

CONSULTATION STATEMENT – Planning for Health Supplementary Planning Document 2013

In connection with the preparation of the Planning for Health Supplementary Planning Document (SPD), a Consultation Statement is required to demonstrate with whom the Council consulted and how they engaged with local people and other interested parties during the preparation stages of the SPD.

The statement contains the following information:

- i) A summary of the organisations with whom the Council consulted;
- ii) How those organisations were consulted;
- iii) A summary of the issues raised; and
- iv) How those issues have been addressed in the SPD.

A six week period of Frontloading Consultation was undertaken between 20th October – 17th November 2011. Frontloading consultation is the stage where we consult key partners, colleagues and agencies to gather evidence which can be used to inform the document. The objective is to begin discussing the vision and strategy for the SPD which means involvement of key stakeholders has a direct influence on the SPD.

The draft SPD then went on statutory consultation for a further six weeks between 25th March – 17th May 2013. A number of issues were raised during this period of consultation which resulted in some small changes being made to the document. These are discussed in the Section entitled 'Statutory Consultation'.

Frontloading Consultation

A letter and/or email (Appendix 1) was sent to all the stakeholders and statutory consultees on 20th October 2011 outlining how good planning can help address health and health inequalities. Views were welcomed from anyone regarding planning for health issues with and any other comments which stakeholders felt were important and should be taken into consideration in the preparation of the SPD. In addition to this letter, a Press Release was placed in the local Express and Star welcoming views from the public and our webpage was update to invite comments from people via the internet.

The letter was sent to colleagues within other Council departments and the Public Health Office and to the following external stakeholders:

- Access in Dudley
- Birmingham City Council
- Bromsgrove District Council

- BT West Midlands
- Churchill & Blakedown
- Coventry City Council
- Hunnington Parish Council
- Dudley PCT
- English Heritage
- Environment Agency
- Eon
- Frankley Parish Council
- Hagley Parish Council
- Highways Agency
- Himley Parish Council
- Homes & Communities Agency
- Clent Parish Council
- Hutchinson 3G UK Limited
- Kinver Parish Council
- Entec C/o National Grid
- Natural England
- Network Rail
- O2 (UK) Ltd
- Orange Personal Communication Services Ltd
- Romsley Parish Council
- Sandwell MBC
- British Gas
- Severn Trent Water Ltd
- South Staffordshire Council
- South Staffordshire Water PLC
- Staffordshire County Council
- Swindon Parish Council
- Telewest Communications
- The Coal Authority
- T-Mobile (UK) Limited
- Vodafone Ltd
- Walsall MBC
- Warwickshire County Council
- West Midlands Police
- Wolverhampton City Council
- Wolverley and Cookley Parish Council
- Wombourne Parish Council
- Worcestershire County Council
- Wyre Forest District Council

- Inland Waterways Association
- Civil Aviation Authority
- Commission of Built Architecture and Environment (CABE)
- Sport England
- Centro
- Black Country Chamber of Commerce (Dudley Office)
- Dosti
- Home Builders Federation
- Defra
- British Waterways
- Telewest Communications

The Council received 0 responses to the frontloading consultation apart from mentions of support for the emerging document from colleagues in other Council departments.

Statutory Consultation

The SPD was put on statutory consultation for a period of six weeks from 25th March – 17th May 2013. This involved a letter (Appendix 2) being sent to all the statutory consultees as in the first stage of consultation, another Press Release being placed in the local papers, and meetings held internally with colleagues in other Council departments. A 'Drop-in' event was undertaken for Council Members on 4th March 2013 where posters

A paper copy of the document was also placed in the Borough's main libraries, the Planning Reception and the Dudley Council Plus offices in the town centre.

The representations received on the SPD at this stage of consultation can be viewed below.

Summary of Representations made and Council responses March – May 2013

Respondent	Summary of Comments	Council Response
<p>Tim Glews, Environmental Protection Manager, DMBC</p>	<p>I have had a read through the draft SPD & there are additional issues which could be included / emphasised from an Environmental Protection point of view. In particular;</p> <ul style="list-style-type: none"> - The issue of potentially contaminated land associated with the allotment & food growing spaces recommendations. - Reference to the Contaminated land inspection strategy, currently being reviewed. - Noise is mentioned in a couple of places, we are currently developing a Borough wide Noise Action Plan with Transport officers, this could feature as a relevant policy in the SPD. - Figure 16 includes the requirement for extraction & ventilation equipment to be positioned internally where practicable, this can lead to noise & vibration issues in some circumstances & needs to be handled carefully. - It is pleasing to see that Air quality is referred to in several locations in the draft SPD, however it is critically linked to trees & vegetation as a method of improving AQ. There is little evidence available that trees & vegetation as green / brown walls are effective in improving AQ in urban locations, I am concerned that the link is made so strongly in this draft document (figure 121 & 14.3). A much more effective way to improve AQ is to reduce the use of private vehicles & control emissions from HGV's & Passenger vehicles. The references to air quality need to be considered more carefully by EP officers for the final document. 	<p>The SPD has been altered to reflect the points made by Environmental Protection:</p> <ul style="list-style-type: none"> • References to the issue of contaminated land have been included within the food growing spaces guidance box and in the reasoned justification beforehand. • Reference to the Noise Action Plan has been inserted. • The 'Action' box in the Checklist diagrams now include more emphasis on how important reducing vehicle emissions is for improving air quality and there is less emphasis on trees and plants improving air quality. <p>It was felt unnecessary to refer to potential vibrations from extraction and ventilation equipment as this detail will be dealt with at application level.</p>
<p>Colleen Williams, Secretary of SPaHG</p>	<p>Very good to have an SPD on health and something that should be promoted among all Local Authorities.</p> <p>I have had a quick glance through the document and although there is reference to</p>	<p>Noted. Reference to EIA and SEA has now</p>

	using HIA, there does not seem to be any connection made either with EIA or SEA. It might be helpful as both these assessments provide an environmental (and in SEA economic) context for the health aspects.	been made within the document.
Angela Atkinson, Stakeholder and Networks Officer, Marine Management Organisation	I can confirm that the MMO has no comments on this document as the geographical area it covers does not include any area of the sea or tidal river and is therefore not within our remit.	
Diane Woolliscroft, Breastfeeding Coordinator, DMBC	I have looked at parts relevant to breastfeeding and am really pleased that it is in the planning for health document, and that there will be no excuse for not being aware that it is recommended that facilities for changing and welcoming breastfeeding should be provided.	
Paul Southon, Public Health Development Manager, Sandwell. Chair of SHUDU.	<p>(Para Numbers based on Limehouse version)</p> <p>Para 1.15 - Should this recognise the importance of cross area working with neighbouring boroughs – some areas such as transport planning operate at larger scales.</p> <p>Needs to reference the ‘duty to cooperate’ with other areas. Important when planning for health. E.g. health facilities will be used by people outside the borough, need to consider accessibility across a wider geography – people don’t recognise boundaries when using services.</p> <p>Para 2.2 (Black Country Core Strategy)- Is it worth saying that in terms of the NPPF the BC Core Strategy is the local plan?</p>	<p>Noted. This section has been altered to make reference to the Duty to Co-operate and also cross-boundary issues.</p> <p>We feel the explanation of the Core Strategy is adequate.</p>

	<p>Para 2.6 - Should include HOU2 – accessibility to employment, health facilities, fresh food & education</p> <p>Para 2.25 (HIA) - There are different levels of HIA – a table top rapid HIA has much lower resource & time cost and would be suitable for smaller scale policy / developments. For example - London HUDU Watch Out for Health.</p> <p>Para 3.4 (Marmot Review) - Important to acknowledge that Marmot Objective E – healthy communities & places – also includes the importance of evidence based community development & of community involvement in managing / planning their environment.</p> <p>3.8 The Health Map - Why use Dahlgren & Whitehead here after mentioning the Barton & Grant diagram – you can get a free licence to use the Barton & Grant maps from UWE.</p> <p>Para 3.12 – (last sentence) Specific link to Marmot Objective E?</p>	<p>Noted. HOU2 is now included.</p> <p>A better explanation of HIA and the differing methods which can be used is now included here as well as reference to the London HUDU Watch out for Health.</p> <p>Noted. Reference has been made to Marmot objective E.</p> <p>There was some confusion over the proper source of the Health Map. This has been rectified for the final draft.</p> <p>Noted. See above comment.</p>
<p>Roslyn Deeming, Land Use Advisor, Natural England</p>	<p>Natural England generally supports this Supplementary Planning Document (SPD) as we want to encourage everyone to make the most of their green space. We believe our parks, woodlands and countryside, even tree lined streets are a major resource that can help to combat rising levels of diseases such as diabetes, obesity and depression.</p> <p>We particularly welcome the statement on Healthy Sustainable Development (paragraph 4.5) which highlights the important of green space, links to green networks and the enhancement of biodiversity. We would suggest however that the statement also includes the term Green Infrastructure.</p>	<p>Noted. The term ‘Green Infrastructure’ has been inserted into this paragraph.</p>

We also support paragraph 4.11 Planning for Healthy lifestyles. We agree that the provision of good quality local accessible green spaces can offer a range of benefits, e.g.

- Access to local greenspace can reduce health inequalities
- Increased and improved accessibility to greenspace can help increase physical activity
- Contact with greenspace can help improve health and wellbeing
- Green space contributes to functioning ecosystem services that can have a positive influence on health. Ecosystem services can assist in adapting to the extremes of climate change, e.g. green areas have less heat-island effect than built up areas.
- Greenspace can also help improve air quality and respiratory irritants. Function ecosystem services can also mitigate the risks associated with flooding from extreme rainfall events.

We would suggest that the SPD should make reference to Natural England's Accessible Natural Greenspace Standards (ANGSt) which provides a set of benchmarks for ensuring adequate access to natural and semi-natural greenspace near to where people live. The ANGSt methodology provides a powerful tool in assessing current levels of accessible natural greenspace and planning for better provision. Natural England's most recent wording of the standard is:

- No person should live more than 300m from their nearest area of accessible natural green space of at least 2ha in size;
- There should be at least one 20ha accessible natural green space within 2km from home;
- There should be one 100ha accessible green space site within 5km;
- There should be one 500ha accessible natural green space site within 10km;

Reference to ANGSt has been made within this section.

	<ul style="list-style-type: none"> • At least 1ha of statutory Local Nature reserve should be provided per 1000 population. <p>Further information on delivering and managing natural and semi-natural greenspace can be found in our report Nature Nearby - Accessible Natural Greenspace Guidance (Natural England 2010) http://publications.naturalengland.org.uk/publication/40004</p>	
<p>Stephen Carpenter, Regional Communications Officer – Midlands & East, McDonald's Restaurants Ltd</p> <p>(Email and hard copy received on 20/08/13 after consultation closed)</p>	<p>Consultation Response: Proposals to restrict A5 properties</p> <p>I write regarding the Council's recently closed consultation to restrict planning applications for hot food takeaway (A5), where the 'proposal will fall within 400m of the boundary of an existing school, or other youth centred facility (e.g. after school clubs, youth centres).'</p> <p>As a leading restaurant chain, McDonald's has 1,200 restaurants across the UK in which we employ 92,000 people. For many – and particularly young people – we provide a first step on the career ladder, and the training, opportunities and support to advance their careers.</p> <p>As a responsible business, we have invested significantly in recent years to reformulate our menu; extend the range of choice; and to provide our customers with nutritional information to make decisions right for them. However, whilst we support the aim of this policy to improve health, we do have concerns.</p> <p>In particular, we believe there are strong parallels with proposals put forward by South Ribble District Council, and Newham Borough Council, regarding the blanket restrictions on new A5 properties. Here, independent Officers from the Planning Inspectorate said:</p>	<p>(Email response sent on 21/08/13)</p> <p>Dear Mr Carpenter</p> <p>Thank-you for your consultation response in respect of our emerging Planning for Health SPD, which I received today. The SPD will be taken to Cabinet on 18th September 2013 to seek approval to adopt and given the levels of support and backing from within the Council, Public Health and our other Partners, we do not anticipate any barriers in attaining its adoption.</p> <p>Whilst we appreciate the concerns that you have raised in your letter, we are nonetheless of the view that there is sufficient reason and evidence to support the introduction of 400m Exclusion Zones around the Boroughs schools and youth centred facilities where Planning Permission for new A5 uses will be restricted.</p>

- The policy 'is not supported by evidence at present';
- They had 'strong reservations that the approach to the problem is proportionate'; and
- Concluded 'this part of the policy would be ineffective and therefore unsound'

We do not believe planning restrictions of this nature are an appropriate or proportionate response to improve public health, as there must be flexibility for decisions to be made on a case by case basis.

However, if the Council does wish to pursue this policy, we believe there is a need to justify the exclusion of A1 and A3 retailers, or to include them in the policy also. Ultimately, 70% of 'unhealthy' purchases in the school fringe are made in A1 or A3 retailers, as concluded in research commissioned by Waltham Forest.

McDonald's is determined to play its part in improving health and wellbeing, and we are keen to work with the Council to improve public health. However, for the reasons outlined below, we cannot support the policy in its current format.

The 'Fringe Report' which you have attached with your response is one such piece of evidence, as although it does conclude that school children may purchase more unhealthy food from A1 convenience stores and newsagents than from A5 hot food takeaways, there is still a significant percentage of food being bought from these A5 outlets. The intention of the Exclusion Zones is that restricting even one element of where children may purchase junk food will enable us to take one more step in tackling food related health issues in our Borough.

We are working closely with our Public Health partners and Environmental Health colleagues in Dudley and this SPD is only one of a range of strategies and plans being rolled out to help tackle these health issues. Hopefully, in time, the cumulative impact of all the plans, strategies and policies will enable us to make a difference.

In addition, each proposal for a new A5 use which is submitted to the council will be assessed on its individual merits and the guidance contained in the SPD will be applied with a degree of flexibility for each case, for

		<p>instance, if an applicant wished to sell a range of healthier food instead of the typical high fat, high salt food sold in most hot food takeaways.</p> <p>Although you have provided two examples of where the introduction of Exclusion Zones has been cited as being 'ineffective and unsound', as of January 2013, there were 21 Local Authorities in England with policies or draft policies designed to restrict hot food takeaways in their local areas. One of the most common policies within these was that of Exclusion Zones around schools (information supplied by Andrew Ross, Planning and Health Consultant, Final Draft Consultancy).</p> <p>Once again, thank you for taking the time to offer your opinion on our emerging SPD.</p>
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Appendix 1

Planning for Health Supplementary Planning Document Frontloading Consultation (September 2011)

Dudley Council is commencing a Supplementary Planning Document (SPD) entitled 'Planning for Health'. This SPD will form part of Dudley's planning policy and it will be taken into account when planning decisions are made for the Borough. It will contain information on how everyone's health is affected by planning and it will ensure that the health implications of any new development are considered.

Good planning means linking economic, social and environmental issues with the strategies and programmes of public agencies and service providers to create attractive places to improve the quality of life and well being of individuals and communities. Planning therefore, has a crucial role to play in ensuring health inequalities are addressed. Local planning policies, and the location of new development and facilities, should enable people to have a choice of high quality and attractive places to live and allow them to reach the services they need and, for the services they need to reach them. Planners and health professionals are working together to facilitate 'healthy planning'.

We are currently gathering evidence to identify the issues that the SPD should respond to. Therefore, we are inviting you to give your opinions now, early on in the process where it can really make a difference. We have put together some of the issues we've identified so far and would welcome your input. Dudley MBC will consider any comments received provided that they arrive by 7th November 2011. You may return this form or separate comments via email, phone, fax or in writing, to;

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It is anticipated that the Planning for Health SPD will be adopted in June 2012. For more detail on the timetable, please refer to the Council's webpage;

<http://www.dudley.gov.uk/environment-planning/planning/planning-policy/local-development-framework/health-spd/>

Links between planning and health

There are a number of key areas where the links between planning and health are significant:

- transport and accessibility to amenities
- healthy economy and job opportunities
- the built and natural environment
- community engagement and partnership working

Once people are given the opportunity to access necessary and complimentary services, jobs and open space, their physical health and well-being can increase considerably, as can their mental health. Disadvantaged groups and communities who have poor access to new jobs often suffer from low life expectancy and poor health. Improved prosperity and job opportunities can positively influence health by creating sustainable communities. Additionally, ensuring a combination of good quality housing, safer streets, accessible open space, well-designed public realm and clean air, can all reflect positively on health and well-being.

Q1. Do you agree? Are there other links?

To ensure mental health and well-being, an essential element is to provide the catalyst for community engagement and partnership working. Integrating community engagement in developing local plans for their areas will promote community ownership and enhance contributions from all sectors including the old, young and ethnic minority groups. The planning system encourages the participation of the local communities at an early stage of plan preparation so that they are involved in shaping future redevelopment of the areas in which they live and work.

Q2. How do you feel community engagement can be strengthened?

Accessibility to healthy food is becoming an increasingly important theme for Local Authorities to identify in order to tackle and overcome obesity problems and encourage healthier diets. Planning and Policy can help in this process by identifying gaps where access to fresh produce is limited and positively encouraging bridging those gaps.

Q3. How do you feel that local planning can contribute to meeting these gaps and encouraging more healthy lifestyles and more people making healthy food choices?

The aims of this SPD will be:

- To explain how the Council intends to address the affect which the built and natural environment has on health as part of a strategic approach to

addressing the Borough's obesity problem and health inequalities through development proposals.

- To provide supporting information and guidance for planners and investors in line with that which is set out in national guidance and the Joint Core Strategy.
- To potentially impose distance restrictions on the creation of new takeaways in proximity to schools, youth amenities and recreational areas and reduce the clustering of hot food takeaways.
- To conform with, and add value to the 'Food for Health' Action Plan for Dudley and the Borough's Healthy Towns Initiative and Community Strategy
- To explore the possibility of seeking developer contributions from new takeaways towards initiatives to tackle obesity and working with hot food takeaways to improve the nutritional value of the food they sell.
- To improve opportunities to access healthy food in new developments.
- To be an important material consideration in the determination of planning applications.

Q3. Do you agree with these aims and do you feel that they sufficiently cover what the SPD should address?

There have been a number of documents published on this topic in recent years. The most relevant of these for Dudley Borough are the NICE Public Health Guidance 8, 2008 (Promoting and Creating built or natural Environments that encourage and Support Physical Activity); The Regional Health and Well-being Strategy, 2008; Healthy Weight, Healthy Lives (a cross-government strategy for England) 2008 and; Be Active, Be Healthy: A Plan for getting the nation moving, 2009. These reports have helped set the scene for the Dudley Healthy Towns Initiative and the Dudley Food for Health Action Plan.

Q4. Are there any strategies/plans which you are aware of which should be taken into consideration in the preparation of this SPD?

Q5. Do you have any further comments to make that you feel would be beneficial for the preparation of this document?

Dear,

Draft Planning for Health SPD Consultation

Dudley Council is currently preparing a Supplementary Planning Document (SPD) to provide guidance on the health impacts of all new development. Developing strong, healthy and vibrant communities is vital to ensuring the well-being of the Borough's population and planning therefore, has a crucial role to play in ensuring health, and health inequalities, are addressed.

The purpose of this Supplementary Planning Document (SPD) is to provide supporting information and guidance for planners, developers and investors on how our environment and the planning decisions we make, impacts on the health and wellbeing of the population. When adopted, the SPD will be a material consideration in determining planning applications and should be used in preparing future plans, strategies and development briefs and in making policy decisions.

Frontloading consultation was undertaken throughout 2012 and the ideas and issues raised were used to inform this draft report. We are now welcoming views regarding the content of this SPD from anyone who has an interest in it. We would invite you to consider the draft report which can be located on the following link or alternatively you can view a paper copy of the SPD at the Planning Offices, 3 St. James's Road, Dudley, or at any of the main libraries across the Borough at normal office opening hours (9am – 5pm).

<http://www.dudley.gov.uk/environment-planning/planning/planning-policy/local-development-framework/health-spd/>

You are also welcome to provide comments via our Consultation Portal which is accessed on the following link;

http://dudley.limehouse.co.uk/portal/planning/planning_for_health_spd

Dudley MBC will consider all comments received on Planning for Health, provided that they arrive by 17th May 2013. All comments received will be considered and the document altered accordingly if appropriate.

Should you wish to be notified upon adoption of this SPD, please make us aware of this and provide an address (postal or email) with your representation. You may return comments via email, phone, or in writing, to;

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It is anticipated that the Planning for Health SPD will be adopted in October 2013.
For more detail on the timetable, please refer to the Council's webpage;

<http://www.dudley.gov.uk/environment--planning/planning/local-development-framework/local-development-scheme>

Yours sincerely,

Helen Martin
Head of Planning Services