

Annex E: City of York Council Hot Food Takeaways and Fast-Food Outlets Planning Guidance

About this guidance

This guidance sets out how York will assess planning applications for hot food takeaways and fast-food outlets (Sui Generis) in accordance with national planning policy. It responds to clear evidence (see Annex 1) that takeaways can harm health, undermine amenity and weaken the quality and character of neighbourhoods.

This guidance is intended to help York reach aspirations in the York Health and Wellbeing Strategy, by supporting all Children and Young People to have the best possible start in life, and to achieve our ambitious healthy weight goals.

In 2026 City of York Council has adopted a [Compassionate Approach to Healthy Weight](#). This approach recognises obesity as a complex condition shaped by interactions between genetic, social and environmental factors. This guidance note is one aspect of improving the health of our environment and achieving the ambitious aims of our [Health and Wellbeing Strategy](#).

What is the guidance trying to achieve?

While takeaways can provide convenient services, their negative impacts are well documented. Evidence shows that such patterns of rising numbers of fast-food outlets are closely linked to poorer [health outcomes](#). Takeaway foods are typically high in calories, salt, sugar and fat and their ready availability encourages frequent [consumption of energy dense options](#). This contributes to higher rates of overweight, obesity and diet related diseases such as type 2 diabetes and cardiovascular conditions.

Hot food take-aways also generate noise, odour, traffic, parking pressures and litter and can contribute to anti-social behaviour and reduced perceptions of safety. These issues erode residential amenity, disrupt the daytime economy and diminish the overall quality of local centres.

These harms are not experienced equally. Children, young people and residents in more deprived communities are disproportionately exposed to unhealthy food environments and have fewer accessible alternatives. In areas of deprivation:

- Children are [twice as likely](#) to develop obesity by age five and [one in three](#) do so by the time they leave primary school.
- There are up to [five times more](#) fast-food outlets than wealthier areas, limiting access to healthier food options.

There are also economic implications. [Research shows](#) that managing the concentration and location of takeaways can deliver net economic benefits for local authorities. This is mainly due to the relatively low economic contribution of takeaways on high streets and the higher value generated when premises are occupied by a broader mix of uses.

In 2024, York already had a higher than average density of fast food outlets at [119.5 per 100,000](#) population compared with an England average of [115.9 fast food outlets per 100,000](#) and this continues to rise. In 2017 the density in York was [104.4 per 100,000 population](#), showing a sustained upward trend over time.

The cumulative effect of these issues, including poor diet, reduced neighbourhood quality, increased nuisance and widening health inequalities, provides a clear justification for intervention. This guidance therefore establishes a proportionate and evidence based framework for managing the location, scale, design and cumulative impact of hot food takeaways and fast food outlets. Its purpose is to:

- protect public health and reduce health inequalities
- safeguard residential amenity and community wellbeing
- maintain vibrant balanced and attractive centres
- ensure that hot food takeaways and fast food outlets contribute positively to their surroundings
- prevent harmful clustering and manage cumulative impacts
- address and minimise impacts on road safety and the highway network

Through targeted controls, design expectations and operational conditions this guidance supports York's ambition to create healthier, safer and more equitable neighbourhoods while recognising the legitimate role that takeaway businesses can play within a balanced local economy.

Relevant planning policy

The [National Planning Policy Framework 2024](#) gives councils responsibility to act in the best interest of their communities and on hot food takeaways and fast food outlets 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”

This guidance note therefore provides further detail around how the City of York Council will apply these national policy requirements when considering proposals for hot food takeaways and fast food outlets.

Use Class Order

Hot food takeaways and fast-food outlets fall outside the use classes identified in the Town and Country Planning (Use Class) Order 1987 (as amended). This is known as a 'sui generis' use.

The proposed layout of the premises will provide a guide as to whether a proposal is a restaurant (falling within use class E(b) of the Use Class Order) or a hot food takeaway or fast-food outlets (and not falling within any class of the UCO). In assessing premises consideration will be given to:

- The proportion of space designated for hot food preparation and other servicing in relation to designated customer circulation space; and/or
- The number of tables and chairs to be provided for customer use;
- The hours of opening;
- The percentage of the takeaway use to the overall turnover of the business

The applicant will be expected to provide detailed floor plans to demonstrate the above and that the proposed use will be the primary business activity.

For clarity, we set out below examples of uses which are considered likely to be hot food takeaways, and those which are not. This list is not exhaustive, and applications will be considered on a case by case basis.

Examples of Hot Food Takeaways:

- Fish and chip shops
- Pizza takeaway
- Chinese or Thai takeaway
- Indian takeaway
- Burger takeaway
- Fast food drive through
- Chicken or southern fried chicken shops
- Kebab takeaway

Examples of other uses not covered by this guidance:

- Restaurants, snack bars, cafes
- Sandwich and deli shops
- Bakeries
- Coffee shops
- Public houses and wine bars
- Ice cream shops and parlours
- Night clubs
- Shisha bars

Guidance for considering planning applications

To help create healthy environments, all planning applications (new, variation of condition, extension or amendment) relating to Hot Food Takeaways and Fast-Food Outlets will be determined according to the following considerations:

1. Sites outside designated centres which are within walking distance of schools and other places where children and young people congregate

Outside York's City Centre and Acomb and Haxby District Centres (the designated centres), planning applications will normally be refused within **800 metres walking distance** of the entrance to a primary school or secondary school and other places where children and young people congregate. For the purpose of this guidance, we have only included play areas within the mapped buffers as representative of other places young people potentially congregate. The 800 metre distance has been chosen as it is widely considered to equate to a reasonable walking distance¹.

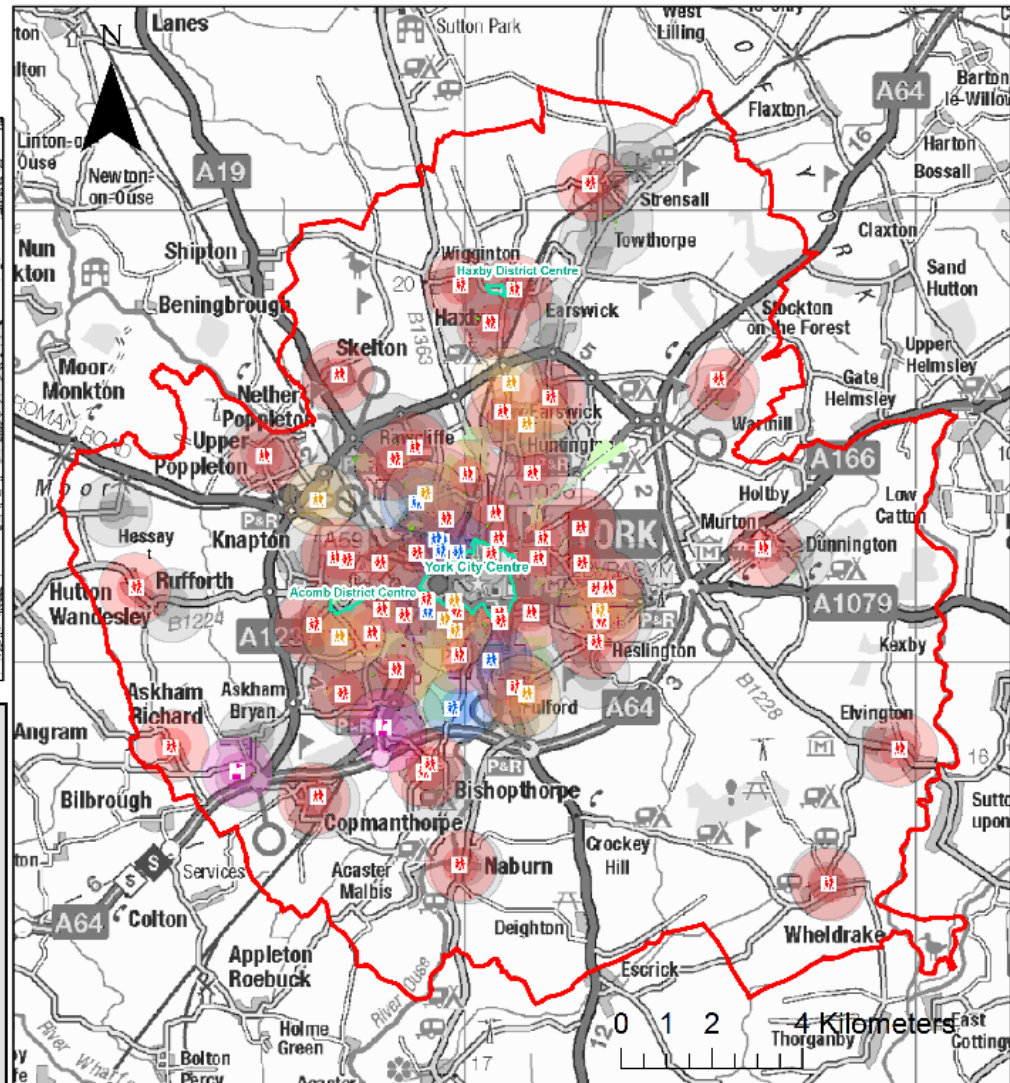
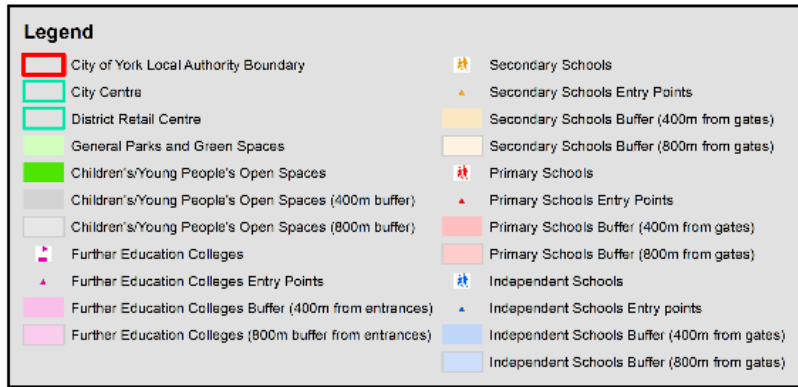
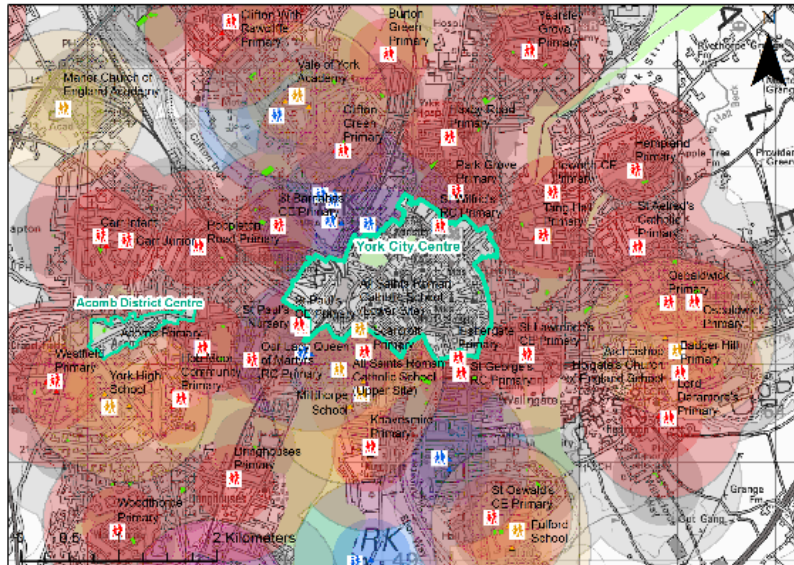
The exclusion zones are shown on the Hot Food Takeaway Exclusion Zones Map.

Where a proposal within the 800 metre exclusion zones is recommended for approval, the Local Planning Authority will consider whether a planning condition restricting hours of opening, as below, is necessary to protect children's health:

- **Primary schools:** not open to the public between 3pm and 5pm on weekdays, with no over-the-counter sales during this period.
- **Secondary schools:** not open to the public before 5pm on weekdays, with no over-the-counter sales before this time.

¹ <https://questions-statements.parliament.uk/written-questions/detail/2026-02-09/111724>

Healthy Places SPD: Hot Food Takeaways Exclusion Zones Map



Date: 24/02/2026

2. Sites in designated centres or outside the exclusion buffers.

To prevent concentrations of hot food takeaways and fast food outlets having an adverse impact on local health, pollution or anti-social-behaviour, planning applications will be determined on a case by case basis, against the following considerations:

Concentration Issues

- Does the proposal contribute to clustering of 2 or more adjacent hot food takeaways?

Health Impact

- Is the proposal likely to have an adverse impact on local health? In line with NPPF guidance “local planning authorities should refuse applications for hot food takeaways and fast food outlets in locations where there is evidence that a concentration of such uses is having an adverse impact on local health”. Therefore to determine areas where hot food takeaways are likely to impact adversely on health assessment we will draw on a range of relevant health indicators. These are likely to include: Adult obesity at GP level; excess weight in 5-year-olds at ward level; excess weight in 11-year-olds at ward level; Diabetes Prevalence (QOF) at GP level; and Coronary Heart Disease (QOF) prevalence at GP level, alongside any other metrics considered pertinent to understanding local health impacts.
- Applications for hot food takeaways and fast food outlets are encouraged to include a [Health Impact Assessment](#) which will be taken into account during the assessment of the application.

Noise and Disturbance

- Proposals will be assessed in relation to noise, disturbance, highway safety, parking, hours of operation, odours, litter, waste disposal, crime and anti-social behaviour. Applicants should submit evidence and mitigation measures addressing adverse impacts.
- In line with NPPF paragraph 187(e), proposals must demonstrate that they will not contribute to or be adversely affected by unacceptable levels of pollution or noise.
- Hot food takeaway activity often peaks late at night. Planning permission is unlikely to be granted where nearby residential amenity would be adversely affected.
- Where permission is granted, opening hours may be restricted to avoid noise and disturbance at anti-social hours. In residential areas, earlier closing times may be required, and premises may be required to close no later than 11pm.
- Hot food takeaways can cause noise issues where they share a party wall with a residential property; the impact of this will be assessed on a case by case basis. The presence of residential accommodation above or adjacent

does not automatically preclude permission where the area is primarily commercial, provided residential amenity can be protected.

- Proposals will be refused where on street parking or vehicle movements would create highway safety problems which cannot be mitigated.
- Due to the high volume of short-stay delivery vehicle movements often associated with hot food takeaways, applicants must demonstrate measures to mitigate noise and air quality impacts on neighbouring residents.
- All delivery drivers (including third-party couriers) shall switch off their engines immediately upon parking at or near the premises. Engines must remain off until the vehicle is ready to depart. Continuous engine idling by delivery drivers is considered a public nuisance and is strictly prohibited.
- The business operator is responsible for the conduct of all drivers delivering on their behalf. Applicants for new hot food takeaways that include a delivery service shall provide a statement outlining how they will enforce a 'No Idling' policy. This may include specific instructions in all driver contracts, providing an anti-idling briefing as part of a driver induction, and procedures for monitoring driver behaviour in designated waiting areas.
- Any customers parking, albeit temporarily, on property associated with the takeaway business, shall be required to switch off their engines whilst waiting to be served. Appropriate signage should be clearly displayed requesting customers to do this.

Smells, Extraction and Ventilation

- Applicants must submit full details of the design and siting of fume extraction systems.
- Extraction systems must comply with EMAQ guidance "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (September 2018) from Commercial Kitchen Exhaust Systems and any relevant technical standards.
- Flues must be located and designed to minimise visual impact and prevent noise and odour nuisance to neighbouring premises, including upper-floor residential accommodation.
- A grease trap may be required to prevent drainage issues.

Design and Community Safety

- Proposals must achieve a high standard of shopfront design that contributes positively to the street scene and maintains active frontages.
- Solid external roller shutters will generally be resisted; where security measures are required, they should be integrated and designed to maintain visual interest and natural surveillance.
- Appropriate external lighting and, where necessary, CCTV should be provided to support community safety, avoid creating dead frontages and help deter crime and anti-social behaviour.

- Design should have regard to relevant community safety guidance, including Secured by Design principles, where applicable.

Storage of Waste Products and Litter Management

- Suitably sized, sited and screened refuse stores must be provided and accessible at all times.
- Applicants must submit full details of waste storage systems.
- A litter management plan may be required, including:
 - Provision of litter bins outside the premises;
 - Regular litter patrols within the vicinity of the premises;
 - Measures to prevent litter accumulation.

Further Advice

For pre-application discussion contact planning.enquiries@york.gov.uk or visit <https://www.york.gov.uk/PlanningAdvicePreApp>

For advice on the control of:

- Noise email: neo@york.gov.uk
- Odours email: public.protection@york.gov.uk
- Food hygiene email: food.safety@york.gov.uk
- Licensing of late night refreshments email: licensing@york.gov.uk

Annex 1 – Evidence base

Health Impacts of Hot Food Takeaways

National Health

The nation is experiencing a severe challenge around excess weight. [Almost two thirds of adults are now classified as overweight](#) or obese, and rates of childhood obesity are also escalating rapidly. Around [one in four children](#) begin primary school already overweight or obese and this increases to more than [one in three by year 6](#). Obesity increases the risk of early death and raises the likelihood of serious health problems such as heart disease, stroke, some cancers, high blood pressure, type 2 diabetes and depression. Most new cases of type 2 diabetes are linked to excess weight, obesity contributes to thousands of deaths each year from heart and circulatory diseases, and it plays a role in more than one in twenty cancers in the UK. For children, obesity affects far more than physical health. It can harm emotional wellbeing, confidence and social development, and can influence long term life chances.

Obesity is one of the most complex public health challenges of our time. It is shaped by biology, environment, mental health, trauma and the social and economic inequalities people experience every day. It is also driven by wider structural factors, including a commercial food environment that makes unhealthy options cheap, easy to access and heavily promoted, [particularly to children and in more deprived areas](#).

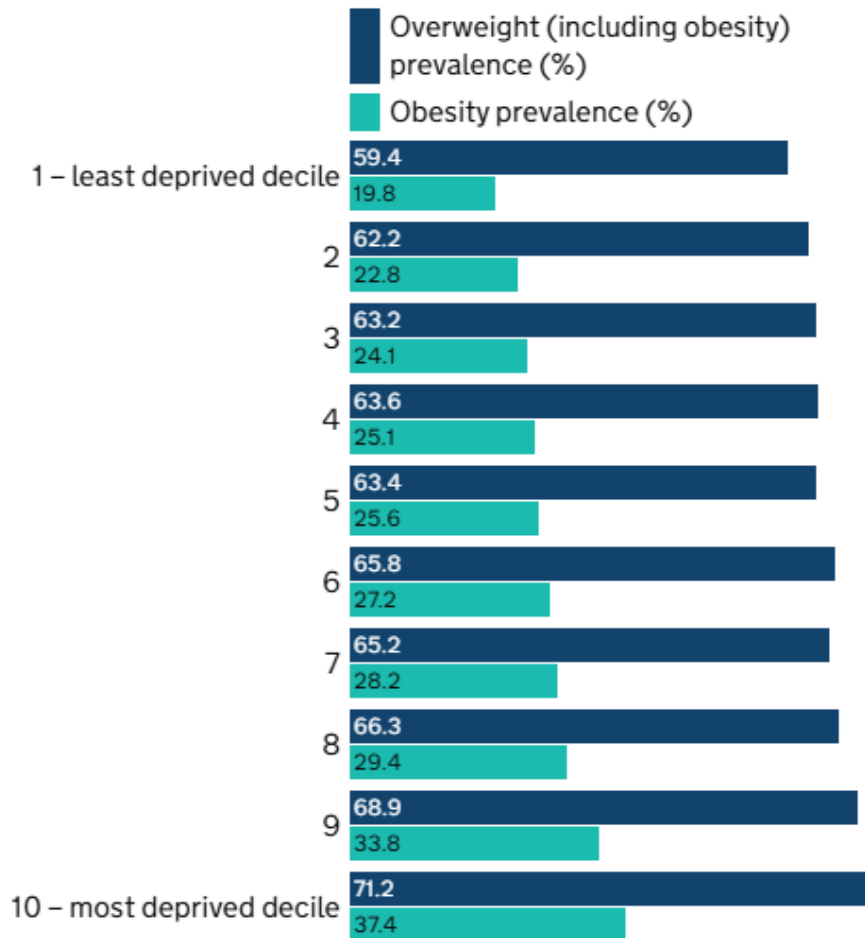
Rising obesity also places a heavy financial burden on public services. The NHS spends an estimated [£11.4 billion each year](#) treating conditions linked to obesity, and this cost is expected to grow as rates increase. When wider impacts such as reduced productivity, sickness absence, unemployment and social care needs are included, the total cost to society is estimated at more than [£74 billion a year](#). Without effective action, these pressures will continue to rise.

Inequity in healthy weight in England

In 2023–24, [64.5%](#) of adults in England were overweight or living with obesity. These patterns vary by sex, age, ethnicity and deprivation, and are closely linked to differences in local food environments, which includes the density of hot food takeaways.

Adults living in the most deprived areas have the highest prevalence of overweight ([71.2%](#)) and obesity ([37.4%](#)), and these are the same areas where hot food takeaways are most concentrated. The gap between local authorities with the highest and lowest prevalence of excess weight is 34.6 percentage points, reflecting stark differences in environmental exposure to unhealthy food options.

Figure 1: prevalence of overweight and obesity in adults (aged 18 years and over) by lower layer super output area (LSOA) deprivation decile



Source: [Office for Health Improvement and Disparities \(OHID\)](#), based on [Sport England Active Lives Adult Survey data](#).

When looking at different ethnic groups, the prevalence of overweight (including obesity) and obesity in adults is highest among those who identified as Black (73.4% and 33.1% respectively) or White British (65.7% and 27.8% respectively).

Inequity in access to healthy food

Access to healthy, affordable food is unevenly distributed. People experiencing poverty are significantly more likely to consume diets high in sugar, fat and salt, and low in fruit, vegetables and wholegrains². This pattern is not simply the result of individual preference. It reflects the food environments people are exposed to and the structural constraints that shape everyday choices³. For example, ultra processed and foods that are high in fat, salt and sugar are often cheaper than buying fresh, more nutritious produce. Healthier foods are twice as expensive per calorie as less healthy foods, with the gap widening by 21% between 2022 and 2024⁴. Additionally lower-income

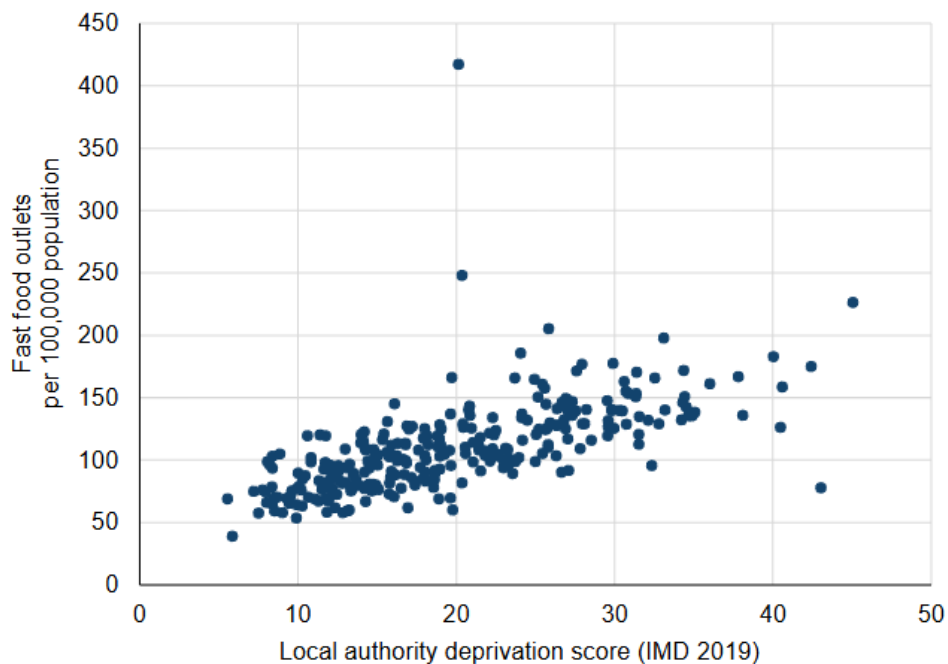
² [From purse to plate: implications of the cost of living crisis on health](#) – Food Foundation, [Diet related health inequalities](#) – Uk Parliament research Briefing 2022

³ [The Food Foundation Broken Plate Report 2025](#)

⁴ [The Food Foundation Broken Plate Report 2025](#)

communities typically face higher concentrations of fast-food outlets, fewer affordable healthy options, limited access to fresh produce and greater marketing of energy-dense, nutrient-poor foods. As a result, people with the least financial flexibility are routinely steered towards cheaper, more accessible and more heavily promoted foods that undermine long-term health. National mapping (Figure 2) shows a clear association between deprivation and the concentration of fast-food outlets.

Figure 2: association between fast food outlets per 100,000 population and deprivation by lower tier local authority (City of London excluded from chart)



This is reflected as inequalities are seen in fruit and vegetable consumption. Only [20%](#) of adults in the most deprived areas eat five portions a day, compared with [38.6%](#) in the least deprived areas.

Evidence to reduce Hot Food Takeaways and Fast Food Outlets around Schools

[UK evidence](#) shows that hot food takeaways and fast food outlets located close to schools contribute to unhealthy eating patterns and rising obesity rates. [Modelling by the University of Cambridge](#) indicates that introducing exclusion zones, such as preventing new takeaways within 400 metres of a school, could reduce obesity prevalence by 1.5 to 2.3 percentage points by 2040 and lower the incidence of BMI related diseases, with the greatest impact seen in type 2 diabetes.

Evidence also shows that small reductions in daily calorie intake can have a meaningful impact on population health. [A decrease of just 50 calories a day could lift an estimated 340,000 children and 2 million adults out of obesity.](#) Policies that shape the food environment are proven to help achieve these reductions. National measures such as the Soft Drinks Industry Levy, which led to a 46 percent fall in the sugar content of drinks within its scope, and Transport for London's restrictions on junk food advertising, which were associated with a 7 percent drop in household purchases of foods high in

fat, salt and sugar, demonstrate how environmental controls can shift behaviour at scale. Restricting the location and concentration of hot food takeaways operates on the same principle by reducing routine exposure to calorie dense food options, particularly for children, and supporting healthier default choices in the places people move through every day.

Public Opinion on Hot food Takeaways and Fast food Outlets

Public attitudes also support stronger controls. A 2024 [YouGov poll](#) of 2,273 UK adults found that more than half, 52 percent, support a ban on new hot food takeaways opening near a school or playground.

Local insight reinforces this position. In a Humber and North Yorkshire ICB survey of 200 York residents, 79% expressed support for limiting fast-food outlets close to schools. When the survey was expanded to 1,200 participants across the wider Humber and North Yorkshire region, 74% of respondents supported the same approach.

This demonstrates consistent public support for tighter controls.

Health in York

Key Information

- 60.1% of York’s adult population is overweight or obese
- There are increasing numbers of people, including children who are overweight or living with obesity.
 - In 2024/25 23% of children in York were overweight or obese in reception year and 35% in Year 6 (NCMP data)
- York has a higher density of fast food outlets than the England average. In 2024 there [were 119.5 fast food outlets per 100,000 population in York](#). This compares to an [England average of 115.9](#).

Evidence shows that the local food environment plays a significant role in shaping dietary behaviours and long term health outcomes. In York, the density and accessibility of hot food takeaways, combined with high levels of excess weight among adults and children, provide a clear rationale for strengthened planning controls.

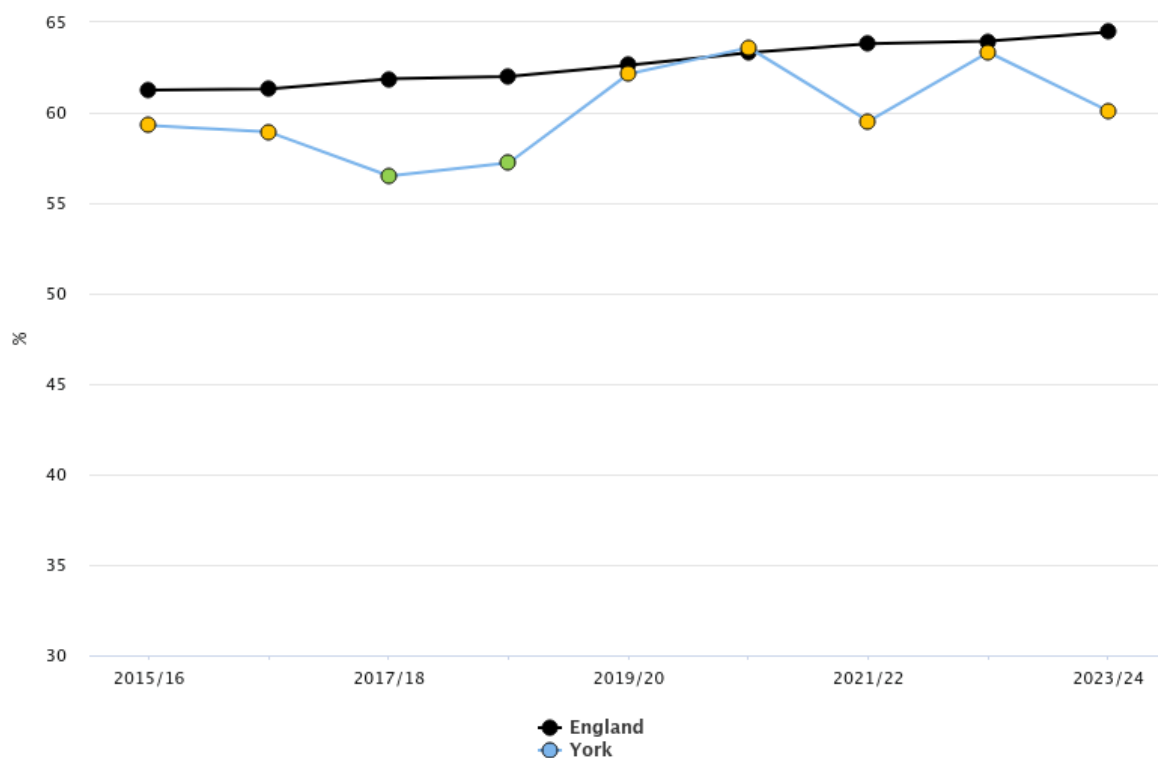
Density of fast food outlets in York

York has a higher density of fast food outlets than the England average, indicating a more prominent presence of hot food takeaway provision within the local food environment. In 2024, York had 119.5 fast food outlets per 100,000 population compared with an England average of 115.9 per 100,000. These are generally concentrated in the more urban parts of York but can be easily accessed by all residents through mobile phone apps and online ordering. A higher concentration of fast food outlets is recognised as a contributing factor to unhealthy dietary patterns, particularly in areas where children and young people regularly travel, learn and socialise. This pattern suggests that York’s food environment is contributing additional pressure on population health compared with national norms.

Adults overweight (including obesity)

Despite being marginally below the national average, the prevalence of overweight and obesity for adults in York remains unacceptably high and continues to rise. As shown in Figure 3 below, in 2023/34 60.1% of adults in York are overweight or obese, compared to an England average of 64.5%. For obesity specifically, 25% of adults in York were classified as obese in 2023/24, compared with 26.5% nationally.

Figure 3 – Overweight (including obesity) prevalence in adults, (using self-reported height and weight (18+years for York)



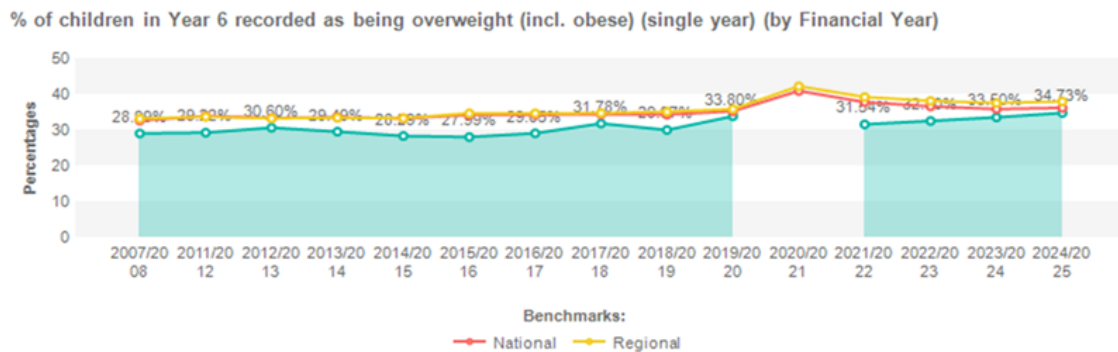
Source: [OHID, based on Sport England data](#) (As this dataset is updated regularly, please refer to the link for the latest information)

Children's healthy weight

The National Child Measurement Programme (NCMP) is a nationally mandated initiative that measures the height and weight of children in Reception and Year 6 across all state-funded primary schools in England. It provides one of the most comprehensive and reliable datasets on childhood weight status, thanks to its national coverage, standardised measurement methods, and large annual sample size.

According to the National Child Measurement Programme (NCMP), in 2024/25, 23% of children in Reception in York were classified as overweight or obese, increasing to 35% of children in Year 6. The overall trend for both reception and year 6 rates of overweight including obesity is that the York values have consistently increased over time. For example the last 3 years Year 6 rate has increased from 31.54% in 2021-22 to 34.73% in 2024/25, see Figure 4 below. The upward trend mirrors national trends.

Figure 4 – % of children in Year 6 recorded as being overweight (including obese) (single year)



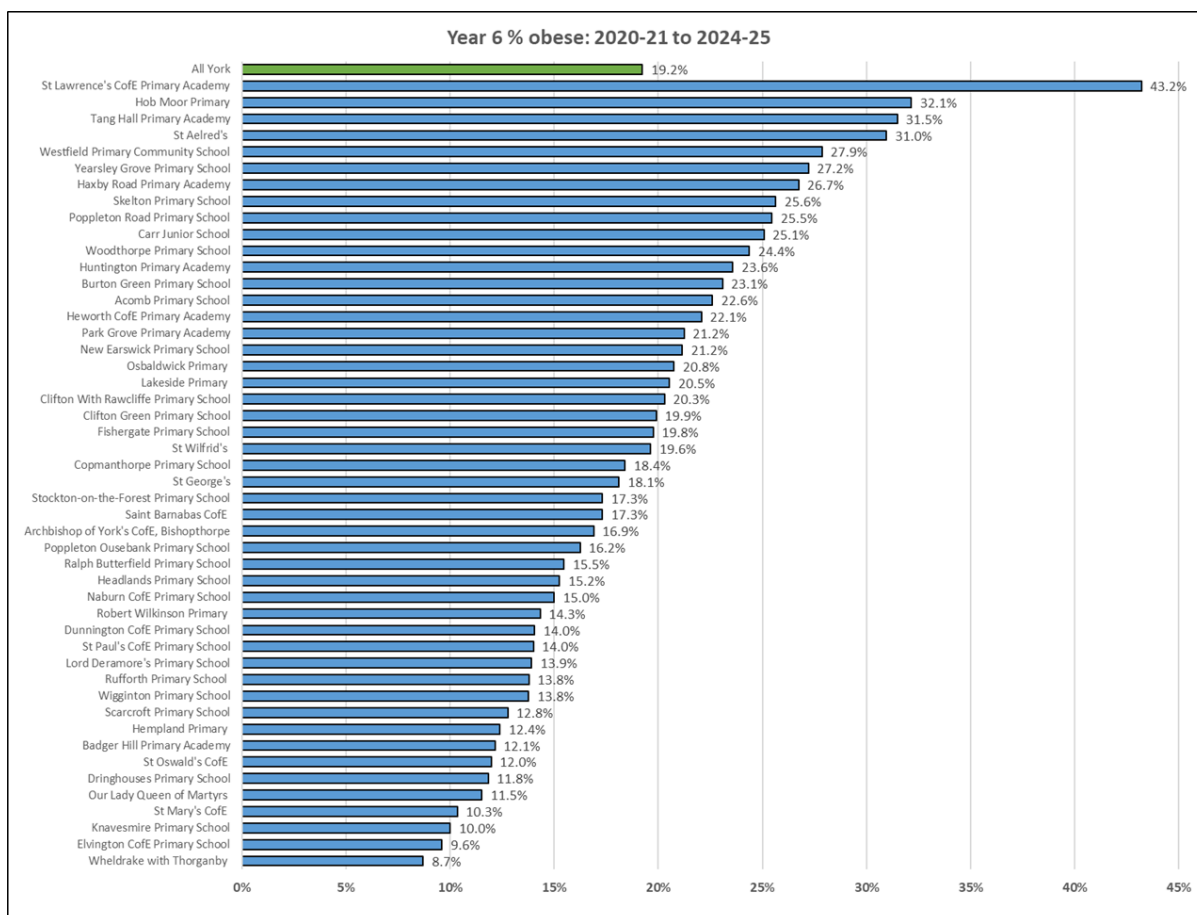
There are wide inequalities in this data too. For children in Year 6 overweight (including obesity) there is a gap of 18.58% between the highest (Westfield) and lowest (Micklegate) ward values. This data is available annually and as such for updated data requests please contact - enquiries.publichealth@york.gov.uk.

Additionally, when comparing schools in York, there are clear differences in weight status. These inequalities mirror existing inequalities with schools in the more deprived areas of York typically experiencing the highest levels of children living with obesity. The summary below presents five-year aggregated data for the period 2020–21 to 2024–25.

- Reception – % overweight (including obese):
 - Ranges from 13.3% at Rufforth Primary to 40.4% at Saint Barnabas, with a York average of 22.7%.
- Reception – % obese:
 - Ranges from 0% at Naburn CofE Primary School to 20.9% at St Lawrence’s CofE Primary Academy, with a York average of 9.0%.
- Year 6 – % overweight (including obese):
 - Ranges from 15.0% at Naburn CofE Primary School to 63.0% at St Lawrence’s CofE Primary Academy, with a York average of 33.2%.
- Year 6 – % obese:
 - Ranges from 8.7% at Wheldrake with Thorganby to 43.2% at St Lawrence’s CofE Primary Academy, with a York average of 19.2%.

Figure 5 illustrates the variation in Year 6 obesity prevalence across schools. Similar graphs can be produced for other metrics within NCMP data on request.

Figure 5: Year 6% obese (aggregated 5 year data 2020-21 to 2025-25).



Source: NCMP data. This data is available annually and as such for updated data requests please contact - enquiries.publichealth@york.gov.uk.

York's approach to Healthy Weight

This guidance forms one component of York's wider whole systems approach to supporting a healthy weight. Obesity is influenced by a complex interplay of social, economic, environmental and behavioural factors, and hot food takeaways represent only one aspect of that broader system. Alongside planning policy, the Council works across transport, education, public health, leisure, community food partnerships and local businesses to help shape healthier food environments and promote active, healthy living.

In 2026 City of York Council has adopted a [Compassionate Approach to Healthy Weight](#). This approach recognises obesity as a complex condition shaped by interactions between genetic, social and environmental factors, including changes in transport, urban form, road safety, access to green space, working patterns and food production. Obesity is a chronic, relapsing medical condition, and local systems need to respond accordingly. It also acknowledges the close relationship between obesity and mental health, and the importance of compassion in how services and policies are designed.

This approach is informed by the 2025 [More Than Weight report](#), published jointly by the Humber and North Yorkshire and West Yorkshire ICBs, which highlights the lived experiences of people with obesity in our region. Participants described obesity not

only as a cause but also as a consequence of trauma, bereavement, poverty, neurodivergence and emotional distress. Their insights reinforce the need for supportive, non-stigmatising environments and policies that address the wider determinants of health.