

Briefing Note

Our ref 66885/01/JW/AKn
Date 11 July 2025
To Rochdale Borough Council
From Lichfields on behalf of McDonald's Restaurants Ltd

Subject Response to Public Health Consultee Comment on application ref. 25/00312/FUL

1.0 Introduction

- 1.1 This briefing note has been prepared by Lichfields on behalf of McDonald's Restaurants Ltd ("McDonald's") in relation to a planning application for the "*Erection of drive-thru restaurant (Use Class E / Sui Generis) with associated access, servicing, car parking, hard and soft landscaping, substation and other associated works*" (ref. 25/00312/FUL). The application is currently being considered by Rochdale Borough Council ("the Council").
- 1.2 This briefing note considers public health matters relevant to the proposed development in the context of the development plan and national planning policy. It has been prepared to respond to comments from the Council's Director of Public Health and Communities dated 27th May 2025. It also seeks to address further comments from the Case Officer in relation to anti-social behaviour.
- 1.3 This note does not seek to reassess compliance with development plan policies, which is included within the submitted Planning Statement, however where specific queries have been raised, a response has been provided below.
- 1.4 This response note is structured as follows:
- Section 2.0 – Planning Policy Context
 - Section 3.0 – Response to Public Health comments, including Assessment against the Council's Hot Food Takeaway SPD and the National Planning Policy Framework
 - Section 4.0 – Conclusions

2.0 Planning Policy Context

- 2.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan comprises:

- 1 Rochdale Core Strategy (CS) (adopted October 2016);
- 2 Rochdale Borough Unitary Development Plan (UDP) (adopted June 2006); and,
- 3 Places for Everyone Joint Development Plan Document (PfE) (adopted March 2024).

- 2.2 The Council has also published a ‘Guidelines & Standards for Hot Food Takeaway Uses Supplementary Planning Document’ (HFT SPD) (April 2015, updated February 2017).
- 2.3 In respect of other material considerations, the revised December 2024 National Planning Policy Framework (NPPF) introduced a new paragraph 97 relating to hot food takeaways. It states:
- “Local planning authorities should refuse applications for hot food takeaways and fast food outlets:*
- a. within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre; or*
- b. in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social behaviour.”*
- 2.4 The requirements of the above policies and guidance are assessed in the context of the proposed development scheme in the subsequent sections of this briefing note.
- ### 3.0 Response to Public Health Comments
- 3.1 The below is structured to respond to the summary bullet points at the conclusion of the Director of Public Health and Communities consultation response.
- “this proposed development contradicts what is set out in our SPD, section DM1; it will have an adverse impact on health.”***
- 3.2 Policy DM1 part f) which is referenced in the Public Health response is contained within the Core Strategy, rather than the HFT SPD. Policy DM1 sets out the general requirements for development. Part f) states that all development proposals will be expected to demonstrate that they:
- “Do not have an adverse impact on health, through its impact or the effect of existing problems e.g. land contamination, or poor air quality”*
- 3.3 The planning application is accompanied by a range of technical assessments that demonstrate the proposals comply with the relevant national and local standards in terms of noise, air quality, ground contamination and flood risk and drainage. There is no evidence to suggest that the proposals would give rise to significant adverse effects on health.
- “this proposed development does not align with NPPF recommendations in that it is within 400m of the town centre/bus station area which is a key area for young people to congregate.”***
- 3.4 In respect of part a) of paragraph 97, the NPPF does not provide a definition as to what constitutes a walking distance. However, the approach taken by many planning authorities is to apply a 400m buffer. This corresponds with the guidance in the Council’s Hot Food Takeaway SPD (Policy HF1) which sets a restrictive 400m buffer around secondary schools.

- 3.5 As set out in the accompanying Planning Statement, there are no secondary schools within a 400m buffer and the nearest is Rochdale Islamic Academy - some 1.2km walking distance from the site. The Public Health response recognises that the site is not near any secondary schools but notes that it is within 800m of three primary schools. However, the primary schools all lie well beyond 400m and in any event, it can be expected that children who attend primary school will generally be accompanied to and from school. This is reflected in the fact that primary schools are not covered by Policy HF1.
- 3.6 There is no guidance in the NPPF or PGG which defines “*other places where children and young people congregate*”, but this can reasonably be assumed to include facilities such as youth clubs and parks with children’s play equipment. There are no such facilities within walking distance of the site. However, the Director of Public Health and Communities response sets out that Rochdale Town Centre and Rochdale Interchange are locations where young people could congregate.
- 3.7 Whilst the site is located close to Rochdale Town Centre and the Rochdale Riverside development, it is not considered that this should be a reason to suggest that the development does not comply with part a) of paragraph 97. The NPPF is clear that ‘main town centre uses’ (the definition of which at Annex 2 includes drive-thru restaurants) should be located within town centres, and, where no town centre sites are available, in locations at the edge of the town centre i.e. locations like the application site.
- 3.8 As the proposals comply with the town centre policy requirements of the NPPF and the development plan, it is not reasonable to object to the planning application on the basis of the site’s proximity to facilities within the town centre when other national and local planning policies require town centre uses, such as the proposed use, to be located within or on the edge of town centres.
- 3.9 In a similar vein, planning policy requires main town centre uses to be accessible by a range of modes of transport, including public transport – to both ensure accessibility by all (including those without access to a car) and to encourage travel by modes of transport other than the private car. It is not therefore reasonable to object to the site’s proximity to Rochdale Interchange, which forms an important part of the borough’s public transport infrastructure. It is not a destination where people choose to dwell – it is a transport hub which people pass through.
- 3.10 In the context of all of the above, it is not considered that the proposals conflict with part a) of paragraph 97.
- 3.11 With respect to part b) of paragraph 97, we have considered whether there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social behaviour, and set out our comments below.

Concentration of Uses

- 3.12 As set out in the accompanying Planning Statement, the site is located in an established commercial area on the edge of Rochdale Town Centre. However, there are no adjacent

food takeaways, and, therefore, implementation of the proposed development would not result in a clustering of such uses.

- 3.13 The Director of Public Health and Communities states that there are 12 ‘fast-food outlets’ within 400m of the site which are plotted on a map contained within the consultation response. However, most of these outlets appear to be located within Rochdale Town Centre, and this is unsurprising given that planning policy directs such uses into the town centre. Indeed, it would be surprising if there were not a significant number of uses within the centre. The response also refers to two drive-thru restaurants within 5km of the site. These uses are both some distance from the site and the application proposals would clearly not result in a concentration of uses.

Impact on local health

- 3.14 With regard to unhealthy weight, the presence of a single restaurant operator in a locality is unlikely to have any discernible effect on local health, particularly considering there is not a concentration of such uses in the immediate area.
- 3.15 McDonald’s has developed a voluntary Code of Practice that contains a number of nutritional commitments that have been guided by Government strategy and positive engagement with Public Health England. Their approach is very different from that of other hot food takeaway operators who do not operate such a wide-ranging menu or provide
- 3.16 McDonald’s is committed to giving their customers a range of options and supporting them to better understand the choices they make. As set out in the Planning Statement and outlined in further detail above, McDonald’s is committed to supporting improving local health by encouraging active lifestyles and a balanced approach to diet and with clear nutritional information on its food. Further information on local health is provided as Section 4.0 of this note.

Pollution

- 3.17 The Air Quality Assessment submitted with the planning application demonstrates that the overall significance of operational phase road traffic emissions impacts resulting from the proposed development are negligible.
- 3.18 The accompanying Environmental Noise Assessment demonstrates that levels of plant noise would have a ‘very low impact’; customer activity noise would be negligible; and delivery noise levels would have a ‘very low impact’ during the daytime and less than significant adverse impact at nighttime. The proposed odour control measures are considered to overcome the risk of adverse impacts.
- 3.19 The proposed development is therefore considered to not have an adverse impact on pollution, especially when considering there is not an overconcentration of hot food takeaways in the vicinity.

Anti-social behaviour

- 3.20 The proposals will deliver a modern, safe and attractive restaurant which has been designed to avoid secluded spaces and enable passive surveillance of the premises. Lighting and CCTV is proposed throughout the site, with CCTV monitored by McDonald's to ensure the safety of its customers and staff.
- 3.21 Tackling anti-social behaviour is a key part of delivering the best possible customer experience for McDonald's customers and providing a great place to work where employees feel energised, safe and valued.
- 3.22 McDonald's enjoys a good relationship with the communities they work within. The site will be actively managed and there will be comprehensively trained staff present during the hours of operation. McDonald's has a number of operational procedures to reduce the risk of crime and minimise anti-social behaviour. These measures are implemented through staff training programmes to ensure they are enforced. It should be noted that no McDonald's restaurant within the United Kingdom serves alcohol and none of McDonald's drinks or food are served to customers in glass receptacles.
- 3.23 In a separate response from the Case Officer, it has been suggested that incidences of anti-social behaviour within Rochdale Town Centre correlate with concentrations of hot food takeaways, specifically around South Parade and north of Wet Rake Gardens.
- 3.24 Whilst the site is situated on the edge of Rochdale Town Centre, it does not lie within the main area of commercial activity, none of the surrounding uses are open during the evening and there is no clustering of hot food takeaways in this location. Furthermore, both areas referred to are at least 400m walking distance from the proposed development and there is no visual relationship between them. It is therefore unclear how the proposed development could be said to contribute to levels of anti-social behaviour within and around Rochdale Town Centre.
- 3.25 Overall, there is considered to be limited potential for anti-social behaviour arising from the proposals due to design of the development and the typical operational management measures that would be put into place. In the event that anti-social behaviour did occur, the McDonald's franchisee would work proactively with other operators and members of the local community to access and implement an appropriate response.
- “there is already a dearth of hot food takeaways in this area which may already have pushed us beyond the 5% concentration limit as set out in our Hot Food Takeaway SPD. We would like to seek advice/analysis from the planning and licensing teams in the council to see if we could assess this concentration and recommend this informs the application decision.”***
- 3.26 The reference to a “5% concentration limit” is taken from Policy HF3 of the HFT SPD and relates specifically to ground floor units within a defined Primary Shopping Area. The site is not located within a Primary Shopping Area, and whilst it is located on the edge of Rochdale Town Centre it is not within the boundary defined on the UDP Proposals Map. This policy does not therefore apply to the proposed development.

- 3.27 Furthermore, the written justification for Policy HF3 is clear that its purpose is to protect the retail function of the borough's designated town, district and local centres and linear commercial areas and to ensure that shopping areas are diverse and balanced. The application proposals would have no impact upon retail function of the town centre.
- “accepting this proposal contradicts the efforts of our council and wider system and its aims to improve the health and wellbeing of our residents. This application would be counter to all the aims and objectives in the strategies outlined earlier along with the services we commission around healthy eating and physical acidity.”***
- 3.28 The Public Health response sets out that the site is located in a ward with high childhood obesity levels and that the borough has high levels of deprivation. In discussing the health impacts on children and young people, the response makes specific reference to the increased availability of food which is high in fat, salt and sugar (HFSS).
- 3.29 The response sets out the strategies and policies that seek to improve health in the borough and it is clear that the Public Health team is committed to addressing obesity and the health impacts arising from this. McDonald's supports the promotion of healthier lifestyles and tackling obesity and is committed to giving their customers a range of options and supporting them to better understand the choices they make. However, as recognised in the Public Health response, the causes of obesity are complex and cannot be attributed to any single factor. Socio-economic factors, education, levels of physical activity and access to a range of food choices can all have an influence on levels of obesity. Furthermore, McDonald's offer is only intended to form part of an individual's dietary choices.
- 3.30 Responding specifically to the comments on HFSS, McDonald's nutrition strategy in the UK has been in place for over 15 years. During this time, McDonald's has reformulated over 200 of their ingredients and invested heavily in broadening its menu of balanced healthy options. They have introduced more salad options, as well as fruit and vegetable bags, orange juice, mineral water and organic semi- skimmed milk. Currently, 92% of the core food and drink menu is under 500 calories.
- 3.31 Around 70% of items in the McDonald's Happy Meal menu is non-high in fat, salt and sugar (non-HFSS), according to the UK Government's Nutrient Profiling Model. Happy Meals include nutritional snack options such as carrot or apple and grape / fruity bags.
- 3.32 McDonald's has developed a voluntary Code of Practice that contains a number of nutritional commitments that have been guided by Government strategy and positive engagement with Public Health England. Their approach is very different from that of other hot food takeaway operators who do not operate such a wide-ranging menu or provide customers with information on nutrition and calories to help them make an informed choice.
- 3.33 Nutritional information is presented in a variety of ways to customers, from nutrition labelling on select food packaging to use of its mobile apps, kiosks and online nutrition calculators, as well as displaying calories on menu boards. This allows customers to select an order that fits with their own dietary plans and nutritional requirements.

3.34 In the context of all of the above, it is not considered that the proposed development is at odds with the aims of the strategies listed in the Director of Public Health and Communities response.

“this proposed development, as a drive-thru promotes sedentary behaviour and therefore contradicts the physical activity and active travel strategies for our city region and borough.”

3.35 The site’s accessibility by public transport, walking and cycling links and its proximity to Rochdale Town Centre are all reasons why McDonald’s identified the site as a location for a new restaurant. This is recognised in the Director of Public Health and Communities response. We are therefore unclear why the proposals have been deemed as contradictory to active travel strategies.

3.36 The inclusion of a drive-thru lane does not preclude customers making the journey to the restaurant in physically active ways – it simply provides an additional sales channel which meets the requirements of some customers.

3.37 The proposed development is easily accessible by foot and public transport. Furthermore, given its proximity to the town centre, it is likely that there will be linked trips between the new restaurant and existing facilities. It will also cater for local residents and workers in the surrounding employment areas.

3.38 In our view, the site lies in a location which will support and encourage sustainable and active travel and offers potential to reduce the reliance on vehicular trips by car (particularly given that alternative locations might include out of centre sites which may be more difficult to access by non-car modes).

3.39 In terms of physical activity, McDonald’s seeks to encourage young people to have active lifestyles and has supported grassroots football across England, Scotland, Wales and Northern Ireland since 2002. McDonald’s now has over 600 Fun Football Centres that provide hundreds of free football sessions delivered by a team of fully qualified coaches across the UK.

3.40 Franchisees at a local level can also play an important role in helping to bring positive health impact in local communities, with sponsorship of local sports teams or investment into other teams/ sports facilities. McDonald’s would be happy to do the same in Rochdale to provide tangible social impacts for local residents.

“there are already 2 drive thru sites from this application less than 5km from the proposed site.”

3.41 The location of existing drive-thru restaurants is not relevant to the determination of the planning application and the presence of two other restaurants less than 5km from the site is not indicative that there is an existing overconcentration of such uses.

3.42 As set out in the Operator Statement that accompanies the planning application, McDonald’s have been through a comprehensive site assessment process which has identified the application site as a viable commercial opportunity. The proposals will meet

an identified need for an additional drive-thru restaurant to assist in alleviating pressure on the existing restaurants in the area which are trading at very high levels.

4.0 Summary and Conclusions

In summary, the proposed development accords with the relevant policies of the development plan and there is no conflict with paragraph 97 of the National Planning Policy Framework. This is because the site is not within walking distance of schools or other places that young people congregate and there is no evidence to demonstrate that that a concentration of hot food takeaways/fast food restaurants is having an adverse impact upon local health, pollution or anti-social behaviour in the local area.

- 4.1 Whilst the Public Health response refers to high childhood obesity levels and high levels of deprivation with the borough and local area, the causes of obesity are complex and cannot be attributed to any single factor. McDonald's has a unique and comprehensive approach to supporting healthier lifestyles including provision of a range of food options and dietary information, a voluntary Code of Practice that contains a number of nutritional commitments, partnerships with sports providers and direct financial support from franchisees to local sports groups. The site is also easily accessible by active travel modes.
- 4.2 The technical documents submitted alongside the application demonstrate that the proposals would give rise to significant adverse effects on health and quality of life, nor residential amenity.
- 4.3 The proposed restaurant would bring wider health benefits which have not been considered in the Public Health response and should be acknowledged in the determination of the application – these include benefits arising from creation of accessible new employment opportunities (attainable for young people / those currently looking for work) and associated mental and physical benefits from being in work, and creation of a new, affordable dining option / social meeting place. These benefits need to be weighed against the perceived disbenefits of the scheme highlighted by the Public Health response in reaching a balanced view on the overall health impact of the proposed development.
- 4.4 Overall, the application proposals comply with the relevant policies within the adopted development plan when read as a whole, and national planning policy, in relation to public health.