

ADOPTION OF SITE ALLOCATIONS LOCAL PLAN

KEY DECISION NO. NH M27

CABINET MEETING DATE

18th July 2016

COUNCIL MEETING DATE

20th July 2016

Classification:

Open

If exempt, the reason will be listed in the main body of this report.

Ward(s) affected

All

Cabinet Member

Cllr Guy Nicholson

Regeneration

Key Decision

Yes

Reason

Affects One or More Wards

Group Director

Kim Wright , Group Director of Neighbourhoods and Housing

1. CABINET MEMBER'S INTRODUCTION

- 1.1 The Site Allocations Local Plan (SALP) is a key planning policy document which will shape regeneration and development in the borough. It identifies key strategic sites and allocates these sites for particular uses.
- 1.2 The allocation of sites is part of a strategic approach to guiding and managing development and growth in the Borough. This approach allows more effective planning of infrastructure to support growth, and provides a degree of certainty to landowners, developers and the public about the Council's position and requirement for individual sites. The Plan will support the implementation of the Council's existing Core Strategy by identifying the location of sites that can assist in delivering the housing, employment land and floorspace, community and other uses. It will also be a key document to inform the new Local Plan for the borough – LP33, which will plan for the period 2018-2033 and Area Action Plans for Shoreditch and Stamford Hill.
- 1.3 The SALP identifies a range of sites across the Borough, including a large concentration of sites in Shoreditch and Hoxton. The Plan also includes sites from the Council's Housing Estate Regeneration Programme which began in 2011. The site allocations will help ensure that the Council is well placed to effectively guide and influence the nature and quantum of any development proposal and resist inappropriate proposals.
- 1.4 The adoption of SALP follows an extensive consultation process and examination by an independent Planning Inspector appointed by the Government.
- 1.5 This report, therefore, seeks Cabinet's approval for the adoption of SALP so that it can proceed to Council for adoption. I commend this report to Cabinet.

2. GROUP DIRECTOR'S INTRODUCTION

- 2.1 The Site Allocations Local Plan is a key planning policy document, which forms part of the Council's Local Plan to guide and manage development and growth in the Borough. It identifies key strategic sites and allocates uses and provides site-specific policy for the next 15 years. This is important as it allows the Council to plan ahead for the future, identify where uses such as housing, employment and community uses will be located, and provides a degree of certainty to landowners, developers and the public about the Council's position and requirement for individual sites. It is a proactive policy document that, together with the Core Strategy, Development Management Local Plan, and the Area Action Plans, will provide a strong policy framework for the assessment and determination of planning applications. This

will improve the operations of the Planning Service in terms of guiding development to the most appropriate sites, and in the quality of decision-making on applications.

- 2.2 A final version of the SALP has been produced in line with the statutory regulatory process for formal plan-making and following examination by a Planning Inspector appointed by the Government. This report, therefore seeks the approval of Cabinet to formally recommend the SALP to Council for adoption.

3. RECOMMENDATIONS

3.1 Cabinet is asked to:

(a) Approve the adoption of the Site Allocations Local Plan (appendix 1)

(b) Recommend that Full Council adopt the Site Allocations Local Plan.

3.2 Council is asked to:

(a) Adopt the Site Allocations Local Plan.

4. REASONS FOR DECISION

- 4.1 To guide and manage development for the identified strategic sites and to assist in attracting investment in the Borough.

5. DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 5.1 The alternative not to adopt the SALP has been rejected as without the allocation of sites, the Council would have less ability to manage development and forward plan for infrastructure provision effectively.

6.0 BACKGROUND

- 6.0.1 The Council adopted the Core Strategy in November 2010. This is the overarching strategic spatial planning document for the Borough, and provides the context for other planning policy documents. The Development Management Local Plan adopted in July 2015, provides a suite of criteria-based development management policies. Work is now underway to update these documents for the next plan period and produce a consolidated new Local Plan (LP33).

- 6.0.2 The SALP will sit alongside the existing Core Strategy and Development Local Plan. The Plan will support the implementation of

the Council's Core Strategy by identifying the location of sites to deliver housing, employment, community and other uses. This function was previously provided by the Council's Unitary Development Plan (1995), and the SALP will supersede the site allocations in the Unitary Development Plan.

- 6.0.3 The SALP provides policy on land use and guidance on site development, but full planning applications are still required, and will be assessed against other relevant Local Plan policies.
- 6.0.4 Production of the SALP was front-loaded with stakeholder engagement, including Ward Member engagement sessions. Formal statutory consultation was undertaken in July 2012 and July 2013, prior to a public examination by an independent Inspector appointed by the Government, which was held in January 2015.
- 6.0.5 The Inspector's Report on the Examination of the Hackney Site Allocations Local Plan was received by the Council on the 14th March 2016 and is set out in Appendix 2.
- 6.0.6 The Inspector's Report concluded that the SALP complied with the statutory duty to co-operate, and was positively prepared, justified, effective and consistent with national policy, subject to Main Modifications (detailed in appendix 2). The modifications fall into a number of broad categories:
- Clarifying the expected source of housing supply;
 - Clarifying the relationship between plan documents;
 - Clarification of land use allocation and site policies;
 - Introducing a clear commitment to addressing the needs of gypsy and travellers through a Local Plan Review
- 6.0.7 The modifications have been incorporated into the Plan. In addition each site Profile includes a new section providing some factual updates regarding the status of relevant planning applications and where there has been on site activity i.e. site cleared, construction started / completed.
- 6.0.8 Site visits undertaken in May 2016 found that development on some 'smaller sites' has commenced and others are nearing completion. Development has also commenced on larger phased sites. Going forward the SALP will be periodically monitored through the Authority Monitoring Report. In addition, new and future development opportunities will be identified as part of the Local Plan Review (LP33).

6.1 Policy Context

- 6.1.1 The SALP, is part of the Council's Local Plan, and was prepared to ensure compliance and cohesion with:

- National and regional planning policy, as contained in the London Plan as well as the National Planning Policy Framework (NPPF);
- Policies contained within the Council's adopted Core Strategy, which in turn is compliant with Hackney's Sustainable Community Strategy;
- The adopted Area Action Plans, and Development Management Local Plan.

6.1.2 The Plan will assist in delivering and supporting the objectives and principles of the Core Strategy and the Sustainable Community Strategy. The Plan also complies with the NPPF requirement for local authorities to identify deliverable (5 years) and developable (6-15 years) sites for housing development, as part of the delivery of the London Plan housing target.

6.1.3 The document has been produced during a time of change in the planning system. The Government has over this time implemented and consulted on a number of changes. The site policies contained within this document comply with the NPPF. The Localism Act introduced Neighbourhood Planning and the policies contained within the SALP are strategic policies for the identified sites that any future Neighbourhood Plans must have appropriate regard to. Finally, the Housing and Planning Act which received royal assent in May 2016 introduces the grant of a 'Permission in Principle' for housing led development. Upon the introduction of a Development Order 'Permission in Principle' may be granted for sites in the SALP that have been allocated for housing led development. Applicants seeking to develop these sites would also need to apply for a detailed application termed a 'Technical Details Consent' to agree the technical details of the scheme following which full planning permission can be granted. The SALP also identifies a number of sites for employment led development, which are located within the borough's Priority Employment Areas. Upon adoption of SALP the Council will safeguard these sites for employment led development and these will not be subject to Permission in Principle for housing led development.

6.2 Equality Impact Assessment

6.2.1 The document has been subject to an Equality Impact Assessment (EqIA). The EqIA assessed the potential impact of the document on different groups within the Borough and concluded that there is no undue impact on any particular community groups. The overall result is predominantly positive on the community.

6.2.2 The EqIA recognises the Gypsy and Traveller community as a race and minority group in the Borough for which the Council needs to seek to address identified accommodation requirements.

- 6.2.3 The Inspector's Report concluded that given the SALP focuses on the supply of conventional housing, it does not seek to meet national and regional policy requirements relating to the Gypsy and Traveller community. However, the Local Plan Review (LP33) currently being undertaken by the Council, as well as the replacement London Plan, have been identified as the appropriate policy documents to respond to the needs of the Gypsy and Traveller community.
- 6.2.4 It should be noted that the Council has continued to engage with the Gypsy and Traveller Community outside of the SALP process.

6.3 Sustainability

- 6.3.1 Underpinning the approach to the development of the document is the process of formulating and undertaking a Sustainability Appraisal (SA). The SA concluded that the SALP would contribute significantly towards delivering the social, economic and environmental objectives set out in the SA framework.
- 6.3.2 The SALP has economic, social and environmental sustainability, and sustainable development, at its core. Sites are concentrated in areas of high public transport accessibility. The majority of the site profiles advocate mixed-use development to make the most efficient use of land.

6.4 Consultations

- 6.4.1 The SALP has been shaped and informed partly through front loaded stakeholder engagement, including input received through Ward Member Engagement sessions, made available to all wards, which took place between October 2011 and January 2012.
- 6.4.2 Extensive consultation has taken place on the Public Participation and Publication version of the SALP. There was also an Examination in Public held by the Planning Inspector which included participation from members of the public, and representatives of land owners and the development industry. Post examination, further consultation was undertaken and written representations were forwarded to the Planning Inspector in his consideration on the soundness of the SALP and subsequent modifications.

6.5 Risk Assessment

- 6.5.1 There is a small risk associated with adopting SALP in advance of the secondary legislation for the Housing and Planning Act coming into force (see 6.1.3). Without the secondary legislation it is uncertain whether the SALP will give permission in principle for site allocations or which elements of the SALP would form part of the permission. This risk is mitigated by the fact that the SALP contains sound policies on

land uses and indicative quantum of housing. Furthermore, the Act states that Permission in Principle is for housing led development. It is therefore considered expedient to adopt SALP to safeguard sites allocated for employment led development within the borough's Priority Employment Areas.

7 COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 7.1 This report seeks Cabinet approval to adopt the Site Allocations Local Plan (appendix 1) and recommends that Full Council adopt the Site Allocations Local Plan (SALP).
- 7.2 The immediate financial implications of the plan are minimal. The cost of officer time, publicity and printing will be met from the Planning service revenue budgets.

8. COMMENTS OF THE DIRECTOR OF LEGAL

- 8.1 The preparation of the Site Allocations Local plan (the "SALP") must follow a statutory process and be assessed by an Independent Inspector in accordance with the Town and Country Planning Act 2004, section 20(5).
- 8.2 The Independent Inspector's conclusion is that the SALP is legally sound and meets the legal requirements as outlined under paragraphs 86 and 87 of the Inspector's Report – Appendix 2. The allocations are found to be adequately consistent with national policy, the London Plan and the Core Strategy; the allocations are justified and deliverable.
- 8.3 The Inspector also concludes that the SALP meets with the legal requirements. The Plan is identified within the Local Development Scheme; was consulted on in accordance with the Statement of Community Involvement; a Sustainability Appraisal has been undertaken; the SALP complies with national policy and modifications will be made as noted in the Inspector's report and the GLA has confirmed that the plan is in general conformity with the London Plan.
- 8.4 To enable the Plan to be adopted, the main modifications outlined in the Inspector's Report must be made to the Plan to satisfy the requirements of the 2004 Act and the criteria for soundness in the National Planning Policy Framework.
- 8.5 As soon as reasonably practicable after receipt of the Inspector's Report, the Council is obliged to (a) make available the recommendations of the Independent Inspector and the reasons given for those recommendations in accordance with [regulation 35](#) of the Town and Country Planning (Local Planning) (England) Regulations 2012; and (b) notify those who requested to be notified, that the Inspector's recommendations are available.

- 8.6 As soon as reasonably practicable after the Council adopts a local plan they must
- (a) make available in accordance with [regulation 35](#)
 - (i) the local plan; (ii) an adoption statement; (iii) the sustainability appraisal report; and (iv) details of where the local plan is available for inspection and the places and times at which the document can be inspected;
 - (b) send a copy of the adoption statement to any person who has asked to be notified of the adoption of the local plan; and
 - (c) send a copy of the adoption statement to the Secretary of State.

APPENDICES

Appendix 1 - Site Allocations Local Plan

Appendix 2 – Planning Inspector’s Report 14 March 2016

Background Paper

None

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