

**Control of Hot Food Takeaways
and Fast-Food Outlets
Supplementary Planning
Document**

**Strategic Environmental
Assessment / Habitats
Regulations Assessment
Screening Statement**

February 2026

1. Introduction

- 1.1 This report has been produced to determine the need for a:
- I. **Strategic Environmental Assessment (SEA)** in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
 - II. **Habitats Regulations Assessment (HRA)** in accordance with article 6 of the EC Habitats directive 1992, as interpreted by Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 as amended (the habitats regulations).

For the proposed Control of Hot Food Takeaways and Fast Food Outlets Supplementary Planning Document (SPD).

2. Policy context

2.1 Government policies and the National Planning Policy Framework (The Framework) promote and recognise that the planning system can have an important role in promoting healthy communities. The NPPF has as one of its key objectives Promoting healthy communities (chapter 8).

2.2 Concentrations of some retail uses have the potential to cause negative harmful effects on health in particular on the health of vulnerable groups and a negative impact on the vitality of the local area.

2.3 The Sefton Local Plan (2017) www.sefton.gov.uk/localplan includes policies EQ1- Planning for a Healthy Sefton and EQ10- Food and Drink. The Bootle Area Action Plan has been found to be “sound” by the Planning Inspector and is due to be adopted by the Council in January 2026. This document includes policy BAAP10 – Healthy Bootle.

2.4 The proposed Control of Hot Food Takeaways and Fast Food Outlets Supplementary Planning Document will expand upon policies EQ1 (Planning for a Healthy Sefton) and EQ10 (Food and Drink) of the Sefton Local Plan. The proposed SPD will also expand upon policy BAAP10 (Healthy Bootle) of the Bootle Area Action Plan. (These policies are shown in Appendix B.) More detail on the scope of the SPD is set out below.

Introduction and Context

2.5 The link between the environment in which people live and their health is widely recognised. One element of this is the availability and concentration of certain uses in close proximity to where people live, work or go to school. Whilst it is expected and normal that people should take responsibility for their own lifestyle choices, an over-supply or concentration of these uses may restrict the ability of many people to exercise this choice. Over concentration of certain uses may also harm the health, character, vitality and viability of a centre or shopping parade.

2.6 The scope of the “Hot Food Takeaway and Fast Food Outlets SPD” will cover and define both hot food takeaways and fast food outlets.

2.7 The Supplementary Planning Document will support Local Plan policies:

- EQ1- Planning for a Healthy Sefton
- EQ10 –Food and Drink

2.8 The Supplementary Planning Document will also support Bootle Area Action Plan policy BAAP10 – Healthy Bootle.

Purpose and aims

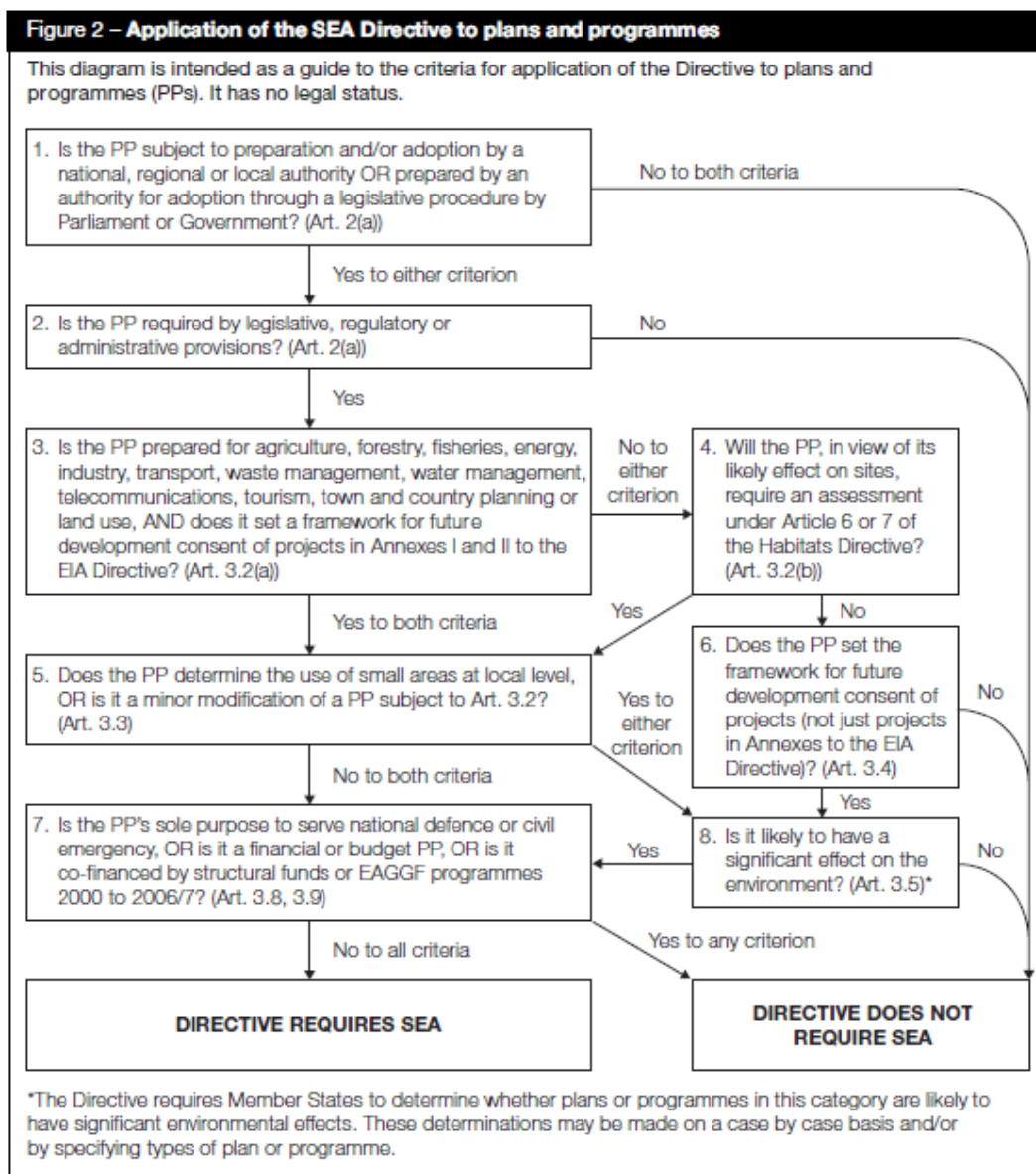
2.9 The aim of the Supplementary Planning Document is to provide clear guidance on how the Council will deal with planning applications for hot food takeaways and fast-food outlets. The Supplementary Planning Document will set out the circumstances and locations where the Council will seek to restrict specified uses and the reasons why.

2.10 The document will set out principles and standards with the aim of preventing concentrations of potentially harmful uses that could have a negative impact upon the health of the residents of Sefton whilst at the same time respecting individual choice.

Part 1- SEA Screening

3. Screening

3.1 The 2012 regulations¹ are clear that sustainability appraisal is not required for supplementary planning documents (SPDs). However, the requirement for a Strategic Environment Assessment (SEA) is set out in the “Environmental Assessment of Plans and Programmes Regulations 2004”. Despite no longer requiring sustainability appraisal, SPDs may still require SEA if it is concluded that it would have significant environmental effects². This report screens the draft Control of Hot Food Takeaway and Fast Food Outlets SPD to determine if it may have significant environmental effects and therefore a Strategic Environment Assessment is required.



¹ The Town and Country Planning (Local Planning) (England) Regulations 2012

² <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal#full-publication-update-history>, paragraph: 008 Reference ID: 11-008-20140306

Table 1: Establishing the need for SEA

Stage [from the flowchart above]	Answer	Reason
1. Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of Government? (Article 2(a))	Yes	SPD to be adopted by Sefton Council
2. Is the SPD required by legislative, regulatory or administrative provisions? (Article 2(a))	Yes	The detail that the Council wish to provide to the policies of the Local Plan and Bootle Area Action Plan can only be given due weight if it is contained in a Supplementary Planning Document.
3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	No	The SPD is for town and country planning purposes but does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive
4. Will the SPD, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	No	The screening statement concludes that an assessment under the Habitats Directive is not required. (*see part 2)
6. Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Article 3.4)	Yes	Although the emerging local plan policies will set the overall framework, the SPD will provide additional guidance on the interpretation of these policies.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	No	See ' Table 2 ' below 'Determining the likely significance of effects'

Table 2: Determining the likely significance of effects on the environment

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)	Sefton Comment
<i>The characteristics of plans and programmes, having regard, in particular, to:</i>	
1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	The SPD will be providing additional guidance on existing policies that set the broad framework.
1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The SPD can only expand on existing policies and should not introduce new policies not contained in higher order plans.
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD will promote sustainable development by mitigating or reducing any negative impact on health from new retail development.
1d) Environmental problems relevant to the plan or programme	The SPD is unlikely to be directly relevant in regard to this criterion.
1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The SPD is unlikely to be directly relevant in regard to this criterion.
<i>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</i>	
2a) The probability, duration, frequency and reversibility of the effects	The anticipated effects on the areas covered by the SPD are expected to be positive. The duration of impacts are not likely to be long term or irreversible as retail units can change their use, indeed many uses can change use without a planning application through permitted development.
2b) The cumulative nature of the effects	The cumulative nature of effects on the environment is likely to be positive although relatively minor other than at a local level.
2c) The trans-boundary nature of the effects	None identified.
2d) The risks to human health or the environment (e.g. due to accidents)	The SPD will have a positive effect on human health and the local environment. These effects are

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)	Sefton Comment
	expected to be minimal.
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will cover the borough of Sefton, although the SPD is likely to be relevant to urban areas only where there is the potential for retail uses, therefore the impact of the SPD will be on a moderately local level around retail developments.
2f) The value and vulnerability of the area likely to be affected due to: I. Special natural characteristics or cultural heritage, II. Exceeded environmental quality standards or limit values III. Intensive land-use	The SPD will only apply to retail development that could potentially harm health. Other guidance and policies related to environmental issues are covered in the Local Plan, Bootle Area Action Plan and emerging SPD guidance.
2g) The effects on areas or landscapes which have a recognized national, Community or international protection status	None identified. This will be dealt with by other policies/guidance.

4. Consultation

4.1 The Council consulted with the three statutory environmental bodies [see below] on this screening report and the determination. The table below provides their responses.

Statutory Body	Comments
Environment Agency	No comments
Historic England	No comments
Natural England	No comments

5. Conclusion and statement of reasons

5.1 The SPD is supplementing and will provide further guidance on policies EQ1 (Planning for a Healthy Sefton) and EQ10 (Food and Drink) of the Local Plan, in addition to policy BAAP10 (Healthy Bootle) of the Bootle Area Action Plan. The SPD merely expands upon the policies to set out guidance on how to ensure that the health of residents is not negatively affected by concentrations of hot food takeaways and fast-food outlets. Any impacts on the environment are likely to be local and small scale and positive in nature. The SPD will not allocate any housing sites.

5.2 The views of the statutory consultees are set out above.

5.3 It is considered that the Control of Hot Food Takeaways and Fast-Food Outlets SPD will not give rise to any significant environmental effects. Therefore, it is considered that a Strategic Environmental Assessment ***is not required*** for the proposed Control of Hot Food Takeaway and Fast-Food Outlets Supplementary Planning Document.

Part 2- HRA Screening

6. HRA Screening

6.1 The requirement for a Habitats Regulations Assessment (HRA) in accordance with article 6 of the EC Habitats directive 1992, as interpreted by Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 (as amended) (the habitats regulations). An assessment of the “likely significant effects” of a plan or project on sites of international nature conservation importance is required. These are now referred to as the national sites network, although were formerly known as Natura 2000 sites. This part of the document sets out Sefton Council’s screening of the draft Control of Hot Food Takeaways and Fast Food Outlets SPD in accordance with the habitats regulations.

6.2 The Sefton Local Plan (2017) was subject to an HRA produced by AECOM (formerly URS) (January 2015) that assessed in combination effects taking into account other plans and projects, Local Plan site allocations and policies. The Publication Draft HRA Report (January 2015)³ was produced by AECOM (formerly URS) included an assessment of in combination effects taking into account other plans and projects as well as Local Plan site allocations, policies and objectives and the impact of the plan as a whole. The Sefton Local Plan (2017) was also subject to a second HRA produced by AECOM (May 2016) at Modifications Stage⁴.

6.3 The Bootle Area Action Plan Publication version (2024) was subject to an HRA (May 2024) that assessed in combination effects taking into account other plans and projects, Local Plan site allocation and policies.

6.4 In terms of the Control of Hot Food Takeaways and Fast Food Outlets SPD the “parent policies” are policies EQ1 (Planning for a Healthy Sefton) and EQ10 (Food and Drink) of the Local Plan, in addition to policy BAAP10 (Healthy Bootle) of the Bootle Area Action Plan.

6.5 Policy EQ10 was assessed as part of the HRA of the Local Plan. The policy was “screened out” meaning that there would not need to be an additional HRA. The HRA comments on policy EQ10 are shown below.

EQ10 – Food and Drink

2015 HRA Report:

- “No implications.
- This outlines policy for food and drink use proposals.
- There are no impact pathways.”

2016 HRA Report:

- “No new HRA implications identified by Proposed Modifications.
- The proposed modifications to this policy do not provide for new impact pathways or change the conclusions from the previous iteration of the Local Plan HRA.”

³ See <https://www.sefton.gov.uk/media/1763/jan-2015-hra-of-submission-local-plan-web.pdf>

⁴ See [Habitats Regulations Assessment of the Proposed Modifications to Sefton Local Plan](#)

Policy BAAP10 was also assessed as part of the HRA of the Bootle Area Action Plan. The policy was also “screened out”. The HRA comments on Policy BAAP10 are shown below.

BAAP10 – Healthy Bootle

- *No impact pathways or Likely Significant Effects*

However, Policy EQ1 was “screened in” as there was potential for increased recreational pressure from increase in physical exercise.

EQ1 – Planning for a healthy Sefton

2015 HRA report:

- *“HRA implications
This policy includes provision for health. It includes provision to encourage people to take physical exercise such as ‘walking, cycling, outdoor recreation, sport and physical exercise close to where people live’*
- *Impact pathways are: increased recreational pressure.”*

2016 HRA report:

- *“No new HRA implications identified by Proposed Modifications.*
- *The proposed modifications to this policy are minor and do not change the conclusions from the previous iteration of the Local Plan HRA. This policy remains screened in.”*

6.6 The SPD is supplementing and will provide further guidance on policies EQ1 (Planning for a Healthy Sefton) and EQ10 (Food and Drink) of the Local Plan, in addition to BAAP10 (Healthy Bootle) of the Bootle Area Action Plan. The SPD merely expands upon the policies to set out guidance on how to ensure that the health of residents is not negatively affected by concentrations of potentially harmful food outlets.

6.7 The SPD will cover the borough of Sefton, although the SPD is likely to be relevant to urban areas only where there is the potential for potentially harmful, food outlets, therefore the impact of the SPD will be on a moderately local level around retail developments. Any impacts on the environment are likely to be local and small scale. Though the HRA of the Sefton Local Plan Publication version identified that an increase in physical exercise could lead to increased recreational pressure, the SPD does not deal with this part of Policy EQ1 (planning for a Healthy Sefton). It will not seek to promote an increase in physical exercise as its scope will be limited to controlling potentially harmful uses. Therefore, the SPD will have no potential impacts on increased recreational pressure. Policy EQ10 (Food and Drink) controls air pollution arising from food or drink preparation and the policy has been screened out in the HRA, as has Policy BAAP10 (Healthy Bootle) of the Bootle Area Action Plan. The SPD will not vary these controls set out in the policy.

6.8 More generally, policy NH2 ‘Protection of nature sites, priority habitats and species’, which has also been subject to HRA, sets out more detailed requirements in relation to

national site network sites and supporting habitats and to planning application stage site-specific HRA where relevant.

6.9 The following national site network sites are located within Sefton:

- Sefton Coast SAC
- Ribble and Alt Estuaries SPA and Ramsar site
- Mersey Narrows & North Wirral Foreshore SPA and Ramsar site (small part of site is at Seaforth Nature Reserve, the rest is approx. 1km+ away on Wirral).

6.10 In addition the following national site network sites are located outside of Sefton but were “screened in” to the HRA of the Local Plan publication draft.

- Liverpool Bay SPA
- Manchester Mosses SAC -
However, Sefton’s Local Plan HRA Report concluded that Sefton is not adjacent to the M62; that the Local Plan includes proportionate measures to minimise its contribution to M62 vehicle movements; and that Sefton’s effect on atmospheric nitrogen deposition on Manchester Mosses SAC is effectively inconsequential. The site was screened out in the HRA of the Bootle Area Action Plan. Thus this site is not considered further in this HRA screening document.

6.11 Below is an assessment of potential pathways for impacts to the national site network sites taking into account the HRA of the Publication version of the local plan.

Table 3: Assessment of likely significant effects (taking into account HRA Report for Publication Draft Local Plan (2015), HRA of the Proposed Modifications to Local Plan (2016) and HRA of Publication Draft Bootle Area Action Plan (2024))

Potential pathway and national site network sites affected	HRA regarding likely significant effects	Further comments
Recreational pressure / disturbance <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA & Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site • Liverpool Bay SPA (in-combination disturbance of birds through increase in ship movements and recreational pressure) 	No significant impacts.	SPD has no influence on location or number of new homes proposed and hence on recreational pressure, and no influence on ship movements. SPD will have no additional impacts compared to its parent policies EQ10 (Food and Drink), EQ1 (Planning for a health Sefton) and BAAP10 (Healthy Bootle) which have been screened out.

Potential pathway and national site network sites affected	HRA regarding likely significant effects	Further comments
Disturbance to qualifying species <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts.	SPD will have no additional impacts compared to its parent policies EQ10 (Food and Drink), EQ1 (Planning for a health Sefton) and BAAP10 (Healthy Bootle) which have been screened out.
Coastal squeeze <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts.	SPD will have no additional impacts compared to its parent policies EQ10 (Food and Drink), EQ1 (Planning for a health Sefton) and BAAP10 (Healthy Bootle) which have been screened out.
Direct habitat loss through expansion of the Port at Seaforth <ul style="list-style-type: none"> • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD has no influence on Port expansion.
Direct habitat loss through mineral extraction <ul style="list-style-type: none"> • Ribble and Alt Estuaries SPA and Ramsar site. 	No significant impacts	SPD has no influence on minerals expansion.
Loss of habitat / supporting habitat outside the <i>national site network</i> site boundary <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site 	No significant impacts	SPD will have no additional impacts compared to its parent policies EQ10 (Food and Drink), EQ1 (Planning for a health Sefton) and BAAP10 (Healthy Bootle) which have been screened out.
Reduction in water quality <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site • Liverpool Bay SPA - potential for 'in combination' effects with 	No significant impacts	SPD will have no additional impacts compared to its parent policies EQ10 (Food and Drink), EQ1 (Planning for a health Sefton) and BAAP10 (Healthy Bootle) which have been screened out.

Potential pathway and national site network sites affected	HRA regarding likely significant effects	Further comments
other plans and projects (through sewage effluent discharges).		
Reduction in air quality <ul style="list-style-type: none"> Sefton Coast SAC Ribble and Alt Estuaries SPA and Ramsar site Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD will have no additional impacts compared to its parent policies EQ10 (Food and Drink), EQ1 (Planning for a health Sefton) and BAAP10 (Healthy Bootle) which have been screened out.
Mineral extraction <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD has no influence on minerals expansion.
Dredging and disturbance of sediments/benthic habitats <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site Liverpool Bay SPA (following Port expansion) 	No significant impacts	SPD has no influence on dredging or disturbance of benthic habitats, or on Port expansion.

6.12 The SPD will not have any significant effects on a SAC or SPA (now national site network sites) above and beyond any significant effects that the Local Plan and Bootle Area Action Plan are likely to have, either individually or in combination with other plans and projects. The “parent policies” in the Local Plan and Bootle Area Action Plan were screened out meaning no further assessment is needed. The SPD is unlikely to give rise to impacts/significant effects on national site network sites

7. Consultation

7.1 The Council consulted the statutory body for the purposes of HRA, Natural England. The table below provides their response.

Statutory Body	Comments
Natural England	No comments

8. Conclusion and statement of reasons

8.1 The SPD is supplementing and will provide further guidance on policies EQ1 (Planning for a Healthy Sefton) and EQ10 (Food and Drink) of the Local Plan, in addition to policy BAAP10 of the Bootle Area Action Plan. The SPD merely expands upon the policies to set out guidance on how to ensure that the health of residents is not negatively affected by concentrations of hot food takeaways and fast-food outlets. There are no significant effects on national site network sites in Sefton.

8.2 The comments of Natural England are set out above.

8.3 On the basis of the above information, Sefton Council is of the opinion and concludes that the proposed plan to which this screening opinion relates – the Control of Hot Food Takeaways and Fast-Food Outlets Supplementary Planning Document - :

a) is not directly connected with or necessary to the management of the site,

b) is not likely to have a significant effect on each of the following sites:

- Ribble and Alt Estuaries Ramsar site
- Ribble and Alt Estuaries Special Protection Area (SPA)
- Sefton Coast Special Area of Conservation (SAC)
- Mersey Narrows and North Wirral Foreshore Ramsar site
- Mersey Narrows and North Wirral Foreshore Special Protection Area (SPA).
- Liverpool Bay SPA.
- Manchester Mosses SPA.

either alone or in combination with other plans or projects.

And accordingly, **no “appropriate assessment” is required** to be made under Regulations 61, 62 and 63 of the Conservation (Natural Habitats &c) Regulations (as amended) before the Council decides to undertake, or give any consent, permission or other authorisation for this plan.

Part 3- Appendices

Appendix A- Contact details

local.plan@sefton.gov.uk

Appendix B - Extract from Sefton Local Plan (2017):

EQ1 PLANNING FOR A HEALTHY SEFTON

Development should help maximise opportunities to improve quality of life to make it easier for people in Sefton to lead healthy, active lifestyles, by:

- a. Improving access to a choice of homes and providing new homes that meet the needs of future occupiers
- b. Improving access to jobs
- c. Making adequate provision for safe waste storage or recycling opportunities
- d. Designing easy to maintain, safe and attractive public areas which minimise the opportunity for crime and reduce the fear of crime, and which promote social cohesion
- e. Encouraging people to take physical exercise by providing opportunities for walking, cycling, outdoor recreation and sport
- f. Appropriately locating food and drink shops, hot food takeaways, drinking establishments, restaurants, cafes and other non-food and drink uses which have health impacts, having regard to other land uses in the local area
- g. Having regard to accessibility of homes, education, jobs, public transport services, health and other services, recreational opportunities and community, cultural and leisure facilities
- h. Encouraging measures to achieve affordable warmth
- i. Managing air quality and pollution.

EQ10 FOOD AND DRINK

1. Proposals for food and drink uses will only be permitted where they are located so as to meet all of the following criteria:

- a. They would not cause significant harm to local amenity
- b. They would not result in unacceptable groupings of similar uses where they would harm the character of the area, the vitality and viability of a centre or shopping parade or harm public health, and
- c. Any external ventilation and extractor systems do not:

- i. Significantly harm the external appearance of the building or the street scene,
- ii. Harm the residential amenity of neighbouring properties through noise or odours.

2. In order to address the problem of obesity amongst children, proposals for hot food takeaways (Class A5 uses) within 400 metres of secondary schools and further education establishments will not be permitted. Exceptions will be made where:

- a. It is located within a designated town, district or local centre, or
- b. The premises are not open until after 1700 hours.

Extract from Bootle Area Action Plan (2025):

BAAP10 Healthy Bootle

1. Where relevant, development should help maximise opportunities to improve quality of life to make it easier for people in Bootle to lead healthy, active lifestyles, by:

i. Protecting and securing investment in existing public areas, open spaces, parks, playing fields and the links between them, encouraging people, particularly children and young people, to take physical exercise by providing opportunities for walking, cycling, outdoor recreation and sport (see Policy BAAP11).

ii. Improving the choice of homes and providing a range of quality new homes that meet the needs of future occupiers (see Policies BAAP16 and 17).

iii. Improving access to good quality jobs and training opportunities (see Policies BAAP12 and 15).

iv. Making adequate provision for safe waste storage and recycling opportunities (see Policy BAAP1).

v. Using design solutions to minimise the opportunity for crime and reduce the fear of crime (see Policy BAAP1).

vi. Managing the location and number of hot food takeaways other uses which have health impacts (see Local Plan Policy EQ10 and the supporting Supplementary Planning Document).

vii. Having regard to accessibility of homes, education, jobs, public transport services, health and other services, recreational opportunities and community, cultural and leisure facilities (see Policy BAAP8).

viii. Supporting in principle the provision of public health facilities (subject to other BAAP and Local Plan policies).

ix. Encouraging measures to achieve best use of resources, water efficiency and to maximise energy efficiency (see Policy BAAP2).

x. Managing air quality and pollution and restricting new homes and other developments where people spend time in areas with poor environmental quality (see Local Plan Policies EQ4 and 5).

Development proposals that meet the threshold in the table below must be accompanied by a Health Impact Assessment. This should include an analysis of how the above requirements, and any other potential health impacts, have been addressed within the proposal.

Appendix C – National site network and Ramsar (formerly Natura 2000) sites in Sefton

