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Background

1. This paper has been drafted to explain Doncaster Local Plan’s policy and approach towards retail and town centres.

2. This paper is also prepared in response to representations received as part of regulation 19 consultation for Doncaster Local Plan (Publication) in autumn 2019.

Local Retail Issues

3. With changes in the way we shop and the move away from more traditional high street shopping, retailing is going through a period of transformation and change.

4. The Borough has witnessed fundamental changes in retail provision in line with national trends. These significant changes are particularly as a result of the growing shift to shopping online and amalgamating products and services such as post offices in local stores, and pharmacies in new surgeries, where previously these would have been singular units on high streets. This results in a greater likelihood of empty shop units and consequentially impacts on the way shopping areas physically feel, with closed frontages and less footfall leading to quieter high streets or shopping areas.

5. There are also a range of new concepts such as (and not exclusive to) sustainability; packages; people pledging to produce less waste; new technologies including virtual mirrors; till-free stores; experiences; customising products; destination shopping; loyalty; diverse payment options; and store-cards which are changing how people shop and reducing reliance on traditional in store shopping opportunities.

6. There is also the changing world of online shopping and home deliveries. More typically large out of town retail parks had retail warehousing units for bulky goods and comparison shopping which included household appliances, home furniture and electrical goods. These types of retail parks then also provided plenty of free car parking for their shoppers making it safe for the direct transfer of goods from store to customer vehicles.

7. Now with recent changes to shopping habits and online shopping providing the ease of home deliveries, sometimes free of change, business models for these retail parks have had to change.

8. Increasingly the Council receives planning applications for reduced floor space, mezzanine floors and changes of use to units in these parks. Out of town retail parks are now transitioning to destination retail parks, providing smaller convenience goods such as food, frozen foods, non-perishable tinned and packet goods and limited ranges of household goods. With the ease of their location (usually on main arterial roads) and usually with free parking, the kinds of retail provision that are now found on these retail parks are appealing to residents and this appeal is having knock-on impact on town centres.

9. Online shopping also affects more traditional high street shops, with most retailers now having an online presence, and items such as clothes, music, books, and household goods all easily available online with quick and cheap delivery, sometimes at lower costs than in stores.
10. Other issues town centres face is the multiple clustering and over concentrations of certain uses or the same uses giving rise to the dead frontages during hours of the day. The impact occurs when certain uses cluster together with all shutters been up during the day, or down during the evening. This is typical with food and drink uses, such as pubs, bars, restaurants, hot food takeaways clustering in parts of centres which by day have little activity but by night thrive with the congregation of people.

11. These issues collectively present a real challenge to the town centres and traditional high street retailing. Town Centres and retailers need to adapt to and respond to changing needs and circumstances if they are to retain their viability, vitality and attractiveness within the Borough and to customers.

**National and Local Planning Policy context**

12. The overarching objective of the National Planning Policy Framework (NPPF) is set out in paragraph 8b, which states that there is “a social objective – to support strong, vibrant and healthy communities.....with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.”

13. Paragraph 20(a) indicates that strategic policies should “make sufficient provision for: a) housing (including affordable housing), employment, retail, leisure and other commercial development.”

14. With regard to town centres specifically, Section 7 of the NPPF (paragraphs 85a-f) goes on to state that: “Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.... Define a network and hierarchy and promote their long-term vitality.....define the extent of town centres and primary shopping areas and make clear the range of uses permitted....retain and enhance existing markets....allocate a range of suitable sites.....where sites are not available allocate appropriate edge of centre sites.... and recognise that residential often plays an important role.”

15. The NPPF also states in paragraph 86 that Local Planning Authorities “should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre not in accordance with an up-to-date plan”. Paragraph 87 gives guidance to preferable sites being accessible and well connected when edge of centre and out of centre proposals are considered. Paragraph 88 explains that the sequential approach should not be applied for small scale rural offices or small scale rural development, as a way of diversification.

16. Paragraph 89 of the NPPF is also clear that when assessing applications for retail and leisure development outside town centres, Local Planning Authorities (LPAs) “should require an impact assessment if the development is over a proportionate, locally set threshold (if there is no locally set threshold, the default threshold is 2500m² of gross floorspace)”. It then goes on to explain what the impact assessment should include. Planning guidance explains it may not be possible to accommodate all needs for main town centre uses in a town centre; there maybe physical or other constraints which make it inappropriate to do so. This encourages LPA’s to plan positively to identify most appropriate alternative strategy for meeting the identified needs, encouraging any main town centre uses which are not in an existing centre are in the best locations to support the vitality and vibrancy of town centres.
17. The NPPF has a specific section (Section 8) in promoting healthy and safe communities, this forms part of its social objective. Paragraph 91a states that "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which…a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with others – for example through mixed-use developments, strong neighbourhood centres; and c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of…local shops, access to healthier food…."

18. Paragraph 92a is also clear that "planning policies and decisions should… a) plan positively for the provision of shared spaces, community facilities (such as local shops, meeting places….) and other local services to enhance the sustainability of communities and residential environments;…c guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;" and “d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community”.

19. In terms of retailing, the NPPF generally seeks to ensure our town centres are locations where main town centres uses are concentrated, with Local Planning Authorities taking lead roles in promoting a positive vision, bringing together stakeholders and supporting sustainable economic and employment growth, and encouraging wide range of complementary uses to support the vitality and viability.

Local Evidence Base

20. Doncaster Council’s State of the Borough (2019 Update) report sets out an assessment to understand more about the quality of life in the Borough and considers how working together to tackle joint challenges and sharing opportunities can deliver more wholesale changes for the Borough. This reports on major changes to Doncaster town centre - which are continuing to develop at pace - such as transforming the main entrance of Doncaster’s train station and making it vibrant and easily accessible; the Quality Streets project of Hall Gate and Silver Street, providing pedestrian friendly streets; the re-development of the Wool Market and Civic and Cultural Quarter – both of which are in Doncaster town centre and focus on transforming the historic Wool Market to a vibrant and bustling location during the day and into the evening; and the redevelopment of Waterdale, now Civic Cultural Quarter reconnecting to the town centre with high quality office space, a new theatre, cinema and housing (still under re-development).

21. The Local Plan’s vision for Doncaster Borough takes account of the values set out in the ‘Doncaster Growing Together’ (2018 Update) strategy for the Borough. It envisages that Doncaster will be a place where ‘Team Doncaster will act as a partnership bringing together public services, businesses and local creatives to manage, animate and energise our town centres’. This will be achieved by ‘continuing to grow on the success of the events programme….striving to make Doncaster accessible by all means of transport and promote the use of cycling and walking’.

22. The Council is also working on updating its Environment Strategy, which considers the topic areas of natural environment, built environment, business, economy and green technology, sustainable consumption, education and behavioural change,
health implications and benefits. This has particular relevance to retail in as it provides for a more sustainable environment, introducing local independent stores, encouraging behaviour changes to retail consumption and packaging, and encouraging healthy habits in the way we eat and what we eat. This work is due for completion in summer 2020.

23. More specifically, a number of additional evidence base documents have been prepared to support the development of retail policies within the Local Plan. These include:

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<th>Evidence base</th>
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<tr>
<td>Retail, Leisure and Town Centre Study – Volume 1 Main Report</td>
<td>Provides up to date evidence on retail and leisure needs within the borough. Identifies the quantifies the strength of out-of-centre retailing in Doncaster as a key issue for the town centre with the increasing presence of traditionally high street retailers in out-of-centre locations a particular concern.</td>
<td>GVA Grimley (July 2015)</td>
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<td>Volume 2 – Appendices</td>
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<td>Volume 3 – Household Survey</td>
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<td>Doncaster Retail, Leisure and Town Centres Study Addendum – Advice on the NPPF Sequential Test and Impact Assessments</td>
<td>Draws on the evidence from the Main Report and its findings (above) to provide guidance on the application of the sequential and impacts tests.</td>
<td>GVA Grimley (July 2015)</td>
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<td>Doncaster Urban Centre Masterplan</td>
<td>Draws on evidence for the main town centre core. Outlines a bold ambition but realistic. Reflecting a clear sense of direction and promotes a growing economic contribution into Sheffield City Region and beyond as part of the Northern Powerhouse.</td>
<td>DMBC / David Lock Associates / Genecon / Knight Frank (2016)</td>
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<td>Doncaster’s Local Plan Retail Strategy</td>
<td>Investigates and reflects on the spatial distribution of retailing across the borough and how this links in to the spatial strategy.</td>
<td>DMBC (Planning) (July 2019)</td>
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<td>Doncaster’s Town, District and Local Centres Evidence</td>
<td>Provides up to date supporting evidence for Doncaster’s Local Plan. Classifies the existing centres and proposes new centres in the Borough according to the role and function they perform.</td>
<td>DMBC (Planning) (July 2019)</td>
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<td>Hot Food Takeaway Evidence Review</td>
<td>Provides up to date evidence for Doncaster’s Local Plan on the hot food takeaways and their impact in the Borough. Justifies the Council’s wider decision to regulate hot food takeaways and promote wider strategic approach in promoting a healthy environment and addressing health concerns of the population in respect of obesity.</td>
<td>DMBC (Planning and Public Health) (June 2019)</td>
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24. The Borough’s town centres are a network of places which provide the opportunity to shop locally. They provide public services and facilities within easy access, generating a socio-economic benefit to all, such as encouraging inward investment, improving quality of life and increasing the attractiveness and sustainability of places.

25. Due to the wide dispersal of communities and neighbourhoods across the borough there is a spread of small retailing centres which serve local towns and support the wider rural hinterlands and smaller villages. Town centres (this term includes town, district, local and neighbourhood shopping parades) provide a strong retail sector for the Borough, pushing Doncaster as a driver for growth, and encouraging and supporting a competitive, diverse and stable economy. Focusing on, and supporting centres through the Local Plan and in local planning policy helps to ensure they are sustainable and easily accessible, and enhancing the vitality of the existing town and the wider borough. This makes more attractive, healthier, safer and active places. This also contributes to maintaining and creating sustainable places and successful place making, creating useable areas that meet local service and retail requirements, and in doing so reducing unsustainable trip generation.

26. The retail hierarchy carefully considers the size and function of each centre. Centres have been classified and categorised according to the role and function they perform. Centres provide an existing range of retail and non-retail services and public and community facilities, serving the day-to-day needs of communities and neighbourhoods.

27. GVA Grimley (BiLfinger) were instructed by DMBC to undertake updates on the existing retail and leisure evidence to inform the preparation of Doncaster’s Local Plan: Retail, Leisure and Town Centre Study (known as The Study). The study included performance analysis of Doncaster, Mexborough and Thorne town centres (the three major retail areas in the Borough) using a range of indicators of vitality and viability (health check), current shopping patterns, retail expenditure and quantitative and qualitative retail needs.

28. Having analysed the major retail areas, Doncaster, Thorne and Mexborough the report recommends improving connectivity across the town, focusing on creating a high quality environment and a “sense of place” and the need to strengthen functional and physical linkages between the railway station and town centre and not just through the Frenchgate. The report then goes onto the identify areas of the town centre and areas of Thorne and Mexborough where specific recommendations are identified, again to strength their offering. The report also identifies the quality and strength of out of town retailing in Doncaster with concerns previously highlighted above, with the increasing presence of traditionally high street retailing in these locations.

29. Overall, it recommends the Council should consider in any future site specific policies convenience and comparison floorspace, the range of uses which would
create viable local centre offerings, a maximum unit size to ensure that large units are not created when not needed, and a phasing policy to ensure district and local centres does not come forward in advance or in isolation of any new residential areas it is intended to serve.

30. The **Local Plan Retail Strategy** was undertaken to reflect and guide the spatial distribution of retail uses and in terms of their size, function and type across the borough, and link into the overall spatial strategy. The **Urban Centre Masterplan** also informs this strategy and looks at Doncaster and the way residents and businesses use the town centre.

31. **The Town, District and Local centres evidence** identifies survey results within each town centre, and provides brief conclusions on the current situation on the ground in the Borough’s centres. Maps are provided of each centre indicating previous boundaries, current uses and proposed boundaries for the Local Plan purposes.

32. A network and hierarchy of town centres has been produced in Policy 2, ‘Spatial Strategy and Settlement Hierarchy (Strategic Policy)’. Table 2: Network (and Hierarchy of Centres) shows how centres are distributed around the Borough and the role they perform. This was produced using a methodology developed in the Town, District and Local Centre Evidence, which included:

- Mapping of existing uses
- Mapping of existing boundaries (adopted UDP)
- Mapping of proposed boundaries (withdrawn Sites and Policies DPD)

33. The real long-term benefit of these centres is that they can also help deliver other local, regional and national planning policy objectives, including social and economic benefits for towns and villages that are able to preserve unique businesses with distinctive character. In supporting these centres they in turn generate local employment, promote beneficial competition and create attractive, healthier, more sustainable and safer places where people want to live, visit and work.

34. Other specific evidence has been produced to inform Doncaster’s Local Plan policies such as the **Gambling Evidence Review**, which provides an overview of gambling and the impact of problem gambling on residents locally.

35. The **Hot Food Takeaway evidence review** also supports the direction of Doncaster's Local Plan policies. The evidence has informed the Councils wider decision to regulate these uses and forms part of the strategic approach in promoting a healthy environment and addressing health concerns particularly with respect to obesity and the inequalities in the borough.

**Transition to Local Plan policy**

36. The Core Strategy, adopted in 2012, contains the strategic policies ‘CS7: Retail and Town Centres’, which sets out circumstances in which town centre, retailing and out-of-centre proposals will be considered and ‘CS8: Doncaster Town Centre’ which sets out a strategy for the Doncaster Town Centre. These policies were flexible to respond to changing economic circumstances but robust enough to ensure that the vitality and viability of existing centres was sustained and enhanced wherever
37. To meet the Local Plans Vision, Chapter 4 includes Policy 2: Spatial Strategy and Settlement Hierarchy (Strategic Policy) and Policy 3: Level and Distribution of Growth (Strategic Policy). These policies seek to concentrate growth in larger and more sustainable settlements, making the most of existing services and facilities and delivering new developments such as housing, employment, retail and other uses to where it is most needed, in accordance with the consulted on settlement strategy.

38. Given the most recent evidence and studies, specific existing retailing and town centres policies will be replaced in the Local Plan by:

- Policy 23: Locating Town Centre Uses (Strategic Policy);
- Policy 24: Development within Town, District and Local Centres (Strategic Policy);
- Policy 25: Food and Drink Uses;
- Policy 68: Doncaster Town Centre;
- Policy 69: Key Doncaster Town centre and Main Urban Area Mixed-Use Sites;
- Policy 71: Mexborough Town Centre; and
- Policy 72: Thorne Town Centre.

39. These policies will ensure positive planning by contributing (alongside other policies in the Local Plan) to the sustainability of settlements aiming to ensure that these centres remain vibrant, attractive and welcoming places to visit, shop, do business and undertake leisure activities in.

**Locating Town Centre Uses**

40. Local Plan Policy 23, Locating Town Centre Uses (Strategic Policy) aims to direct new retail development to existing centres, in line with the approach set out in para. 85 of the NPPF. Only when this cannot be achieved will an ‘edge-of-centre’ location be deemed appropriate, and only when this cannot be achieved will an ‘out-of-centre’ location be considered.

41. The NPPF does, however recognise that there may be circumstances where new town centre uses will be acceptable where not in an existing centre, and when not in accordance with an up-to-date plan. However, to ensure that such an approach will not harm the vitality or existing centres, paragraph 89 of the NPPF requires the use of an impact assessment. It supports the use of what it terms “a proportionate, locally set threshold (if there is no locally set threshold the default threshold is 2,500 sqm).

42. From the evidence in The Study, and the advice in the supporting Addendum, the Council is proposing a local retail impact assessment threshold of 750sqm or above of gross floorspace, for retail and town centres use developments where they are proposed on the edge of Doncaster town centre (i.e. well connected to and up to
300m from the primary shopping area), or on the edge of Doncaster Town centre (up to 300m from the town centre boundary); and for all other locations 500sqm or above for gross floorspace.

43. The impact assessment proposals are not currently covered in the Core Strategy nor the saved Unitary Development Plan policies. The evidence within The Study shows that in most cases the impacts of the growth in out-of-centre retailing in Doncaster have been gradual and it is the cumulative effects of developments over time, compounding wider trends that have resulted in a decline in vitality and viability of Doncaster town centre.

44. The Study summarises that Doncaster town centre is generally a healthy town performing in accordance with its role as an important sub-regional shopping destination with low vacancy rates in the Frenchgate Centre. However, there is an imbalance in performance across the town centre with a weaker performance in secondary retail areas. There are concerns with falling pedestrian footfall outside of the Frenchgate Centre, high level of vacancy in some areas, limited range of café/restaurant uses and an over concentration of pub/bar uses.

45. The reason for the locally-set thresholds is to ensure that new retail units outside of town centres are small enough to serve day-to-day local need for large scale mixed use developments and employment areas. It is considered that retail units above this threshold could not only threaten the vitality and viability of the borough’s town centres but could have a negative impact on the existing local shops (often independent businesses) which are serving the needs of the local community. The introduction of larger shops may also be unsuitable to the local area in terms of their size and the activity they may generate, for example with regards to congestion, parking and noise. It is acknowledged that in setting the new retail threshold, it will capture larger proposals which are more likely, when located outside of existing centres, to have adverse effects on existing town centres, unless demonstrated otherwise.

46. Therefore, the policy to set a local threshold, along with evidence regarding the health of centres and the main shopping area boundary, will ensure great consistence with the NPPF. This will ensure protection to the future vitality and viability of Doncaster Town Centre and other retailing centres within the borough from impacts of the out of centre retail, commercial and leisure developments.

Development within Town, District and Local Centres

47. Local Plan Policy 24, Development within Town, District and Local Centres (Strategic Policy) will allow the Council to protect, maintain, enhance and, where possible, extend or create vibrant places where shopping activity is concentrated to maintain their character and function which serve the communities and neighbourhoods. This Policy also covers betting shops, pay day loan shops and pawnbrokers.

Planning, Retail and Health

48. The whole of Section 8, of the NPPF (Promoting healthy and safe communities) requires planning policies and decisions to help promote the health and wellbeing of residents, workers, students and visitors in boroughs through its role in shaping the built and natural environment. This can influence people’s ability to follow
healthy behaviours and can have positive impacts on reducing inequalities.

49. There is a concern about the impact of some of the specific uses, such as betting shops, pay day loan shops and hot food takeaways on Doncaster's high streets. Particularly, their clustering and proliferation, can incur negative social and health impacts on local communities as well as harming the attractiveness, vitality and character of town centres.

50. These uses are now classified as a use on their own (either Sui Generis or Class A5) and in order to support other Borough Strategies, specific planning policies are set out in the Local Plan to consider relevant applications on their individual merits.

**Betting Shops, Pay Day Loan Units and Pawnbrokers**

51. Planning has role to play in creating healthy communities and limiting the number of betting shops, pay day loan units and pawnbrokers is one element that can contribute to this. The consequences of problem gambling or gambling related harms can be far reaching, affecting not only the individual, their family and friends but also networks of society.

52. These uses are now classified as sui generis, they were previously in Use Class A2 which included “Professional and Financial Services” such as banks and building societies, estate and employment agencies but were changed in 2015, in a revision to the Town and Country Planning (General Permitted Development) (England) Order. The April 2015 changes followed a July 2014 technical consultation showed overwhelming support for the proposals to require a planning application for change of uses to such uses.

53. The clustering of these uses has increased nationally in recent years. The impacts of clustering of particular uses e.g. betting shops alongside payday loan shops, pawnbrokers and adult gaming centres is recognised by national publications, Supplementary Planning Guidance by other local authorities, and has been the subject of considerable public and media interest. The Portas Review, published in 2011, considered the influx of betting shops and concluded that they were often in more deprived areas and this impacted on high streets.

54. Doncaster's Local Plan Policy 24, Development within Town, District and Local centres (Strategic Policy), Part 3: Betting Shops, Pay Day Loan Units and Pawnbrokers, provides considerations for these outlets ensuring that town centres continue to play a part in the perception and sense of place vital for residents and visitors that they remain attractive and comfortable. The over concentration of these uses is not seen a positive element of a vibrant and diverse retail centre. Outlets of this kinds tend to cluster in areas of deprivation where the population is largely made up of people most at risk of utilising such services.

55. The approach to betting shops in the Local Plan is considered to be consistent with national policy and local evidence in supporting the continued success, vitality and viability of Doncaster's centres. It is acknowledged that there is a fine balance between creating a thriving economy and ensuring the environment encourages good population health. There are population groups in Doncaster that are likely to be at risk of problem gambling.

56. The approach within the policy is justified by national and local evidence, although
it should be noted that at the time of writing, there is a lack of robust evidence given the nature of gambling i.e. the confidential nature of betting shops and online gambling means gamblers can remain anonymous, which hinders data collection that can inform policy development.

57. The approach the policy does consider is that betting shop clustering is occurring in the borough; secondly, that betting shops can have negative social and wellbeing impacts; and thirdly that concentrations of these uses can harm the vitality and viability of centres i.e. clustering of non-retail uses with no displayed frontages.

Food and Drink Uses

58. Food and drink uses such as restaurants, cafes, pubs, bars, hot food takeaways and fast food outlets, whilst serving a useful function to our communities, have the potential to undermine the role of centres where the concentration of such leads to the loss of the variety of shopping offers available - particularly when evening opening hours result in shuttered premises during the day making high streets less appealing to visitors during the day.

59. Doncaster has high rates of overweight and obesity compared to the national average; 71.4% of adults are overweight or obese compared to the national average of 46.5% and 20.6% of children in year 6 are overweight or obese compared to the national average of 10.7%. Research shows that obesity is now one of the major health concerns to prioritise, given links between obesity and diseases such as Type 2 Diabetes, Cancer and Heart Disease.

60. Doncaster’s Health and Wellbeing Board aims to improve the health and wellbeing of the residents of Doncaster and reduce inequalities in health outcomes. The Board produces Doncaster’s Health and Wellbeing Strategy that aims to provide a high level vision for health and wellbeing in Doncaster and describes the locally adopted model for health and wellbeing. One area of focus that this strategy highlights is obesity. The priorities of which is that the “approach to obesity for Doncaster are around developing a whole systems approach to obesity which promotes and positively contributes to creating a healthy and equitable living environment”.

61. Doncaster’s Local Plan Policy 25, ‘Food and Drink Uses’, provides policy requirements for proposals for food and drink uses including a sequential approach to ensure they are located in sustainable places, and do not have a negative impact upon amenity and safety of residents. Doncaster’s Local Plan policies support and promote a more active lifestyle whilst recognising that over-concentration of hot food takeaways can give rise to particular concerns.

62. The policy seeks to define appropriate locations and concentrations for new takeaway/fast food premises and preventing these uses in other locations including: within 400m of schools, sixth form colleges, community centres or playgrounds and within existing centres (satisfying the requirements of the sequential approach in Policy 23).

63. Representations received during the Regulation 19 consultation included:

   a. unclear how refusing hot food takeaways within 400m of certain establishments and local facilities such as a school or community centre
can be justified;

b. the planning system is ineffective in distinguishing between uses that are healthy and those that are not. For example some takeaways are not unhealthy; and

c. the NPPF is not concerned with dietary issues. It identifies hot food takeaways as a main town centre use that should be located in town centres.

64. The approach taken isn’t to “ban” these uses, but to manage any proposed uses within communities and neighbourhoods in light of increasing concerns of residents and politicians regarding the overconcentration within the Borough, and the knock on impacts with regards to health and the vitality of places. There is also strengthening national and local evidence base and revised planning policy guidance relating to this issue.

65. Obesity is a complex issue and not solely affected by individual behaviours but influenced by a number of social and environmental issues. This policy forms part of the Council’s overarching strategy to tackle the Borough’s obesity and food poverty problems. The aim is to prevent hot food takeaways developing in areas regularly frequented by children (i.e. in close proximity to schools, colleges and playgrounds). Similarly, by ensuring a balance of these uses within our designated centres, Policy 25 seeks to promote and protect healthy choices and retain economic diversity of the Borough, as well as protecting the attractiveness, vitality and character of those centres.

66. Regarding the issue relating to the ‘healthiness’ of food options in hot food takeaways, while it is accepted that not all hot food takeaways sell unhealthy food, it is considered that there is no guarantee that a healthy-food business model would continue into the future under an A5 use class and that it is not an unreasonable prospect that pressures on the business could lead to a change in the nature of the food sold despite the current best intentions of the appellant.

67. The Local Plan ambition to define appropriate locations and concentrations for new takeaway premises is a major part of this Borough and Council wide approach. It is also supported by elected Members, residents’ attitudes, known by the amount of objections received for recent planning applications for changes of use and new outlets and the national and local evidence base.

Summary of Appeal Decisions

68. There is a growing number of appeal decisions that are supporting the Local Plan approach in relation to the health and wellbeing and obesity agendas. Although the following examples are based on the NPPF (2012), we consider them to have relevance to the drafted policy. A summary of relevant appeals is detailed here:

69. An appeal was made against refusal to grant planning permission in Gateshead which proposed a change of use of part of an existing retail unit (Use Class A1) to hot food takeaway (Use Class A5) with external alterations (Ref: APP/H4505/W/3121498). The Inspector dismissed the appeal citing NPPF (2012). In particular para 7 explained the need for the planning system to perform a number of roles, including supporting strong, vibrant and healthy communities by (amongst other things) creating a high quality built environment that reflects the community’s needs and supports its health, social and cultural well-being. Furthermore,
paragraph 69 reiterated that the planning system can play an important role in creating healthy inclusive communities.

70. Further to this Gateshead Borough Council has adopted a local policy within an SPD which seeks to reduce the high levels of obesity within the Borough. The ward where this A5 use was to be located had high obesity levels as well as a high concentrations of A5 uses (15%). The Inspector also cited this policy within the SPD and the supporting evidence to dismiss the appeal.

71. A further appeal has been made against the refusal of a change of use from a property from retail (Use Class A1) to hot food takeaway which was also dismissed in Long Benton, North Tyneside. (Ref: APP/W4515/W/17/3184901). Despite the appellant seeking to emphasise that the proposal would sell healthy food, the Inspector was not persuaded, considering that there was no guarantees that the current business model would continue. Indeed the main issue for his dismissal was the effect of the proposal on the health of the community. The Inspector cited an adopted Local Plan policy in North Tyneside that seeks to restrict A5 uses in wards where more than 15% of year six pupils and 10% of reception-age pupils are classed as “very overweight”. In Long Benton, both groups exceed these thresholds.

72. What is interesting to note from both of these appeal decisions is the importance that the Inspector placed on health issues. In addition it is notable that both Gateshead and North Tyneside Council’s had either an SPD or Local Plan policy to support refusal that the Inspector’s placed significant weight in dismissing the appeals.

Conclusion

73. The retail and town centres policies contained in Policy 2, and Chapter 8 of the Local Plan seek to support growth and development in Doncaster town and the other retailing centres throughout the borough. The aim of the policies is to encourage and support a competitive, diverse and stable economy focusing on the Borough’s town and district centres.

74. Throughout the whole Local Plan there is promotion of healthy lifestyles and well-being of people of all ages and backgrounds to reduce inequalities and obesity levels across the Borough.

75. The policies are all prepared in line with national policy and guidance and ultimately the provision of retailing within the Borough will go a long way to ensure that the centres remain vibrant, attractive and welcoming places to visit, shop, do business and enjoy leisure.
References and Terminology

NPPF (2019)
NPPG – Town centres and retail
NPPG – Healthy and safe communities
Core Strategy Policies CS7: Retail and Town Centres and CS8: Doncaster Town Centre
UDP policies – Shopping
UDP policies – Doncaster town centre

Terminology associated with Retail and Town Centres and Health

Bulky goods: Retail categories that include furniture, white goods, electrical equipment, bedding, lighting, automotive parts, camping and outdoor equipment, tools, building materials and DIY and homemaker products.

Comparison goods: Goods that consumers buy at infrequent intervals and normally would compare prices before buying e.g. TV, fridges, clothes etc.

Convenience goods: A consumer item that is widely-available, purchased frequently and with minimal effort. Examples of convenience goods include newspapers and sweets.

Core Strategy: Part of the statutory development plan superseded when the Local Plan is adopted.

Edge of centre: For retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

National Planning Policy Framework (NPPF): Sets out the Government’s social, economic and environmental priorities relating to planning and articulates the Government’s vision of sustainable development.

Non-Bulky goods: Includes items such as clothes and footwear.
**Out of centre:** A location which is not in or on the edge of a centre but not necessarily outside the urban area.

**Out of town:** A location out of centre that is outside the existing urban area.

**Primary shopping area:** Defined area where retail development is concentrated.

**Sequential approach:** Considering options for sites for development in a particular order. For example, in terms of new shops, we would first look for sites within a shopping centre and then for sites on the edge of the shopping centre before looking at sites outside the centre.

**Sustainable Development:** Development that has an acceptable or positive effect on the economy, the environment and social conditions, and which uses natural resources carefully. Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. This concept offers the prospect of reconciling the pressures for growth with the need for conservation.

**Town centre:** Area defined on the local authority’s policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.