèches, Day nurseries, Day centres, Museums, Public libraries, Art galleries, Exhibition Halls, Law court, Non-residential education & training centres, Places of worship, Religious instruction, Church halls	A1, A2, A3 or B1 ⁵
D2: Assembly & Leisure	Cinema, Concert hall, Bingo hall, Dance hall, Swimming bath, Skating rink, Gymnasium, Area for indoor or outdoor sports or recreation, not involving motor vehicles or firearms	D1 (State-funded Schools and Nurseries) ¹ A1, A2, A3 or B1 ⁵
Sui-Generis*	A use on its own to which any change of use will require planning permission: Theatres, Scrap yards, Nightclubs, Petrol stations, Launderettes, Taxi businesses, Amusement centres, Casinos, Large HMOs	No permitted change, except casino to D2
Other Changes of Use	Agricultural Buildings	D1 (State-funded Schools & Nurseries) ^{1, 2} (up to 500 sqm) C3 (except in National Parks) ³ (up to 450 sqm) A1, A2, A3, B1, B8, C1 or D2 (up to 500 sqm) ⁴

Solihull Local Plan Policy P18

- Policy P18 indicates that the potential for achieving positive health outcomes will be taken into account when considering all development proposals; and, there is an expectation that any identified adverse health impacts will be addressed or mitigated.
- Policy P18 is supportive of proposals that, amongst other things, increase access to healthy food by sustainable transport modes and provide opportunities for growing local produce. The policy is also clear that the Council will resist development proposals for hot food takeaways in an area where there is already a high concentration of such uses.

Sustainable Development

The purpose of planning is to help achieve sustainable development.

Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations.

Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world.

There are three dimensions to sustainable development:

- Social
- Economic
- Environmental

The balance

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The NPPF – competing priorities

1. Building a strong, competitive economy
2. Ensuring the vitality of town centre
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure
6. Delivering a wide choice of high quality homes
7. Requiring good design
- 8. Promoting healthy communities**
9. Protecting Green Belt land
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment
13. Facilitating the sustainable use of minerals



UPTURN?

PLANNING

3 MILLION HOMES

INFRASTRUCTURE

ECO TOWNS

MASTERPLAN

SUSTAINABILITY

Hellman

NPPF - only half the story...



Pro Development
Pro Growth
Pro Economic benefits

For **decision-taking** this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.



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“The Framework is clear that the social role of sustainable development supports strong, vibrant and healthy communities. The strength and vibrancy of this community was apparent during the inquiry, but it has not been shown that the appeal scheme would be likely to significantly undermine its health.”



Inspectors on concentration of use

“LP Policy P18 does not define what a ‘high concentration’ of hot food takeaways would be, but supporting text to the policy is clear that the policy aims to manage the concentration of hot food takeaways, particularly around schools.

Despite the number food takeaway shops identified within two miles of Snitterfield Drive, there is a mix of commercial uses on this section of Stratford Road, and indeed in the wider area, that would suggest the appeal scheme could not reasonably be described as causing a ‘high concentration’ of such uses.”



Inspectors on weight given to economic growth

Paragraph 18 of the Framework states that the Government is committed to securing economic growth in order to create jobs and prosperity, and paragraph 19 notes that significant weight should be placed on the need to support economic growth through the planning system.



Inspectors on child obesity in Solihull

“Statistics have been supplied that indicate the percentages of children entering primary schools in Solihull who are obese or overweight have been falling, continue to do so, and are lower than the averages for the West Midlands and England.

Obesity and overweight rates in Year 6 children are also below the West Midlands and England averages, but have been fluctuating, and there is a significant increase in the percentage of overweight and obese children during primary school years.

High calorie food from the appeal proposal could contribute this, but so to could snacks and beverages sold in other retail outlets along Stratford Road.”



Inspectors on proximity of HFT's to schools

“The commercial presence of the appeal proposal would be likely to increase awareness within the local school population of any business and operator of the site. In addition, school pupils using the highway outside the appeal site would be likely to be customers of the business.

However, that in itself is not sufficient to suggest that an A3/A5 use on this site would be bad for the health and well being of schoolchildren, especially when education provides a means of assisting pupils in making healthy choices for a balanced diet.”

Demonstrable Harm

Land Use Planning System – requires demonstrable harm... in planning terms

Does public health impact readily translate?

- 2 units vs 3 units in a parade
- 400m vs 401 Metres
- How do you quantify the actual harm?
- Any policy needs to translate in to a workable development management tool

What are others doing?

- Lets try and watch a video... technology permitting!

<http://www.bbc.co.uk/news/uk-england-tyne-33809704>

What role for the planning system in saving Silhillians from an (un)certain salty/fatty/sugary death?...

- Lifestyle choices are entrenched well beyond the confines of any application site, applications are limited to them.
- How big an issue is there in Solihull in compared to say Gateshead, Salford or Birmingham?
- Is the Planning system the right carrot, let alone the right stick?
- Planning has a role to play – but can it realistically be the front line enforcer of public health and wellbeing?



That said... what *are* Solihull MBC doing to help?

- Have consulted on draft Hot Food Takeaway SPD
- Legal advice being taken on proposed adoption
- Scrutiny review of SPD and legal advice late 2015
- Review of Local Plan – opportunity to influence
- Robust commitment to urban design
- Informed pre-app advice and guidance to applicants to influence location of development
- Closer links between Planning and Public Health colleagues
- Working with takeaway businesses and food industry to make food healthier
- Working with schools to reduce fast food consumed by children