



**Local Plan 2033**

**Key Decision No. NH096**

**CABINET MEETING DATE (2017/18)**

**29<sup>th</sup> October 2018 Cabinet**

**31<sup>st</sup> October 2018 Council**

**CLASSIFICATION:**

**OPEN**

**WARD(S) AFFECTED**

**ALL WARDS**

**CABINET MEMBER**

**Cllr Nicholson**

**Planning, Business & Investment**

**KEY DECISION**

**Yes**

**REASON**

**Affects two or more wards**

**GROUP DIRECTOR**

**Kim Wright, Group Director of Neighbourhoods and Housing**

## **1. CABINET MEMBER'S INTRODUCTION**

- 1.1 The new borough wide Local Plan is the primary strategic planning policy document that sets about establishing a vision, a growth strategy and the supporting planning policies to curate and guide development in the Borough through to 2033.
- 1.2 Known as LP33, the plan attempts to ensure that the right amount and type of development is built in the right place at the right time so that new developments contribute to meeting the future needs of people living and working in and enhancing the overall quality of life in the Borough.
- 1.3 LP33 will respond to the challenges the Borough faces as a result of changes to both primary legislation and to national and regional Planning policy. It seeks to mitigate the impact of market led changes on our community through new development including the pressures on affordability of both homes and workspaces across the Borough.
- 1.4 LP33 also seeks to address how new development in Hackney can help tackle climate change and the urban heat island effect, ensure the timely delivery of community infrastructure, enhance our public realm, support our local economy to grow and prosper, provide for new homes and meet the challenge of population growth through looking towards new forms and areas of development, including the borough's key corridors and a new centre at Clapton connecting Upper and Lower Clapton Road.
- 1.5 Consultation and evidence gathering to inform the development of the LP33 has been on-going over the past 2 years, including full consultation on a draft plan. This version of the report is called the Proposed Submission Local Plan 2033, Cabinet and Council approval for which is sought for a Borough-wide consultation before submission to Government for an examination in public.
- 1.6 I commend this report to Cabinet and to Full Council.

## **2. GROUP DIRECTOR'S INTRODUCTION**

- 2.1 This report seeks Cabinet's approval of the Proposed Submission Local Plan 2033 for consultation prior to submission to Government for an examination in public.
- 2.2 The Local Plan is one of the most important policy documents produced by the Council. It responds to the key challenges facing our communities and aims to achieve the strategic objectives of Hackney's Sustainable Community Strategy 2018-2028 ('the Community Strategy') and a range of other Council

policies. Cabinet approval is sought to consult Hackney residents, businesses, stakeholders and statutory bodies on the draft vision, objectives, growth strategy and planning policies detailed in the Proposed Submission Local Plan 2033.

## **RECOMMENDATION**

### **3.1 Cabinet is asked to:**

1. Recommend to Full Council to approve the Proposed Submission Local Plan 2033 (appendix 1) for public consultation and subsequent submission to Government for Examination in Public.
2. Recommend to Full Council to delegate authority to Director of Public Realm/Head of Planning to make minor changes ahead of consultation or ahead of submission to Government for Examination in Public.

### **3.2 Council is asked to:**

1. Approve the Proposed Submission Local Plan 2033 (appendix 1) for public consultation and subsequent submission to Government for Examination in Public.
2. Delegate authority to Director of Public Realm/Head of Planning to make minor changes ahead of consultation or ahead of submission to Government for Examination in Public.

## **4. REASONS FOR DECISION**

- 4.1 The Council is required by legislation to have an up to date Local Plan. Continuous consultation and engagement with stakeholders and the public is integral to producing the Local Plan, which will help inform and influence the plan and Hackney's spatial approach to the challenges up to 2033.

## **5. DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 5.1 There are no alternative options. Consultation on a draft plan is required to comply with Government regulations.

## **6. BACKGROUND**

- 6.0.1 A Local Plan, along with the London Plan (prepared by the Mayor of London and applicable to all London Boroughs) together comprise the statutory land use and development plan for a borough. It provides the spatial planning framework for Hackney to deliver the Community Strategy and other corporate strategies. Once adopted the Local Plan will replace the Core Strategy (2010), the Development Management Local Plan (2015), Site Allocations Local Plan (2016) and adopted Area Action Plans. It will also be consistent with and help inform new and emerging Area Action Plans for Stamford Hill and Shoreditch.
- 6.0.2 The new Local Plan 2033 (LP33) has been prepared alongside a number of other strategies and plans including the Community Strategy and the Housing Strategy. This has enabled the development of a shared vision, evidence and consultation.
- 6.0.3 Public consultation on the LP33 'Direction of Travel' was undertaken between November 2016 and January 2017. Over 700 individual comments were received across all the topic areas. In addition comments were also made at a range of events including the Youth Parliament, Winterfest 2016, Developers' Breakfast, and at ward forums.
- 6.0.4 The representations received at the Direction of Travel stage fed into the draft Local Plan (2017) which was approved by Cabinet for consultation in September 2017.
- 6.0.5 Public consultation on the draft LP33 was undertaken between November 2017 and December 2017. Engagement included meetings with other local authorities, individuals and organisations. Over 1,200 individual comments were received.
- 6.0.6 Like the Direction of Travel responses, the majority of representations supported the Council's approach to accommodating growth, delivering a range of housing, and protecting retail and employment land, community facilities and open spaces. The key issue arising from the consultation was the need for genuinely affordable housing. Affordability and diversity in supply and offer were also raised in relation to employment and town centre uses. Accessibility by walking and cycling in particular, highlighting the importance of biodiversity, and making the borough's open spaces and the public realm more attractive, safer and accessible were also raised as issues for the new Plan to address.
- 6.0.7 The LP33 will respond to new challenges and opportunities facing the borough including those identified through community engagement. Hackney's population has continued to grow rapidly. At the present rate of growth the population will reach 320,000 persons by 2033, an increase of 45,000 persons since 2016. This will result in a need for more homes, jobs, services and

community facilities such as schools and health care. The Council will need to plan to deliver approximately 26,250 new homes, around 117,000sqm of new business floorspace and around 34,000sqm of new retail and leisure space by 2033. Affordability remains the top issue of concern for residents. The average home now costs 17 times the average salary in the borough. Affordable workspace is also in demand with average commercial rents increasing by 90% since 2009.

- 6.0.8 For policies to be robust they must reflect the current economic climate and be able to respond to future economic cycles going forward up to 2033, taking into account the impact of Brexit. The growth of the leisure and evening economy sectors and the growth of internet shopping for which Hackney has above average use, all present challenges and have an impact on our approach to managing and diversifying uses in our high streets and town centres.
- 6.0.9 Investment and policy decisions, nationally and in London also provide challenges and opportunities for the LP33. There have been significant changes to legislation and national policy since 2010 when the Council adopted the Core Strategy 2010, the borough's principal strategic planning policy document.
- 6.0.10 Since the draft LP33 consultation in late 2017, the Government has published a new National Planning Policy Framework, while the review of the London Plan has progressed to a draft new London Plan showing Minor Suggested changes and submission to examination in public stage.
- 6.0.11 The Council will continue to work with the Mayor of London and Greater London Authority to develop a shared vision and strengthen Hackney's role as a key component of London as a World City. Local Plan 2033 will be produced alongside the new London Plan to ensure shared evidence is used, with Hackney helping to shape strategic elements of the new London Plan.

## **6.1 Policy Context**

- 6.1.1 Paragraph 17 of the NPPF states that "The development plan must include strategic policies to address each local planning authority's priorities for the development and use of land in its area." Furthermore, paragraph 18 states "Policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies....."
- 6.1.2 LP33 is being prepared in the context of significant changes to national policy (including a new NPPF, changes to permitted development rights and changes to the Housing and Planning Act) and the development of a new London Plan. The Council proposes to submit the LP33 to Government within 6 months of the publication of the new NPPF (July 2018). This means that the Plan will be assessed against the previous version of the NPPF (March 2012). This

provision allows plans that are at an advanced stage such as Hackney's LP33 to proceed through to submission and examination using existing evidence and supporting data.

6.1.3 Growth must be planned to provide new affordable homes and community facilities, support our economy and provide new jobs for Hackney residents. In partnership with key service providers, work has been carried out to assess the current need for and supply of key supporting infrastructure such as schools and health facilities, and to assess future requirements based on projected population growth and other considerations.

6.1.4 Following the consultation on the draft LP33 and continuing evidence gathering and analysis, there have been some key amendments made to the draft LP33. These have been incorporated into the Proposed Submission Local Plan 2033 which is now more place-based, and also identifies opportunity sites for development based on the proposed Growth Strategy. The Proposed Submission Local Plan 2033 details policies on the following elements:

#### 6.1.4.1 Place policies

Area visions, overview of the urban character including the public realm, development principles, land use designation and development opportunities have been developed for each of the borough's key growth areas as listed below:

1. Dalston
2. Hackney Central
3. Stamford Hill
4. Shoreditch and Hoxton
5. Manor House
6. Homerton
7. Clapton and Lea Bridge Roundabout
8. Hackney Wick
9. Enhanced Corridors

6.1.4.2 Where relevant, these place policies in the Proposed Submission Local Plan 2033, simplify and carry forward key elements of existing area based policy to provide a greater scope for the community to shape subsequent area action plans or masterplans for these areas.

#### 6.1.4.3 Development Opportunities

Development opportunities around the borough both inside and outside the growth areas above have been identified. These are individual sites of strategic importance where preferred land uses and mix, indicative capacity, building heights and development principles are indicated. Not all sites identified are in the Council's ownership. There are 35 sites identified in the Plan.

#### 6.1.4.4 Housing

Maximising the delivery of genuinely affordable homes remains one of the biggest challenges facing the Plan. The Proposed Submission Local Plan 2033 continues with a policy that would require affordable housing contributions on small sites with developments of less than 11 units (the supply of which forms over half of new homes delivered in Hackney). These are developments where affordable housing provision cannot be secured under current policy.

6.1.4.5 To better meet our housing need these sites will be required to contribute towards affordable housing delivery either through on-site provision or off-set monetary contributions which could then fund Council-led projects to deliver genuinely affordable housing.

6.1.4.6 This policy is now fully supported by local viability evidence and the new Draft London Plan. Hackney has responded to Government consultations to request that a change is made to national planning policy to reinforce this approach.

6.1.4.7 To further maximise the delivery of genuinely affordable housing the Council also consulted on a new approach on the type of affordable housing delivered on larger sites of 10 units or more to ensure that what is delivered is affordable to Hackney residents. This means a policy approach which focuses on genuinely affordable housing products such as social rent and the Hackney Living Rent.

6.1.4.8 In addition to this, policies will require new housing products such as co-living and build to rent to provide at least 50% on site affordable housing at Hackney Living Rent levels; the protection of housing also applies to sites within employment areas; and to enable the Council to prioritise the delivery of homes (or in some cases workspace) ahead of hotel accommodation where it is demonstrated that this better meets the needs of our communities.

#### 6.1.4.9 Employment

In order to help retain vital industrial land and floorspace within Hackney and ensure that sufficient office floorspace is delivered to meet Hackney's economic needs, in the Draft LP33 the Council consulted on a new approach to managing development in the Council's designated employment areas, by directing new office development to the most sustainable locations, primarily in the south of the borough within the City Fringe Opportunity Area and within existing town centres, and protecting and intensifying long established industrial land and floorspace, particularly in the northern employment areas.

6.1.4.10 Based on the further evidence and consultation with communities, particularly in the Shoreditch area, it is proposed to continue with this approach with further refinement to the policy ensure that we continue to protect existing industrial uses across the whole borough, and to ensure

employment led development particularly in the south of the borough delivers a more varied mix of uses, not just office development.

6.1.4.11 Hackney has led the way by introducing policies requiring the provision of affordable workspace. Our current policy asks for 10% affordable workspace on major developments with the workspace provided at up to 80% of market rents. To reflect differences in land values and affordability across the borough, the Draft LP33 consulted on policies to deliver affordable workspace at a greater discount.

6.1.4.12 Local evidence on viability supports our approach to securing affordable workspace at a greater discount (40% of market rents in Shoreditch and 60% of market rents elsewhere in other Priority Office Areas in the borough) and demonstrates that this would not impact on the delivery of affordable homes.

#### 6.1.4.13 Town Centres

Hackney's town centres operate as a network and perform different roles and functions – larger town centres provide more shops for durable comparison goods with smaller centres meeting the day to day needs of residents.

6.1.4.14 Town centres will remain the main destinations for shops, however the growth of e-tailing (on line shopping) m-tailing (shopping through mobile phones, tablets etc), means that for centres to remain viable they must provide an attractive shopping and leisure experience to increase the amount of time people spend on the high street.

6.1.4.15 Officers have worked closely with the GLA to influence the future role of our town centres, and the latest iteration of the new London Plan reflects two of the key proposed town centre changes in the Proposed Submission Local Plan 2033:

- Hackney Central is reclassified up from a 'district' to a 'major' centre. The centre has the highest comparison goods turnover of the centres in the Borough. It also has important leisure, service and civic functions. Designation as a major centre will give it the same status in the town hierarchy as Dalston.
- Stamford Hill is reclassified up from a 'local' to a 'district' centre. The centre is the largest in terms of number of units of the current designated local shopping centres. There is also a sizeable quantum of comparison and service uses. It is considered that Stamford Hill meets the London Plan requirements of a district centre.

6.1.4.16 Greater recognition of these centres will raise their profile in terms of being areas for investment and development, and they would be afforded a greater degree of protection through planning policy.

6.1.4.17 New local shopping centres are proposed at Old Hill Street, Dunsmure Road, Hackney Downs and Green Lanes and new Article 4 Directions have been made to remove permitted development rights to protect shops within these areas.



#### 6.1.4.18 Sustainable Development

In addition to policies on housing, employment and town centres the Proposed Submission Local Plan 2033 also sets out policies on communities, design, open space and the environment to ensure high quality sustainable development. In response to the new London Plan and the 2018 Hackney manifesto commitments the following policy changes are also proposed:

- Reflecting Hackney's vision for a child friendly borough, policies on new children's play space make it clear that new play space should be accessible to all communities not just those living in the new development
- There is a new requirement for developers to provide 10% carbon reduction from renewables within the context of maximising energy savings through design and build.
- A policy to deliver drinking fountains in major new developments in accessible locations within the borough has been introduced
- There is a new policy so that development above 7 metres incorporates design measures for swifts and other nesting birds
- In addition to policies on open space, further policies on urban greening linked to the London Mayor's Urban Greening Factor and Hackney's vision for vertical forests.
- There is a new policy to improve digital connectivity – focusing on connectivity speeds and affordability.

## 6.2 Equality Impact Assessment

6.2.1 The Draft LP33 and the Proposed Submission Local Plan 2033 have been informed by an Integrated Impact Assessment which includes an Equalities Impact Assessment that demonstrates compliance with the public sector duty in the Equality Act 2010 by having due regard to:

- eliminating discrimination; harassment and victimisation,
- advancing equality of opportunity between persons who share a protected characteristic and persons who do not share it; and
- fostering good relations between persons who share a relevant protected characteristic and persons who do not share it.

## 6.3 Sustainability

6.3.1 A Strategic Environmental Assessment and Sustainability Appraisal (SA) has been undertaken as part of the Integrated Impact Assessment to ensure that the plan meets agreed sustainability objectives.

## 6.4 Consultations

6.4.1 Consultation will be undertaken in accordance with the methods set out in the Council's Consultation Strategy, which has been developed to comply with the

Statement of Community involvement and Government regulations. Consultation previously undertaken for the Sustainable Community Strategy (Hackney a Place for Everyone), the Local Plan Direction of Travel and Draft Consultation has been used to inform the Proposed Submission LP33 (appendix 1).

## **6.5 Risk Assessment**

- 6.5.1 A full risk assessment has been carried out as part of the project plan produced for the Plan.

## **7. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES**

- 7.1 This report seeks Council to approve the Proposed Submission Local Plan 2033 (LP33) for consultation prior to submission to Government for an examination in public.
- 7.2 The Planning service will incur expenditure in 2018/19 on externally commissioned studies and interim specialist staff required to progress the LP33. The service has requested reserve funding for this expenditure, subject to approval by the Group Director - Finance and Corporate Resources.

## **8. COMMENTS OF THE DIRECTOR OF LEGAL**

### **8.1 Cabinet's authority to approve the recommendations**

Cabinet is authorised to approve the recommendations in Section 3 of this report pursuant to the Mayor's Scheme of Delegation in the Council's Constitution (See Note 3 and the section on 'Policy Framework' which grants Cabinet the responsibility for making recommendations to the Council on the Local Development Framework (now known as the Local Plan).

### **8.2 Council's authority to approve the recommendations**

The Council is authorised to approve the recommendations in Section 3 of this report pursuant to:

- Article 4.6(ii) of the Constitution which states that the Full Council will among other things exercise functions on approving or adopting the policy framework. Articles 4.7 and 4.8 of the Constitution define the policy framework, which includes 'the Local Development Framework' prepared pursuant to section 15 of the Planning and Compulsory Purchase Act 2004. Section 15 of this Act has been amended and now refers to 'development plan documents' instead and includes strategic planning policies such as the Local Plan 2033; and

- Clause 3.3.1 (3) of Part 3 of the Constitution which authorises Full Council to approve or adopt plans including the Local Development Framework (which includes the Local Plan 2033)

8.3 Statutory and Policy requirements to have an up to date Local Plan when determining planning applications

The following statutory and national planning policy provisions emphasise the primacy of Local Plans (also termed as development plans) in planning decision making:

- Section 70(2) of the Town and Country Planning Act 1990 requires local planning authorities when dealing with an application for planning permission to have regard to the provisions of the development plan so far as material to the application.
- Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- Section 17(6) of the Planning and Compulsory Purchase Act 2004 requires local authorities to keep their Local Plans under review.
- Regulation 10A (1) of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires local planning authorities to review their Local Plans every five years.

**9 Next Steps**

9.2 Following consultation on the Proposed Submission version of the Local Plan 2033, it is proposed that the consultation’s responses, evidence base, and the Plan including with any proposed changes, and a new policies map showing all of the land use designations necessary to support the implementation of the Plan, is are submitted to Government or Examination in Public.

**APPENDICES**

<b>Appendix 1</b>	Proposed Submission Local Plan 2033
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**BACKGROUND PAPERS**

None

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