London Borough of Hackney

Local Plan 2033

Duty to Cooperate statement

January 2019
1. **Introduction**

1.1. This statement demonstrates how the submission version of Hackney’s Local Plan 2033 has been prepared in line with the legal ‘duty to cooperate’ arising from the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011.

1.2. The National Planning Policy Framework (2012) under which this plan is being prepared describes this as a duty for planning authorities and public bodies ‘to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan in the context of strategic cross boundary matters’. Although this document has now been superseded by the National Planning Policy Framework 2018; this plan is being prepared under the transitional arrangements, which define the provisions related to the duty to cooperate set out in the in the NPPF 2012.

1.3. The NPPF 2012 highlights that the duty to cooperate is not a duty to agree but planning authorities are expected to make every effort to secure the necessary cooperation on planning issues that are cross-boundary, particular those that relate to strategic priorities, before Local Plans are submitted for examination.

2. **Relevant Bodies**

2.1. The organisations which must cooperate under this duty are prescribed in legislation. These include local authorities and the following authorities (identified in The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended):

- the Environment Agency
- the Historic Buildings and Monuments Commission for England (known as Historic England)
- Natural England
- the Mayor of London
- the Civil Aviation Authority
- the Homes and Communities Agency
- each clinical commissioning group established under section 14D of the National Health Service Act 2006
- the National Health Service Commissioning Board
- the Office of Rail Regulation
- Transport for London
- each Integrated Transport Authority
• each highway authority within the meaning of section 1 of the Highways Act 1980 (including the Secretary of State, where the Secretary of State is the highways authority)
• the Marine Management Organisation.

3.1. All of the prescribed bodies defined in the regulations (and outlined in Section 2) have been consulted and co-operation arrangements been provided formally at the Direction of Travel and Regulation 18 stage. The Regulation 18 Consultation Statement (2018) is particularly relevant and explains the formal consultation carried out and how consultation responses have been taken into account.

3.2. The preparation of the Integrated Impact Assessment for the Local Plan also involved consultation and engagement with Natural England, Historic England and the Environment Agency in line with the Section 19 of the Planning and Compulsory Purchase Act and the Environmental Assessment of Plans and Programmes Regulations 2004. Comments from these bodies have been received regarding the Draft Local Plan Sustainability Appraisal Scoping Report and have also been reflected in the subsequent sustainability appraisal report.

3.3. There have also been on-going opportunities for neighbouring LPAs and prescribed bodies to input and inform the plan through regular meetings, correspondence and joint working with the Council.

4. Evidence of cooperation

4.1. This section sets out how Hackney has engaged and cooperated with the bodies identified in the legislation, and with those agencies where strategic cross boundary matters arise. Appendix 1 contains a schedule of key meetings where Local Plan matters were discussed with neighbouring authorities and GLA/ TfL.

Historic England

4.2. Historic England met with LBH in December 2018 to discuss LP33. Previously, LBH and Historic England also met twice in 2017 to discuss the review and subsequent update of Hackney’s Archaeological Priority Areas.

4.3. Historic England made representations to both the Regulation 18 and Regulation 19 versions of LP33 and also made specific comments on the
Hackney Borough wide Characterisation Study. At Reg 18 HE commented that a greater recognition of the importance of heritage needed to be incorporated into into the overall plan. Specifically, HE asked for the Borough to include more detailed and robust policies on the historic environment, and more explicit reference to heritage assets such as historic parks and gardens. The impact of taller buildings on heritage assets and the character of Conservation Areas were also areas of initial concern.

4.4. These changes were reflected, and at Regulation 19 stage, Historic England welcomed the additional evidence provided by the Hackney and commented that the plan now provided an excellent platform to achieve a positive strategy for the historic environment through planning. They also commented that the evidence base underlying the heritage-related policies, was now comprehensive and proportionate. HE did however also raise some specific concerns in regard to site allocations HC1,HC2 and HC6.

**Natural England**

4.5. Natural England has not commented on the draft Local Plan at Regulation 19 stage. In their response to the draft Local Plan, the comments was “Natural England does not consider that this Draft Local Plan [Regulation 18] 2033 poses any likely risks or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.”

**Environment Agency (EA)**

4.6. The Council met and corresponded with the Environment Agency, in particular on the climate change policies, and evidence and measures around addressing flood risk assessment most recently on 10 September 2018. They are satisfied with the fluvial elements and the Council, in response to comments at Regulation 18 commissioned further research to address surface drainage issues EA highlighted. The Environment Agency’s responses at Regulation 19 was that they found the Local Plan sound and offer comments on points of clarity and accuracy.

**Highways England**

4.7. Highways England (formerly Highway Agency) did not respond to to the Regulation 19 Consultation. Highways England, did respond to the earlier Direction of Travel Issues and Option (2016), and Regulation 18 (2017), but did not have any observations on the direction or the draft Plan.

**Hackney Clinical Commissioning Group (CCG)**
4.8. The Council’s Infrastructure Delivery Plan (IDP) and associated governance processes provide a vehicle for engaging with service providers on ensuring that infrastructure is delivered to support the growth envisaged. In relation to health matters, and working with partners, the Council is refining the process of assessing needs for and the planning delivery of healthcare infrastructure. The Council has been working together with the City and Hackney Clinical Commissioning Group (CCG), NHS Property Services and Community Health Partnerships (CHP) to the Council and CCG to ensure the respective approaches/strategies are aligned through the ‘Estates Enabler Group’. The Council’s planning service is a key participant in this group. Regular meetings are held to ensure future demand and capacity modelling is as comprehensive and accurate as possible, and is directly linked to the City and Hackney CCG’s Estates Strategy.

Greater London Authority

4.9. Many of the strategic matters and key issues to be addressed through compliance with the duty to co-operate are, in London, a matter for the London Plan or are otherwise addressed through the preparation of the London Plan. The London Plan is part of the development plan for Hackney and defines the overall amount of housing to be provided in Hackney and other London boroughs. Hackney lies within several identified strategic Growth Corridors and Opportunity Areas as identified in the London Plan. These include the City Fringe/Tech City Opportunity Area, Central Activity Zone, and the Lee Valley Opportunity Area. These cross boundary areas have indicative jobs and housing targets.

4.10. The new draft London Plan was published in December 2017, with minor suggested alterations in July 2018. It provides the strategic framework for the whole of London and sets out objectives for strategic issues such as:
- the homes and jobs needed;
- the location and provision of retail and employment development;
- how growth will be supported and managed;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, and energy (including heat);
- the provision of social infrastructure and other local facilities;
- and climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

4.11. Hackney have made detailed representations on consultations undertaken by the GLA as part of the Further Alterations to the London Plan in 2015, Minor Alterations to the London Plan in 2016, and the draft new London Plan in 2018. This included providing evidence to support the re-designation of Hackney Central from a District to a Major Centre and Stamford Hill from a
Local to a District Centre within the town centre network. These changes to the town centre hierarchy are shown in the draft new London Plan (2018) and within LP33.

4.12. Other engagement with the GLA has included:
- representations made to ‘A City for All Londoners’ in December 2016;
- representation to the Draft Affordable Housing SPG in 2016;
- work with the GLA on the 2017 Strategic Housing Land Availability Assessment (SHLAA), analysing potential housing sites;
- work with the GLA and neighbouring boroughs on the Upper Lea Valley OAPF, including participation in the evidence and modelling work for the Upper Lee Valley Transport study as part of the OAPF.

4.13. As a London borough, the Council has a close relationship with the Greater London Authority (GLA). Hackney officers have an ongoing and close relationship with officers at the GLA and attend regular meetings to discuss strategic matters that are affecting the borough and London. This is to ensure that the emerging policies in the Hackney Local Plan are in conformity with those in the London Plan 2016 and the draft New London Plan.

In addition, Hackney Council officers regularly attend Association of London Boroughs Planning Officers (ALBPO) development plan meetings and the policy officers subgroup meetings. These meetings take place on a monthly basis and cover a wide range of policy matters, as well as general updates from the boroughs on the status of their plans. These meetings are a useful forum for discussing crosscutting London-wide policy matters and sharing best practice ideas with colleagues.

**TfL and Network Rail**

4.14. The Council’s has engaged with TfL and meetings are held on a regular basis to liaise on policy issues and in relation to specific sites. This includes meetings to discuss specific local plan issues. TfL’s Commercial Development team, in their response to the regulation 19 consultation, highlight that there have been a number of meetings held with the Council’s Member and senior officers to discuss the Clapton Bus Garage and environs and the Leabridge roundabout, and potentially linked redevelopment of the Ash Grove Bus Garage.

4.15. The Council has also sought engagement from Network Rail at the early stage of its LP33 process. This included correspondence from the Council to Network Rail highlighting the need to ensure the continued use of railway
arches for industrial uses and a wider range of other economic uses and activities including office, light industry and maker spaces to enable businesses to grow at relatively affordable rents.

**Neighbouring Local Planning Authorities**

4.16. The development of LP33 has involved extensive discussions with neighbouring authorities about the evolution of policies and evidence base. Prior to the consultation on the proposed submission Local Plan officers met with representatives of each of the neighbouring boroughs to discuss any potential cross-boundary issues relating to the draft policies, as well as other matters relating to cross-boundary issues.

4.17. In London there are also regular meetings between officers and elected members such as the London Councils Leaders Committee, Association of London Borough Planning Officers which includes a local plan sub group, and the London Planning Officers Society (POS). Appendix 1 sets out meeting dates with neighbouring councils.

**London Legacy Development Corporation**

4.18. The London Legacy Development Corporation (LLDC) was established in 2012 and replaced the former Olympic Park Legacy Company. As a development corporation of the Mayor of London, the LLDC took over planning powers for the areas of Tower Hamlets, Newham and Hackney that fell within its boundary. Officers from Hackney have attended the regular meetings of a Planning Policy Forum hosted by the LLDC and attended by the other former Olympic Host Boroughs (Waltham Forest, Tower Hamlets, Newham), Transport for London and the Lee Park Regional Valley. At these meetings, officers discuss policy matters relating to the LLDC Plan and wider policy framework and Borough’s own Local Plan preparation.

4.19. Officers from Hackney have provided updates on the progress of the borough’s emerging Local Plan at Planning Policy Forum meetings. These meetings have continued to be held on a regular basis and allow officers in the boroughs to discuss cross-cutting policy matters to ensure that the emerging and adopted Local Plans for the LLDC and neighbouring boroughs are aligned.

4.20. Regular meetings held with LLDC, Waltham Forest, Newham, Tower Hamlets, GLA, TfL, Lea Valley Regional Park Authority on:
- the Bartrip Road designated travellers site, exploring ways forward including engaging with the landowners;
- cooperation on strategic matters relating to the Hackney Wick area.

**London Borough of Islington**

4.21. LBH and LB Islington collaborated on their respective local plan reviews and evidence work, with representations from LBI received at regulation 18 and 19 stage.

4.22. Dalston growth area is in LB Hackney and LB Islington with both authorities committed to developing common approaches to development including in relation to heritage, public realm and open space. The enhancement of the Homerton Corridor (Dalston-Homerton-Hackney Wick-Stratford) which links through to Highbury Corner is important element of this and is reflected in the Dalston Masterplan and ongoing engagement. The latter will also ensure common discussions on tall buildings and cross-boundary catchment areas as part of planning for new facilities.

4.23. LB Islington and LBH (with Haringey) have worked closely on Finsbury Park to develop complementary policies and strategies for this tri-borough Town Centre. LBH have prepared policies relating to thresholds for the amount of A1 retail units in the centres, the protection of shops outside designated centres, the provision of small shop units, the evening and night-time economy, and street markets. LB Islington highlight that in their response to the Regulation 19 consultation that they consider the respective policy approaches to be aligned. LB Islington and LBH (with Haringey) engage on the Finsbury Park Neighbourhood Plan.

4.24. LBH and LB Islington have also been working closely on the approach to office and employment-led schemes in Hackney’s draft Shoreditch Area Action Plan (AAP), to ensure a balance mix is balanced to support the continued success and growth of digital/creative sector and business floorspace in general across both boroughs. The main focus of comments made by LB Islington on the Issue and Options consultation in February 2018 related to supporting the continued employment function of Tech City and CAZ, affordable workspace provision, the night-time economy role of visitor accommodation in Shoreditch, and managing the impacts of building heights in Shoreditch through the AAP policy / AAP site allocations. LB Islington in their response to Regulation 18 consultation highlight their intention to continue to engage with Hackney on the development of the Shoreditch AAP.

**London Borough of Tower Hamlets (LBTH)**
4.25. LBH and LB Tower Hamlets collaborated on their respective local plan reviews and evidence work, with representations from LB Tower Hamlets received at regulation 18 and 19 stage.

4.26. LB Tower Hamlets is supportive of Hackney’s emerging approach to the Shoreditch POA which is complementary to Tower Hamlets’ employment designations on its side of the boundary. LBTH is working with LBH on its draft Shoreditch AAP, which focuses on employment, hotels, night-time economy and tall buildings. Both boroughs have agreed to meet and discuss the AAP in further detail. LBH and LBTH also prepared Statement of Common Grounds for the Bishopsgate Goodsyard (BGY) Site Allocation in connection with the Tower Hamlets’ Local Plan. The two boroughs have been working collaboratively to produce comprehensive site guidance for the BGY site to include as a site allocation within the emerging Future Shoreditch Area Action Plan.

4.27. Although not currently within either Hackney or Tower Hamlets boundaries for planning purposes, the Hackney Wick town centre partially falls within Tower Hamlets. LB Tower Hamlets supports appropriate and sustainable development at that location which would create a functional centre providing shops, services and jobs to meet the needs of current and future residents on both sides of the boundary. Reference to the potential for an eastern branch of Crossrail 2 to serve Hackney Wick is welcomed.

4.28. LBH’s proposed Primary Office Area (POA) north of Regents Canal and adjacent to Cambridge Heath Road aligns with the boundary of a proposed ‘Local Employment Location’ in Tower Hamlets. These two designations are complementary, helping to encourage and maintain a wider cross-boundary cluster of employment uses meeting the needs of a diverse set of businesses alongside other commercial and residential uses.

**London Borough of Haringey**

4.29. Hackney and Haringey collaborated on their respective local plan reviews and evidence work, with representations from Haringey received at regulation 18 stage. In subsequent meetings it was highlighted that Haringey broadly supports the objectives of the draft Plan, and Haringey is committed to working with Hackney on cross-boundary issues particularly in respect of the South Tottenham and Stamford Hill areas, where both boroughs have strategic objectives for managing growth and development.
4.30. Hackney and Haringey (together with Islington) are working jointly on Finsbury Park to develop complementary policies and strategies for this area. All three boroughs have worked together to support the development of Cross Borough Neighbourhood Plan for Finsbury Park. During 2018, joint timetabling was agreed for the consultation process and for the subsequent designation of the Finsbury Park Neighbourhood Area and Forum. All three Boroughs are now working with the Forum and supporting the development of a Cross Borough Neighbourhood Plan for Finsbury Park.

4.31. Haringey and Hackney have undertaken to work closely on the master planning of development sites adjacent to the borough boundary. Haringey are to consult Hackney on the master planning of the Warehouse District in N15. Hackney in turn will involve Haringey on any future proposals for the Imperial Wharf/Ravensdale Estate which are situated within the boundary of the Stamford Hill Action Area.

City of London

4.32. City of London and LBH collaborated on their respective local plan reviews and evidence work, with representations from CoL received at Regulation 18 and 19 stages. City of London supports Hackney’s intention to seek to bring forward new growth areas to enable 1,750 homes and Hackney’s approach to flexible/adaptable new office floorspace and the retention of existing office space in Priority Office Areas.

4.33. The Shoreditch areas is where the two boroughs meet, and there is a commitment to cooperate over the future in this area through. The development of the Shoreditch Area Action Plan provides a vehicle for this continued engagement as noted in City of London’s response to the Regulation 19 consultation.

LB Waltham Forest

4.34. LB Waltham Forest and LBH collaborated on their respective local plan reviews and evidence work, with representations from LBWF received at regulation 18 stage. Discussions between LBWF and LBH focused on the Lee Bridge, Leyton and Clapton areas, which forms part of LB Waltham Forest’s wider Lea Valley Eastside vision. There is common interest in the proposals and longer term plans for the direction of Clapton/Lea Bridge Roundabout and environs (Hackney), and potential for the expansion of the Lee Valley Ice Centre, Waterworks site and former Thames Depot site (Waltham Forest). Hackney plan to develop a Clapton Masterplan and evidence work focussed around strategic sites in the area, which will need cooperation between Transport for London, LBWF and other stakeholders.
4.35. Other areas of cooperation include the Upper Lee Valley 'productive valley works', which involve several other local authorities and administrative bodies.

**London Borough of Newham**

4.36. No representations were received from LB Newham in relation to LP33 at regulation 18 and 19 stage. However, there were communication and meetings between officers throughout the progression of respective local plan reviews and evidence work, in particular housing need, approach to affordable housing and capacity evidence.

**North London Waste Plan**

4.37. Hackney has worked with the six other London Boroughs (Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest) and the LLDC in preparing the North London Waste Plan. In also involved other waste authorities that are critical for the delivery of an effective waste strategy for North London. This Plan is at Proposed Submission Regulation 19 stage. It was approved by Hackney’s Council in October 2018, but will be also need to be approved by the other boroughs, before formal consultation on the Proposed Submission can be undertaken. At the time of submission, six of the seven NLWP boroughs have approved the Proposed Submission Version NLWP. Meetings between the seven boroughs have taken place regularly over the course of the Plan’s preparation.

5. **Conclusion**

5.1. This statement demonstrates compliance with the statutory duty to cooperate. The Council has made every effort to secure the necessary cooperation on strategic cross boundary matters before submitting LP33 for examination through active and sustained engagement from the outset of plan preparation. This has gone beyond formal consultation to include regular meetings, involvement in the preparation of joint evidence base, and early and ongoing discussions on policy development and to share findings from partners’ emerging evidence base.

5.2. In the development of the Local Plan 2033, LBH have engaged with other bodies on strategic cross boundary matters, in the production of the Local Plan. This engagement continues:
through cross boundary working with neighbouring Local Authorities and impacted organisations as the Plan progresses to support the delivery of the Growth Strategy and place policies including the development of the Shoreditch Area Action Plan

- ongoing work on infrastructure planning and engagement with health agencies and other infrastructure providers

5.3. The Council are now preparing to engage with neighbouring authorities on the development of statements of common ground in line with NPPF 2018 as they progress their Local Plan reviews.
## Appendix 1 - Schedule of key meetings with neighbouring authorities

As noted in the report engagement with the GLA and neighbouring authorities is ongoing. Key meetings to discuss local plan issues are highlighted below.

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<thead>
<tr>
<th>Organisation</th>
<th>Dates</th>
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<tbody>
<tr>
<td>GLA</td>
<td>9/12/2016; 22/11/18; 03/01/18; and 09/01/2019</td>
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<tr>
<td>Tower Hamlets</td>
<td>09/11/2015; 25/09/2017; and 21/11/2017</td>
</tr>
<tr>
<td>Islington</td>
<td>15/12/2016; 18/01/18; and 17/10/18</td>
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<tr>
<td>Haringey</td>
<td>12/12/2016; 26/04/2018; and 12/12/2018</td>
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<tr>
<td>Newham</td>
<td>31/05/2017; and 24/01/2018</td>
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<tr>
<td>Waltham Forest</td>
<td>05/05/2017; 13/12/2017 and 13/12/2018</td>
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<tr>
<td>City of London</td>
<td>02/02/2016; 18/05/2016; 14/12/2016 and 20/09/2017</td>
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Meetings between LDDC, LBH, the GLA and TfL specifically about the Bartrip Road traveller allocation for Gypsy and Travellers.