

HACKNEY UNITARY DEVELOPMENT PLAN 1995

SAVED POLICIES

1. SUMMARY

1.1 This is an update of the **information** report about the 'Saved Policies' direction from the Secretary of State for Communities and Local Government received on 21/09/07 which took effect from 28/09/07.

1.2 See

<http://www.gos.gov.uk/gol/planning/developmentplans/?a=42496>

For the Directions issued to London boroughs.

2 CULTURE CHANGE

2.1 The deletion of "old policy" marks a step change toward the new style LDF planning system. The old style system worked on planning documents containing comprehensive policy, including the local interpretation of national and regional policy. This had the advantage of presenting policy for a local planning authority together in a locally branded document which development control planners and developers alike were familiar with.

2.2 The disadvantage was an inflexible document. It could not adapt to evolving circumstances or changes in national and regional policy without being reviewed entirely – itself a time consuming unwieldy process.

2.3 The new system by contrast requires local planning documents only to deal with planning factors that are unique to the locality, and otherwise rely on national and regional planning policy. Also the local development framework is a folder system, containing core strategy, proposals map, a limited suite of development management policy, area action plans and supplementary planning documents.

2.4 This allows more flexible revision and update of those documents that need to be changed, with other documents in the folder remaining the same. At professional seminars the planning inspectorate representatives have stressed that local planning documents must not repeat national or regional policy; cross references and hyperlinks being recommended.

2.5 The new LDF system also marks the move from old style regulatory plans to new style spatial plans setting out how local services are delivered and coordinated on the ground. New style plans are supported and informed by impact analysis driven by the European Union directives, in particular Environmental Impact Analysis.

3 THE DETAIL

3.1 Under the PCPA 2004 UDP policies which are more than 3 years old expired on 27/09/07 and are automatically deleted from the development plan

unless saved by direction of the SOS. This deletion of old policy is part of the process of moving from old style regulatory plans, to new style spatial plans under the LDF.

3.2 Hackney Council submitted an application to save UDP policies and proposals under the criteria set out by the SOS (the saving policies protocol). In essence policy could not be saved if it merely repeated national and regional guidance, or if it was not used.

3.3 As can be seen from the lists below, the SOS accepted the majority of Hackney's submission regarding saving and only disagreed and deleted 8 policies which Hackney wanted to save. A further 56 Part 2 UDP policies are deleted in line with our submission. We supported deletion of these policies under the protocol because they are either

- Superseded by national and regional guidance
- Were hardly ever used

4 KEY MESSAGES

- No policies that we use are conceded
- For every useful deleted policy there is a fall back regional or national policy
- The fall back regional or national policy is generally stronger than the deleted 1995 UDP policy – but more research is necessary to reference the policy and the evidence which supports it
- Because the national and regional policy is more recent it would carry more weight than the 1995 Hackney UDP policy in any event.

4.1 The deletions and fall backs work as follows:

- **Hackney UDP 1995 Part 1** (the Strategic Policies numbered ST 1 to ST 45): all these policies are deleted, since they were superseded by the London Plan 2004.
- **Hackney UDP 1995 Part 2:** the tables below lists the saved policies, and those policies which have been deleted by the direction with the replacement fall back policy from national planning statement and the London Plan.
- **Hackney UDP 1995 Proposals Map:** all proposals and land use designations have been saved, except for those which have been superseded by a different planning approval, or built out.

4.2 From 28/09/07 all planning determinations should refer to the fall back policies listed in the tables.

4.3 The Hackney Planning Policy team have determined that in all cases deleted Hackney policies are covered by a more recent national or regional policy. Therefore there is no reason to believe that the development plan policy expressed including the Hackney UDP 1995 is weakened in any respect.

4.4 The development plan comprises national regional and local policy read together as a whole, with more recent documents taking precedence. The effect of the deletions is to place greater emphasis on national and regional policy regarding strategic matters, and focus Hackney UDP 1995 those matters which are distinctive to Hackney.

5 SAVED POLICIES

Policy Area	Policies to be saved
Environmental Quality	EQ1, EQ9, EQ12, EQ13, EQ14, EQ15, EQ16, EQ17, EQ18, EQ19, EQ20, EQ21, EQ28, EQ29, EQ30, EQ31, EQ32, EQ33, EQ34, EQ35, EQ36, EQ37, EQ40, EQ41, EQ42, EQ43, EQ44, EQ46, EQ48
Housing	HO2, HO3, HO4, HO5, HO6, HO7, HO8, HO12, HO14, HO15, HO16, HO17
Employment	E3, E7, E8, E9, E10, E11, E12, E14, E15, E16, E17, E18
South Shoreditch	-
Transport	TR17, TR18, TR19
Retailing and town Centres	R1, R3, R4, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15
Open Space and Nature Conservation	OS1, OS2, OS3, OS4, OS5, OS6, OS7, OS8, OS9, OS10, OS12, OS13, OS14, OS15, OS16, OS17
Community Services	CS1, CS2, CS3, CS4, CS5, CS6, CS7, CS8, CS9
Arts, Culture and Entertainment	ACE1, ACE2, ACE3, ACE4, ACE5, ACE6, ACE7, ACE8

6 DELETED POLICIES

6.1 The following were submitted by Hackney for deletion in line with the protocol

6.2 Hackney UDP 1995 Part 1 policies numbered ST 1 – 45

6.2.1 The ST policies drafted for the 1995 UDP have since been amplified through National and London Plan policy. Therefore none of the policies ST 1- 45 are recommended for saving.

6.3 Hackney UDP 1995 Part 2 policies - see table.

Policy Area	Policies NOT to be saved (as identified by LBH)
Strategic Policies Hackney UDP 1995 Part 1	ST 1 – 45
Environmental Quality	EQ4, EQ5, EQ6, EQ7, EQ8, EQ10, EQ11, EQ22, EQ23, EQ24, EQ25, EQ26, EQ27, EQ38 & EQ39
Housing	HO1, HO10, HO11, HO13, HO18, HO19 & HO20
Employment	E1, E4, E5 & E13.
South Shoreditch	SSH1, SSH2, SSH3, SSH4, SSH5, SSH6, SSH7, SSH8.
Transport	TR1, TR2, TR3, TR4, TR5, TR6, TR7, TR8, TR9, TR10, TR11, TR12, TR13, TR14, TR15 & TR16.
Retailing and town Centres	R5, R16 - R18
Open Space and Nature Conservation	OS11, OS18
Community Services	CS10

6.4 Policies deleted by the SOS against Hackney’s recommendation

6.4.1 The policies below were deleted by the SOS against Hackney’s recommendation.

6.4.2 In the case of HO9 a case was made to retain the policy in discussion with the GLA. See report to Cabinet 10/09/07 However, it is understood that for reasons of national consistency the SOS decided to delete. The table at 7 indicate the fall back to London Plan policy.

6.4.3 In the case of E2 it should be noted that the SOS has not deleted the defined employment areas on the proposals map.

6.4.4 The other deletions are covered by fall back policy.

Policy Area	Policies NOT to be saved (as identified by
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	GOL)
Environmental Quality	EQ2, EQ3, EQ45 & EQ47
Housing	HO9
Employment	E2 & E6
Retailing and town Centres	R2

7 FALL BACK TO NATIONAL AND REGIONAL POLICY.

7.1 In the case of deleted policies, it is stressed that in every single instance there is a fall back position of national and regional policy that will replace the deleted Hackney UDP policy. The fall back policies are set out in the table. These should now be used in planning reports.

7.2 Because all the deleted Hackney UDP policies are covered by equivalent national or regional policies, planning officers are advised not concede any policy position on the grounds of the SOS direction.

Policy No.	Fall Back
ENVIRONMENTAL QUALITY	
EQ2 (Policy was identified for saving by LBH but GOL direction recommended deletion)	London Plan Policy 4B.15 – London View Protection Framework London Plan Policy 4B.16 – View management plans London Plan Policy 4B.17 – Assessing development impact on designated views Planning Policy Guidance (PPG) 15
EQ3 (Policy was identified for saving by LBH but GOL direction recommended deletion)	London Plan Policy 4B.8 – Tall Buildings – Location Evidence Base: Tall Building Strategy
EQ4	London Plan Policy 4B.1 – Design principles for a compact city London Plan Policy 4B.4 – Enhancing the quality of the public realm

Policy No.	Fall Back
	London Plan Policy 4B.5 – Creating and inclusive environment
EQ5	This cross references EQ1 and EQ7 and it covered by their fall backs. London Plan Policy 4B.1 –Design principles for a compact city London Plan Policy 4B.7 – Energy efficiency and renewable energy
EQ6	London Plan Policy 4B.1 –Design principles for a compact city London Plan Policy 4B.7 – Energy efficiency and renewable energy
EQ7	London Plan Policy 4B.1 –Design principles for a compact city London Plan Policy 4B.4 – Enhancing the quality of the public realm
EQ8	London Plan Policy 4B.4 – Enhancing the quality of the public realm
EQ10	In line with city growth strategy of London Plan
EQ11	London Plan: 'Strategies that will contribute to implementation' pg 304, PPG15
EQ22	London Plan 3D.7 London Plan 4C.8 London Plan 4C.9 London Plan 4C.10 London Plan 4C.11 London Plan 4C.12
EQ23	London Plan Policy 3D.10

Policy No.	Fall Back
	London Plan Policy 3D.11
EQ24	<p>Inline with London Plan's aims to protect and enhance the multi-functional nature of the Blue Ribbon Network</p> <p>London Plan Policy 4C.1 – The strategic importance of the Blue Ribbon Network</p> <p>London Plan Policy 4C.2 – Context for sustainable growth</p> <p>London Plan Policy 4C.3 – The natural value of the Blue Ribbon Network and Natural landscape</p> <p>London Plan Policy 4C.4 – Natural landscape</p> <p>London Plan Policy 4C.12</p> <p>London Plan Policy 4C.13</p> <p>London Plan Policy 4C.16</p> <p>London Plan Policy 4C.17</p> <p>London Plan Policy 4C.18</p> <p>London Plan Policy 4C.20</p> <p>London Plan Policy 4C.28</p>
EQ25	<p>Inline with London Plan's aims to protect and enhance the multi-functional nature of the Blue Ribbon Network</p> <p>London Plan Policy 4C.1 – The strategic importance of the Blue Ribbon Network</p> <p>London Plan Policy 4C.2 – Context for sustainable growth</p> <p>London Plan Policy 4C.3 – The natural value of the Blue Ribbon Network and Natural landscape</p> <p>London Plan Policy 4C.4 – Natural landscape</p> <p>London Plan Policy 4C.12</p> <p>London Plan Policy 4C.13</p> <p>London Plan Policy 4C.16</p> <p>London Plan Policy 4C.17</p> <p>London Plan Policy 4C.18</p> <p>London Plan Policy 4C.20</p> <p>London Plan Policy 4C.28</p>
EQ26	<p>Inline with London Plan's aims to protect and enhance the multi-functional nature of the Blue</p>

Policy No.	Fall Back
	<p>Ribbon Network</p> <p>London Plan Policy 4C.1 – The strategic importance of the Blue Ribbon Network</p> <p>London Plan Policy 4C.2 – Context for sustainable growth</p> <p>London Plan Policy 4C.3 – The natural value of the Blue Ribbon Network and Natural landscape</p> <p>London Plan Policy 4C.4 – Natural landscape</p>
EQ27	<p>Inline with London Plan’s aims to protect and enhance the multi-functional nature of the Blue Ribbon Network</p> <p>London Plan Policy 4C.1 – The strategic importance of the Blue Ribbon Network</p> <p>London Plan Policy 4C.2 – Context for sustainable growth</p> <p>London Plan Policy 4C.3 – The natural value of the Blue Ribbon Network and Natural landscape</p> <p>London Plan Policy 4C.4 – Natural landscape</p> <p>London Plan Policy 4C.19</p>
EQ38	<p>UDP policy EQ1</p> <p>London Plan Policy 4B.1 – Design principles for a compact city</p>
EQ39	<p>UDP policy EQ1</p> <p>London Plan Policy 4B.1 – Design principles for a compact city</p>
EQ45 (Policy was identified for saving by LBH but GOL direction recommended deletion)	<p>London Plan Policy 4A.2 - Spatial policies for waste management</p> <p>Planning Policy Statement (PPS) 10</p> <p>London Plan Policy 4A.1</p> <p>London Plan Policy 4C.3</p>
EQ47 (Policy was identified for saving by LBH but GOL direction recommended deletion)	<p>London Plan Policy 4A.7 – Energy efficiency and renewable energy.</p> <p>London Plan Policy 4A.8</p> <p>London Plan Policy 4A.9</p> <p>London Plan Policy 4A.10</p>
HOUSING	

Policy No.	Fall Back
HO1	Covered by London Plan – Chapter 3A PPS3
HO9 (Policy was identified for saving by LBH but GOL direction recommended deletion)	London Plan policy 3A.1 London Plan Policy 3A.2 London Plan Policy 3A.4 London Plan SPG (Housing) Housing Needs Survey
HO10	London Plan Policy 3A.5 – Large residential developments London Plan Policy 3A.7 – Affordable housing targets London Plan Policy 3A.8
HO11	UDP Policy EQ1: Promote the efficient use of the existing stock to increase housing availability London Plan policies 3A.3 – Efficient use of stock
HO13	UDP Policy EQ1 London Plan Policy 3A.3
HO18	London Plan Policy 3A.11 – London’s travellers and gypsies London Plan Policy 3A.13
HO19	Covered by EQ1: The policy meets the London Plan objectives of improving London’s housing types, sizes accessibility and design
HO20	Covered by EQ1: The policy meets the London Plan objectives of improving London’s housing types, sizes accessibility and design
EMPLOYMENT	
E1	London Plan policy 3B.1 – Developing London’s economy London Plan policy 3B.4 – Mixed use development Sub-Regional Development Frameworks (see Chapters 2 and 5) will give further guidance on the relevant proportions of housing and other uses to be sought
E2 (Policy was identified for saving by LBH but GOL direction recommended deletion)	London Plan policy 3B.1 – Developing London’s economy London Plan Policy 3B.2 London Plan Policy 4B.1 Sub-Regional Development Frameworks (see Chapters 2 and 5) will give further guidance on the relevant proportions of housing and other uses to be

Policy No.	Fall Back
	sought
E4	Seldom used
E5	<p>London Plan policy 3B.1 – Developing London’s economy London Plan policy 3B.4 – Mixed use development</p> <p>Sub-Regional Development Frameworks (see Chapters 2 and 5) will give further guidance on the relevant proportions of housing and other uses to be sought</p>
<p>E6 (Policy was identified for saving by LBH but GOL direction recommended deletion)</p>	<p>London Plan policy 3B.1 – Developing London’s economy London Plan Policy 3B.2 Evidence Base: Hackney Employment Growth Options Study (Atkins Report) Evidence Base: Study of Small Business Workspace Provision in Hackney</p> <p>Sub-Regional Development Frameworks (see Chapters 2 and 5) will give further guidance on the relevant proportions of housing and other uses to be sought</p>
E13	<p>London Plan policy 3B.1 – Developing London’s economy London Plan Policy 3B.2</p> <p>Sub-Regional Development Frameworks (see Chapters 2 and 5) will give further guidance on the relevant proportions of housing and other uses to be sought</p>
SOUTH SHOREDITCH	
SSH1	<p>London Plan Policy 5C.2 – Opportunity Areas in East London; South Shoreditch SPD: employment led mix of uses, resist proposals which result in the loss of employment land and premises, retention of some B1-class uses and some industrial (B2) uses and employment land currently suitable for Small or Medium Sized Enterprises (SMEs), as well as creation of suitable SME business premises in new developments; Sub-district guidance - 1. Edge of City, 2. Leonard Circus and 3. Shoreditch triangle</p>
SSH2	<p>London Plan Policy 5C.2 – Opportunity Areas in East London; South Shoreditch SPD: employment led mix of uses, resist proposals which result in the loss of employment land and premises, retention of some</p>

Policy No.	Fall Back
	<p>B1-class uses and some industrial (B2) uses and employment land currently suitable for Small or Medium Sized Enterprises (SMEs), as well as creation of suitable SME business premises in new developments;</p> <p>Sub-district guidance - 1. Edge of City, 2. Leonard Circus and 3. Shoreditch triangle</p>
SSH3	<p>London Plan Policy 5C.2 – Opportunity Areas in East London;</p> <p>South Shoreditch SPD: employment led mix of uses, resist proposals which result in the loss of employment land and premises, retention of some B1-class uses and some industrial (B2) uses and employment land currently suitable for Small or Medium Sized Enterprises (SMEs), as well as creation of suitable SME business premises in new developments;</p> <p>Sub-district guidance - 1. Edge of City, 2. Leonard Circus and 3. Shoreditch triangle</p>
SSH4	<p>London Plan Policy 5C.2 – Opportunity Areas in East London;</p> <p>South Shoreditch SPD: employment led mix of uses, resist proposals which result in the loss of employment land and premises, retention of some B1-class uses and some industrial (B2) uses and employment land currently suitable for Small or Medium Sized Enterprises (SMEs), as well as creation of suitable SME business premises in new developments;</p> <p>Sub-district guidance - 1. Edge of City, 2. Leonard Circus and 3. Shoreditch triangle</p>
SSH5	<p>London Plan Policy 5C.2 – Opportunity Areas in East London;</p> <p>South Shoreditch SPD: employment led mix of uses, resist proposals which result in the loss of employment land and premises, retention of some B1-class uses and some industrial (B2) uses and employment land currently suitable for Small or Medium Sized Enterprises (SMEs), as well as creation of suitable SME business premises in new developments;</p> <p>Sub-district guidance - 1. Edge of City, 2. Leonard Circus and 3. Shoreditch triangle</p>
SSH6	<p>London Plan Policy 5C.2 – Opportunity Areas in East London;</p> <p>South Shoreditch SPD: employment led mix of uses, resist proposals which result in the loss of employment land and premises, retention of some</p>

Policy No.	Fall Back
	<p>B1-class uses and some industrial (B2) uses and employment land currently suitable for Small or Medium Sized Enterprises (SMEs), as well as creation of suitable SME business premises in new developments;</p> <p>Sub-district guidance - 1. Edge of City, 2. Leonard Circus and 3. Shoreditch triangle</p>
SSH7	<p>London Plan Policy 5C.2 – Opportunity Areas in East London;</p> <p>South Shoreditch SPD: employment led mix of uses, resist proposals which result in the loss of employment land and premises, retention of some B1-class uses and some industrial (B2) uses and employment land currently suitable for Small or Medium Sized Enterprises (SMEs), as well as creation of suitable SME business premises in new developments;</p> <p>Sub-district guidance - 1. Edge of City, 2. Leonard Circus and 3. Shoreditch triangle</p>
SSH8	<p>London Plan Policy 5C.2 – Opportunity Areas in East London;</p> <p>South Shoreditch SPD: employment led mix of uses, resist proposals which result in the loss of employment land and premises, retention of some B1-class uses and some industrial (B2) uses and employment land currently suitable for Small or Medium Sized Enterprises (SMEs), as well as creation of suitable SME business premises in new developments;</p> <p>Sub-district guidance - 1. Edge of City, 2. Leonard Circus and 3. Shoreditch triangle</p>
TRANSPORT	
TR1	<p>London Plan's objective 5 - improve London accessibility and achieve a sustainability city through a better quality and conditions of cycle and walking links.</p> <p>London Plan Policy 3C.20 – Improving conditions for walking</p> <p>London Plan Policy 3C.21 – Improving conditions for cycling</p> <p>PPG13</p>
TR2	<p>London Plan's objective 5 - improve London accessibility and achieve a sustainability city through a better quality and conditions of cycle and walking links.</p> <p>London Plan Policy 3C.20 – Improving conditions for walking</p> <p>London Plan Policy 3C.21 – Improving conditions</p>

Policy No.	Fall Back
	for cycling PPG13
TR3	London Plan's objective 5 - improve London accessibility and achieve a sustainability city through a better quality and conditions of cycle and walking links. London Plan Policy 3C.21 – Improving conditions for cycling PPG13
TR4	Identify on the UDP map London Plan Policy 3C.4 – Land for transport functions
TR5	PPG13 promotion of infrastructure improvement as part of development proposals Could be achieved through s.106.
TR6	London Plan Policy 3C.2 – Matching development to transport capacity London Plan Policy 3C.16 – Tackling congestion in London Streets London Plan Policy 3C.22 – Parking strategy
TR7	London Plan Policy 3C.22 – Parking strategy(sets a parking restraint regime that would reduce congestion and promote public transport)
TR8	London Plan Policy 3C.22 – Parking strategy(sets a parking restraint regime that would reduce congestion and promote public transport)
TR9	London Plan Policy 3C.15 London Plan Policy 3C.16 – Tackling congestion and reducing traffic London Plan Policy 3C.17 – allocation of street space
TR10	London Plan Policy 3C.15 – Road scheme proposals
TR11	London Plan Policy 3C.15 London Plan Policy 3C.16 – Tackling congestion and reducing traffic London Plan Policy 3C.17
TR12	London Plan Policy 3C.15 – Road scheme proposals London Plan Policy 3C.18
TR13	London Plan Policy 3C.15 – Road scheme proposals

Policy No.	Fall Back
	London Plan Policy 3C.16 London Plan Policy 3C.18
TR14	London Plan Policy 3C.7 – Heliport development
TR15	London Plan Policy 3C.24 – Freight strategy
TR16	London Plan policy 4B.1 – Design principles for a compact city London Plan Policy 3C.18 London Plan Policy 3C.20 - Improving conditions for walking London Plan Policy 3C.21 – Improving conditions for cycling
RETAILING AND TOWN CENTRES	
R2 (Policy was identified for saving by LBH but GOL direction recommended deletion)	London Plan Policy 2A.5 – Town Centres London Plan Policy 3D.1 London Plan Policy 3D.2 – Town Centre Development London Plan Policy 3D.3 – Maintaining and Improving retail facilities Town Centres in East London (5.89 pg 254) UDP Policy EQ1
R5	UDP Policy EQ1
R16	PPS6
R17	PPS6
R18	London Plan policy 4B.1 – Design principles for a compact city UDP Policy EQ1
OPEN SPACE AND NATURE CONSERVATION	
OS11	
OS18	
COMMUNITY SERVICES	
CS10	London Plan policy 4B.1 – Design principles for a compact city UDP Policy EQ1

8 PROPOSALS

8.1 The SOS direction includes all area designations and proposals shown on the proposal map which we submitted for saving. This includes all the designated employment areas. The only proposals which have been deleted are those which have been built, or superseded by another scheme.

9 FURTHER INFORMATION

9.1 Arrangements are in hand to manage the transition to fall back policies. In particular the next development control committee will receive reports drafted on the basis of policies that operated before the SOS direction. The committees will be advised of the fall back policies, and recommended that the fall back polices are quoted in their determinations.

RFD

27/09/2007

updated 04/10/2007 & 30/11/2007