INTRODUCTION

This document contains the matters, issues and questions to be examined and should be read in conjunction with the Inspector’s Guidance Note and draft programme.

Whilst a revised version of the National Planning Policy Framework (the Framework) was published in July 2018 and updated in February 2019, the transitional arrangements mean that the policies in the 2012 version of the Framework apply to this examination. Therefore, unless otherwise stated, all references to the Framework in this document are to the 2012 published version.

MATTER 1 – Compliance with statutory procedures and legal matters

Main issue – Whether the relevant procedural and legal requirements have been met.

1. Duty to cooperate: Has the Council met the duty to cooperate and is this clearly evidenced? In particular:
   a. Have all the relevant strategic matters in relation to this duty been clearly identified?
   b. Has the Council maximised the effectiveness of plan-making activities by engaging constructively, actively and on an on-going basis with the prescribed bodies, in the preparation of the Plan in the context of these relevant strategic matters? Does the evidence clearly set this out?

2. London Plan: Is the Plan in conformity with the London Plan as required by the provisions of Section 24 of the 2004 Act?

4. **Sustainability appraisal (SA):** Does the Integrated Impact Assessment (IIA) (SD03) meet legal and national policy requirements relating to sustainability appraisal? In particular:

   a. Is the methodology appropriate and the appraisal suitably comprehensive? Does it adequately assess the likely significant effects of policies and proposals?

   b. Has it evaluated all reasonable alternatives and is it clear why alternatives have not been selected?

   c. Is it clear how the SA has influenced the Plan? Is there anything in the SA which indicates that changes should be made to the Plan?

5. **Habitats Regulations Assessment (HRA):** Does the IIA (SD03) meet legal and national policy requirements relating to the habitats of designated European Sites or Natura 2000 sites? In particular:

   a. Does it adequately address whether the Plan would adversely affect the integrity of relevant sites either alone or in combination with other plans or projects?

   b. Does it accord with recent and relevant judgements relating to HRA including *People Over Wind*? Is there any need to carry out an appropriate assessment?

   c. Is it clear how the results of the HRA screening assessment have influenced the Plan?

6. **Other legislative requirements:**

   a. Has the Plan been prepared in accordance with the Local Development Scheme, including in terms of timing and content?

   b. Regulation 8(5) of the Town and Country Planning (Local Plan) (England) Regulations 2012 requires any new plan to list the policies in existing adopted plans which it is intended to supersede. Are these identified within the Plan?

   c. Has the Plan been prepared in accordance with the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Plan) (England) Regulations 2012 in all other respects?

   d. Is the plan period appropriate and is it clearly defined within the Plan?
Matter 2 – Vision, spatial objectives and growth strategy

Main issue – Whether the vision, spatial objectives and growth strategy have been positively prepared, are justified and consistent with national policy and can realistically be achieved.

1. Does the Plan set out a clear vision and strategy for their area, which positively and proactively encourages sustainable growth?

2. Have the spatial objectives within the Plan been positively prepared and are they suitably framed and justified?

3. One of the objectives is to deliver up to 26,250 additional homes. Why is there a ceiling? Is this justified and consistent with national policy?

4. Is the strategy to focus the most significant growth in the town centres of Dalston, Hackney Central and in Shoreditch justified? Is the encouragement of development within the enhanced corridor areas an appropriate approach which is soundly based?

5. Were alternative options for the distribution of growth considered during the Plan’s preparation and were they subject to SA? Is it clear why alternative growth strategies were discounted?

6. Para 3.6 of the Plan refers to an Area Action Plan (AAP) being produced for Shoreditch to guide growth. Para 3.9 also states that an AAP will be produced to plan for development to meet specific needs in the Stamford Hill area. Why is it necessary to produce these additional development plan documents? Is this approach justified and is it clear what the purpose and function of the AAPs will be?

7. Overall, will the growth strategy achieve the Council’s vision, meet the spatial objectives and deliver sustainable development in accordance with national policy?

8. Are any changes to the vision, objectives or growth strategy, as suggested through the representations, necessary for soundness?
Matter 3 – Places for People including site allocations
(PP1-PP10 and Appendix 3 site allocations)

Main issue – Whether the Plan sets out a positively prepared strategy for the development of the nine identified places within the Borough and whether this and the site allocations are justified, effective and consistent with national policy.

1. PP1 Public Realm:
   a. Is it clear that PP1 is a planning policy? Does it provide a clear indication of how a decision maker should react to a development proposal in accordance with para 154 of the Framework?
   b. Is it justified and effective? Are any changes necessary for soundness?

2. General questions for PP2-PP10 and site allocations (for place specific questions see below):
   a. Does the Plan clearly define PP2-PP10 as planning policies and is their purpose clear? Do they provide clear indications of how a decision maker should react to a development proposal?
   b. Do PP2-PP10 identify what development will or will not be permitted and where within each of the nine identified places?
   c. Are the areas covered by PP2-PP10 clearly defined within the Plan and are they justified? Are the geographical extent of these areas accurately defined on the Policies Map?
   d. What is the purpose of including visions, character descriptions, urban design analyses, emerging opportunities, maps and diagrams and is it appropriate for such elements to be in policies? Is this approach justified, effective and consistent with para 154 of the Framework?
   e. Are PP2-PP10 allocating sites and if so, how does this relate to Appendix 3? Do the policies clearly define the amount and type of development proposed to be delivered at each specific site?
   f. How have the sites been selected for inclusion within PP2-PP10 and Appendix 3? What methodology has been used and is it justified? Are the sites based on robust evidence?
   g. How has ‘indicative capacity’ and ‘indicative heights’ for the sites been determined and is this justified? Is it clear what the ‘short, medium and long term’ timescales mean and is this effective?
   h. Are the strategic or development principles listed in PP3-PP10 justified and effective? Are any necessary for PP2?
   i. Are the land use designations, development opportunities and town centre boundaries justified and effective?
   j. What is the purpose of identifying landmark buildings on some of the maps in the Plan? Do PP2-PP10 set out specific policy requirements for these buildings or their surroundings and if so, are they justified?
k. Are the maps in this chapter necessary and effective? How do they relate to the Policies Map?
l. Are any of the suggested changes, set out in the representations, necessary for soundness?

3. PP2 – Dalston:
a. Are the sites listed as being suitable for development in para 4.18 justified? Is it clear that they are allocated within the Plan and should cross reference be made to Appendix 3? As these are existing allocations in the Dalston Area Action Plan is there any particular reason why they have not already come forward for development?
b. Para 4.17 states that further details on site allocations will be set out in the Dalston Masterplan which is proposed to be a supplementary planning document (SPD). What will this masterplan contain? Will it set out further site allocations or policy requirements? Is this approach justified?
c. Are any suggested changes to D9 necessary for soundness?

4. PP3 – Hackney Central and surrounds
a. Are the opening up of the railway arches appropriate as set out in strategic principle 5, and how does this relate to LP30?
b. Is it necessary, for reasons of soundness, to add an additional strategic principle relating to impacts on designated heritage assets within this area?
c. The strategic principles include references to increasing development capacity and implementing a variety of public realm and transport improvements in the area etc. Should the Plan contain more specific details including what, where, when and how?
d. Are the setting out of development options justified and effective?
e. Why is the relocation of Clapton bus garage only a potential development in the strategic principles? Does this need to be delivered within the plan period?
f. Are the sites listed as being suitable for development in para 4.27 justified? Is it clear that these sites are allocated within the Plan and should cross reference be made to Appendix 3? Should other site allocations for this area (HC11, HC12, HC14 and HC15) as set out in Appendix 3 also be listed here?
g. What is the role and purpose of the existing Hackney Central and surrounds masterplan SPD and how does it relate to this Plan?

5. PP4 – Stamford Hill
a. Para 4.27 includes a list of sites that are ‘suitable for development’. Is it clear that these sites are allocated within the Plan and are they justified? What type of development will the sites deliver? Why are they not included as site allocations in Appendix 3?
6. **PP5 – Enhanced Corridors**
   a. Are any suggested changes to PP5 necessary for soundness to ensure effectiveness?
   b. Should there be a cross-reference to other policies within the Plan that are relevant to the enhanced corridor areas?

7. **PP6 – Hackney Wick:** Further to the statement of common ground between London Legacy Development Corporation (LLDC) and the Council (SD055) for this area my queries are:
   a. Are the Council suggested changes to para 4.49 of the Plan, to make it clear that the LLDC is the planning authority for the Hackney Wick place area, adequate?
   b. Should the Plan contain policies for an area which is covered by another planning authority and another local plan? How does this Plan relate to the LLDC Local Plan for this area and are any policies duplicated? Are there any inconsistencies between the two Plans?
   c. Para 4.58 includes three sites that are ‘suitable for development’. Is it clear that these sites are allocated within the Plan and are they justified? What type of development will the sites deliver? Why are they not included as site allocations in Appendix 3? Are they included in the LLDC Local Plan?
   d. The Council also suggests an additional development principle to protect and enhance blue and green infrastructure in this area. Is this necessary for soundness?

8. **PP7 - Clapton and Lea Bridge roundabout**
   a. Para 4.66 includes one site that is ‘suitable for development’ at the Tram Depot. Is it clear that this site is allocated within the Plan, is it justified, and should cross reference be made to Appendix 3?
   b. The text also refers to further development opportunities being established through a masterplan for the area. What will this masterplan comprise? Is it proposed to set out site allocations or policy requirements not within the Plan, and if so is this appropriate?

9. **PP8 - Shoreditch and Hoxton**
   a. Para 4.78 refers to the production of the ‘Future Shoreditch Area Action Plan’ (AAP). Para 153 of the Framework states that each local planning authority should produce a local plan and that ‘any additional development plan documents should only be used where clearly justified’. Is the production of a separate AAP justified in this instance and is the Plan clear on why it is necessary and what it will contain?
b. Notwithstanding the proposal to produce a separate AAP, para 4.58 of the Plan includes a list of sites that are ‘suitable for development’. Is the Plan allocating these sites and if so, is this clear and are they justified? Why are they not included as site allocations in Appendix 3?
c. Appendix 3 contains site allocations SHX1, SHX2, SHX3 and SH1. Are these within the PP8 area and if so, how do they relate to the policy and the proposed AAP? Are they justified and effective? Are any suggested changes to SHX3 necessary for soundness? Are the setting out of development options for SHX3 justified and effective?

10. PP9 – Manor House
   a. Para 4.84 includes two sites that are ‘suitable for development’. Is it clear that these sites are allocated within the Plan, are justified, and should cross reference be made to Appendix 3?
   b. Site allocation MH1 is also set out in Appendix 3. How does this relate to PP9 and should it be included? Is the site justified?
   c. The Council has suggested some changes to PP9 including in relation to green links and step free access at Manor House tub station. Are these necessary for soundness?

11. PP10 Homerton
   a. The text states that development opportunities will be established through a masterplan for the area. What will this masterplan comprise and is this clearly defined within the Plan? Is it proposed to set out site allocations or policy requirements not within the Plan and if so, is this appropriate?
   b. Are any suggested changes necessary for soundness?
**Matter 4 – Housing**

*Main issue* – Whether the Plan sets out a positively prepared strategy for the provision and delivery of housing development that is justified, effective and consistent with the London Plan and national policy.

**Housing requirement**

1. Does the Plan clearly set out the housing requirement for the plan period?

2. Is the proposed housing provision of 1,330 dwellings per year up to 2033 and 1,750 between 2029 and 2033, as set out in Policy LP12, appropriate and justified? Is this provision consistent with the London Plan?

3. How does this provision relate to the objectively assessed need (OAN) established through the Strategic Housing Market Assessment (SHMA) and its addendum (ED029 and ED030)?

4. Is the planned growth for 7,000 homes in and around Shoreditch; around 3,000 homes at Woodberry Down/Stamford Hill; around 2,000 homes around Dalston; and around 3,000 homes at Hackney Central, justified and based on robust evidence? How much growth is planned along the Borough’s Enhanced Corridors?

**Housing Supply**

5. The Plan states that the supply to deliver 1,330 homes each year up to 2029 is based on the GLA London-wide Strategic Housing Land Availability Assessment 2017 (SHLAA). Is the methodology sound and are the site assessments based on robust evidence?

6. How has the supply between 2029 and 2033 been determined? Is it justified and is it based on credible evidence?

7. Are specific housing sites or broad locations to meet the housing requirement clearly set out within the Plan? Are specific housing sites or broad locations to meet the housing requirement clearly set out within the Plan?

8. Policy LP12 part D prioritises the provision of self-contained residential units over other forms of residential accommodation. Is this appropriate or should the policy allow the provision of other forms of accommodation, particularly where it would be meeting identified needs? Is the policy too restrictive? Is it consistent with national policy?
9. Does the level of supply provide sufficient head room to enable the Council to react quickly to any unforeseen change in circumstances and to ensure that the full requirement is met during the plan period?

**Deliverability**

10. Is there a housing trajectory and a housing implementation strategy which illustrates the expected rate of housing delivery and ensures the maintenance of a 5 year supply during the plan period?

11. Does the plan confirm that there is a 5 year supply of specific deliverable sites? Beyond this 5 year period does the Plan confirm that sites are developable?

12. How has deliverability/developability been determined for each site? In particular:
   a. Does development of a site rely on the delivery of critical infrastructure?
   b. Are there any identified constraints?
   c. Have appropriate lead-in times been used to take account of the time needed for such factors as masterplanning, gaining planning permission, agreeing any necessary planning obligations and providing for any infrastructure?
   d. What are the build out rates and are they realistic and achievable?

13. Para 7.2 of the Plan states that almost half of the 1,330 dwelling requirement per year up to 2029 will be delivered through small sites. Have these small sites been appropriately identified and assessed?

14. Is the Council reliant on the delivery of any windfall sites during the Plan period and if so, how many and when? Is there existing evidence to confirm that such sites will continue to come forward?

**Affordable housing**

15. Are the requirements for affordable housing set out in Policy LP13 justified, effective and consistent with national policy?

16. Is the Plan clear about what is meant by the term ‘genuinely affordable’? How will the Council determine what is affordable?

17. In relation to schemes of 10 units or more, does the evidence support a requirement for 50% affordable housing? Is this justified and consistent with the London Plan? Should the policy provide flexibility for either off-site provision or payment in lieu?
18. In relation to schemes of 9 units or less, does the evidence support payments in lieu for 50% affordable housing? Is this justified and consistent with the London Plan? Is the approach consistent with national policy? Does the policy allow flexibility in relation to viability?

19. The Council has suggested an amendment to the policy to clarify that the fast track approach to viability would apply to developments proposing at least 50% affordable housing and proposes to delete ‘net’ within part B1i. Are these changes justified, effective and necessary for soundness? Are any other changes necessary for soundness?

20. The Council has clarified that the calculation for affordable housing relates to units, not habitable rooms and suggests that the supporting text could be amended to state this. Is this approach effective?

21. Is the tenure split proposed in LP13 based on robust and credible evidence and is it justified, effective and consistent with the London Plan?

22. Has the impact of affordable housing on the viability of schemes been assessed? Is there sufficient flexibility in circumstances where there may be a lack of viability to deliver all the affordable housing within a scheme?

*Gypsy, traveller and travelling showpeople accommodation*

23. Have the housing needs for gypsies, travellers and travelling showpeople been adequately assessed in accordance with national policy and have they been based on robust evidence?

24. Does the Plan make adequate provision for the identified needs? Are they consistent with the London Plan?

25. How are the housing needs of gypsy and traveller households, who do not meet the national planning definition, being met within the Plan?

26. Whilst no sites are allocated in the Plan, the Bartrip Street site allocation in the LLDC Local Plan is proposed to contribute to meeting need arising from Hackney as set out in the statement of common ground between the Council and the LLDC (ED055). Is this approach justified and is the site deliverable? What are the timescales for delivery?

27. Does the plan confirm that there is a 5 year supply of gypsy and traveller sites to meet identified needs?

28. *LP23 Gypsy and traveller accommodation:* Does the policy set out clear and reasonable policy criteria to make decisions on relevant planning applications, that are justified and effective? Are the requirements too
onerous when compared to policies for other forms of housing development or is there parity between policies?

**Other housing policies**

29. **LP14 Dwelling size mix** – is this policy too prescriptive in setting out the dwelling sizes to be sought from development? Is the policy justified and effective?

30. **LP16 Self/custom-build housing** – are the policy requirements justified by robust evidence and is the policy suitably clear on the level of detail to be sought?

31. **LP17 Housing design** – Are the internal and external space standards based on robust evidence of identified need and are they justified, effective and consistent with the London Plan and national policy?

32. **LP20 Student housing** – Is the negative approach of this policy consistent with national policy? Does the policy allow student housing where appropriate? Is the inclusion of the words ‘subject to viability’, as suggested by the Council for Part A vii of the policy justified and necessary for soundness?

33. **LP21 Large scale purpose built shared housing** – Is the policy too onerous and is its negatively worded approach appropriate? Is the 50 unit threshold justified? Has the viability assessment tested the requirement for at least 50% of units to be capped at one third of ward level incomes and is this requirement justified by the evidence? Is the policy consistent with the London Plan? What is meant by an ‘over-concentration’ in criterion x and is the Plan clear on how this will be measured? Is the requirement in criterion xi for 10% of units to be easily adaptable for occupation by wheelchair users justified and based on credible evidence? Are any suggested amendments necessary for soundness?

34. **LP25 Visitor accommodation** – is the negative wording of the policy justified? Are the restrictions and other policy requirements suitably clear and are they effective, justified and consistent with national policy and the London Plan? Are any amendments necessary for soundness?
**Matter 5 – Employment**

*Main issues* – Whether the Plan sets out a positively prepared strategy for the delivery of employment development that is justified, effective and consistent with the London Plan and national policy and relevant policies are sound?

1. The Hackney Employment Land Study (ED034) identifies that there is a need to plan for an additional 117,797 sqm of office floorspace over the plan period. An objective of the Plan seeks to provide at least 23,000 new jobs by 2033. Are these identified needs based on robust evidence? Does the Plan clearly identify the floorspace/land requirement necessary to meet these needs? Have any other employment needs been identified? How many jobs will the provision of 117,797 sqm of new office floorspace create?

2. Is it clear how and where the new office floorspace development will be located? What is the land supply needed to meet the requirement and are the sites allocated in the Plan?

3. Are the employment policies sufficiently flexible to accommodate needs not anticipated in the Plan and do they allow a rapid response to changes in economic circumstances, in accordance with national policy?

4. Reference is made in the supporting text of several employment policies to Appendix 1: Marketing evidence and marketing strategy. What is the status of this appendix? Is the provision of marketing evidence a requirement for relevant development and if so, is this justified and clearly set out in the policies?

5. **LP26 New employment floorspace**
   
   a. Evidence in ED034 concludes that the existing Locally Significant Industrial Areas (LSIS) and Priority Employment Areas (PEAs) designations are fit for purpose, and suggests these are extended in three locations. The Plan proposes to use the LSIS designation and to differentiate between Priority Office Areas (POAs) and Priority Industrial Areas (PIAs). Is this approach justified by the evidence? Are the designations clearly set out in the policy? Are they justified by robust evidence, is their extent soundly based and are they viable and deliverable? Are they clearly defined on the Policies Map? What is the purpose of including Maps 3 and 4 in the Plan?

   b. Is the use of the term ‘will be supported’ within the policy effective?

   c. Is the negative wording of part C justified, effective and consistent with national policy?

   d. Is the level of detail in part G appropriate for a planning policy or is this duplicating building regulation requirements?

   e. Para 8.5 of the Plan seeks a high proportion (60+%%) of employment floorspace and affordable workspace in Dalston, Wenlock and
Shoreditch POAs, subject to viability. On what basis has this been assessed and is it justified?

6. **LP27 Protecting and promoting office floorspace in the Borough**
   f. Is the negatively worded policy justified?
   g. Is the policy sufficiently flexible, effective and consistent with the London Plan and national policy?
   h. Are the different floorspace percentages for B1 employment use within the POAs justified by robust evidence? Is the Plan clear on how this will be monitored and measured? Are the percentages viable and deliverable?
   i. Is part H relating to the retention of office floorspace consistent with national policy? Where relevant, does it allow flexibility for the consideration of alternative uses, in accordance with paragraph 22 of the Framework?

7. **LP28 Protecting and promoting industrial land and floorspace in the Borough**
   j. Is the negatively worded policy justified?
   k. Is it sufficiently flexible, effective and consistent with the London Plan and national policy?
   l. Is part D and E relating to the retention of industrial floorspace outside of PIAs, consistent with national policy? Where relevant, does it allow flexibility for the consideration of alternative uses, in accordance with paragraph 22 of the Framework?

8. **LP29 Affordable workspace and low cost employment floorspace**
   m. Are the specific requirements in the policy (including a minimum 10%, provision in perpetuity and rental caps) justified and based on robust evidence? Have these elements been viability tested and shown to be viable?
   n. Is the Council’s suggested change to the glossary definition for low cost employment floorspace justified and necessary for soundness?

9. **LP30 Railway arches**: Does the policy allow sufficient flexibility for alternative uses? Are the requirements of the policy sound?

10. **LP31 Local jobs, skills and training**: Part A reads as an objective – what is the Council seeking to achieve from development in this regard? Are the requirements in part B justified and consistent with national policy and does the policy allow sufficient flexibility?
Matter 6 – Retail and Town Centres

Main issues – Whether the Plan sets out a positively prepared strategy for the delivery of retail and town centre development that is justified, effective and consistent with the London Plan and national policy. Whether the policies for town centres are sound?

Retail and other town centre development needs and requirements

1. Does the Plan clearly identify the retail development needs for the Plan period? Are the requirements based on credible evidence and are they justified and deliverable? Will the requirements set out in policy meet the identified needs?

2. Does the Plan clearly set out a positive strategy that promotes competitive town centres? Does it identify where the new retail development is to be located and is this justified by robust evidence?

3. Have the needs for other main town centre uses, as identified in national policy, been adequately assessed?

Town centres

4. LP32-LP34
   a. Is the centre hierarchy and sequential approach set out in LP32 justified by the evidence?
   b. Is the Council’s approach to centre boundaries, primary and secondary shopping areas and frontages justified and consistent with national policy? On what basis have the boundaries of these areas been defined? Are they clearly defined on the Policies Map?
   c. Do the policies make clear which uses will be permitted in which locations? Are the criteria within the town centre policies sound?
   d. Is the use of negative wording in part B justified?
   e. Are any suggested changes in relevant representations justified and necessary for soundness?

Other policies

5. LP35 Local shopping centres: Is the use of negative wording in the policy justified and are the policy criteria soundly based? Is the 50% threshold justified by the evidence?

6. LP36 Shops outside of designated centres: Is the use of negative wording in the policy justified and are the policy criteria soundly based? Is it reasonable to seek to protect A1 retail uses outside of designated centres?
Is the application of a 400m walking distance to alternative shopping facilities justified?

7. **LP37 Small and independent shops:** Is the use of negative wording in the policy justified and are the policy criteria soundly based? Are any suggested changes necessary for soundness?

8. **LP38 Evening and night time economy**
   f. Is the Council’s suggested changes to part A to include the CAZ and the supporting text to take account of cross boundary impacts justified and necessary for soundness?
   g. Is the use of negative wording in the policy justified and are the policy criteria soundly based?
   h. Are any other suggested changes necessary for soundness?

9. **LP39 Over concentration of uses**
   i. Is it clear what the policy is trying to achieve and why?
   j. Is it clear what the existing concentrations of hot food takeaways, betting shops and payday loan shops are within the Borough?
   k. Is there evidence of an existing over concentration of such uses within the Borough and if so how has this been determined?
   l. Is the use of negative wording in the policy justified and are the criteria supported by robust local evidence?
   m. Are the reasons for the restrictions on hot food takeaways, betting shops and payday loan shops clearly explained and justified by local evidence?
   n. How have the 5% restriction, spacing of units and distance of 400m from schools been determined? Does the evidence clearly show that such uses above these levels will have negative impacts?
   o. Is it appropriate to restrict such uses within town centres?
   p. How would the policy apply to hot food takeaways that provide healthy food options?
   q. How will the policy be monitored?
   r. Is the policy consistent with national policy?

10. **LP40 Street markets:** Are the policy criteria soundly based and justified by available evidence?
Matter 7 – Transport and other infrastructure

Main issues – Whether the Plan sets out a positively prepared strategy for transport and other infrastructure provision to meet the Plan’s development strategy and whether this is justified, effective and consistent with national policy. Are the policies relating to transport and other infrastructure sound?

1. The Plan sets out a range of infrastructure requirements which have been identified through the Council’s Infrastructure Delivery Plan’ (IDP) (ED027). Is the approach set out in the IDP for identifying necessary physical, social and green infrastructure justified and consistent with national policy?

Transport

2. Has the effect of proposed development on the transport network been adequately assessed? Does the Plan provide sufficient measures to avoid any severe cumulative impacts, including through mitigation, and maximise opportunities for sustainable transport?

3. LP41 Liveable neighbourhoods:
   a. The Council has suggested changes to the policy to refer to the car rather than private motor vehicles and to manage congestion. Are these amendments justified and necessary for soundness?
   b. How will new development reduce the dominance of cars, manage excessive parking and reduce exposure to traffic-related air pollution?
   c. What does ‘support permeability’ mean and how will development reallocate road space?

4. LP42 Walking and cycling:
   d. Is the negative wording in part B appropriate and consistent with national policy? Is it clear what ‘high quality safe road crossings’ are?
   e. Part C requires development to provide cycle parking in accordance with standards. Does this mean the standards in Appendix 2 and if so is this clearly defined? Are these standards justified? How does the Council propose to periodically review them?

5. LP43 Transport and development:
   f. Parts B and D are negatively worded. Is this appropriate and consistent with national policy?
   g. The Council has suggested an amendment to D iii to reduce car dominance and manage congestion. Is this justified and necessary for soundness?
   h. Is it necessary to include reference to Transport for London’s latest guidance and the development of waterborne freight for effectiveness?
i. Is the requirement for CLPs and DSPs justified?

6. **LP44 Public transport and infrastructure:**
   j. Is it clear that contributions towards public transport and infrastructure must be proportionate and in accordance with the Framework’s planning obligations tests (para 204)?
   k. Are the policy requirements including car club development and electric vehicle charging infrastructure justified?
   l. Will they be subject to viability considerations where relevant?
   m. Should part A seek development that aims to reduce severance?
   n. Is it clear as to how new major development will ‘support’ car club development etc as set out in part D and ‘promote’ walking and cycling in part E?

7. **LP45 Parking and car free development:**
   o. Is the policy justified and based on robust evidence? Is it consistent with the London Plan? Is it too restrictive or too generous? Are any suggested changes necessary for soundness?
   p. The Council has suggested an amendment to part D to remove the requirement for deliveries to be on site. Is this justified and necessary for soundness?

**Other infrastructure**

8. **LP8 Social and community infrastructure:**
   q. Does this policy plan positively for the provision and use of social and community facilities and services in accordance with para 70 of the Framework?
   r. Is there clear evidence of the need for further infrastructure from the planned growth?
   s. Part A provides a list of infrastructure requirements. Are these based on robust evidence and are they necessary to support development during the Plan period? Is any other infrastructure required to meet identified needs?
   t. Does the Plan clearly set out where and when such infrastructure will be provided? Where specific sites are as yet unknown, should the Plan identify broad locations of where necessary infrastructure is required? Is it appropriate for the Plan to leave the setting out of some specific requirements in future AAPs, SPDs or Neighbourhood Plans?
   u. Is it clear how infrastructure will be secured?
   v. Has the viability of providing necessary infrastructure been adequately assessed and is it deliverable?
   w. The Council has suggested the deletion of D ii. A further amendment has also been suggested for para 6.2 of the Plan to add a reference to
adult education. Are these Council suggested changes necessary for soundness?

x. In relation to part D iii is it appropriate for the supporting text to refer to the guidelines in Appendix 1 in relation to the provision of marketing evidence (one year)? Does the policy allow for the provision of other relevant evidence to be taken into account when considering the loss of a community facility?

y. Overall, is LP8 compliant with national policy?

9. **LP9 Health and wellbeing:**
   z. Is the negatively worded part B and requirement to meet all of the defined criteria soundly based?
   aa. Is the requirement for the provision for health impact assessments as set out in part C of the policy justified?
   bb. As part D includes examples of potential local social infrastructure is it effective for these to be included in the policy?
   cc.

10. **LP10 Arts, culture and entertainment:**
    dd. Are the criteria justified, effective and consistent with the London Plan and national policy? Are any suggested changes in relevant representations necessary for soundness?

11. **LP11 Utilities and digital connectivity infrastructure:**
    ee. Are the criteria justified, effective and consistent with the London Plan and national policy? Are any suggested changes in relevant representations necessary for soundness?
    ff. Is the inclusion/duplication of infrastructure requirements set out in building regulations justified? Is it appropriate to seek requirements that exceed the building regulations? Are these requirements supported by robust evidence?
Matter 8 – Environment

**Main issues** – Does the Plan set out a positively prepared strategy for the natural, built and historic environment that is justified, effective and consistent with national policy? Does it adequately address climate change and other environmental matters and are the policies sound?

**Design**

1. Does the Plan overall make sufficient provision for inclusive design and accessible environments in accordance with paragraphs 57, 58, 61 and 69 of the Framework?

2. **LP1 Design quality and local character**
   a. Is the negatively worded policy and requirement to meet all the defined criteria for part A and where relevant part B, justified by the evidence, effective and consistent with the London Plan and national policy? Is the policy achievable?
   b. Are any suggested amendments as set out in relevant representations, necessary for soundness?
   c. In relation to part A are all the 16 criteria (criteria v and xiv are the same) relevant for all types of development? Does it allow for potential site specific considerations?
   d. Is part A clear on what is meant by ‘the highest architectural and urban design quality’ and ‘respects and complements historic character’? How will these requirements be assessed and are they justified and effective?
   e. Part A iv requires development to ‘preserve or enhance the character and appearance of the historic environment….’. Is this consistent with national policy which seeks to preserve or enhance the significance of heritage assets?
   f. In relation to part B is the definition of a taller building clear within the Plan and is it justified? Does the Hackney Characterisation Study (ED024) provide appropriate evidence to assess taller building development?
   g. Are the Council’s suggested changes to part B and the supporting text justified and necessary for soundness?

3. **LP2 Development and amenity:**
   a. Are the requirements of the policy justified? Is it clear what is meant by ‘the amenity of occupiers and neighbours’?
   b. How will the amenity considerations apply to waterways and canals?
4. **LP5 Strategic and local views**: Does the Plan clearly define strategic and local views, have they been appropriately assessed and are they justified? How will the Council ‘monitor and review views of local importance’ as set out in para 5.31?

5. **LP7 Advertisements**: Is the policy justified, effective and consistent with para 132 of the Framework and the control of advertisements regulations?

**Historic Environment**

6. Does the Plan set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk, in accordance with national policy?

7. **LP3 Designated heritage assets**
   a. Is the policy consistent with national policy?
   b. Does it promote development within Conservation Areas, World Heritage Sites and within the setting of heritage assets, which would enhance or better reveal their significance in accordance with paragraph 137 of the Framework? Are any changes necessary for soundness?
   c. Are the changes suggested by the Council justified and necessary for soundness? Are any others necessary for soundness?

8. **LP4 Non designated heritage assets**
   a. Is the policy consistent with national policy, including para 135 of the Framework which requires a balanced judgement to be made when assessing any development proposals that impact on the significance of a non-designated heritage asset?
   b. Are the changes suggested by the Council justified and necessary for soundness? Are any others necessary for soundness?

9. **LP6 Archaeology**
   a. Is it effective to repeat national policy? What does this add to the Plan?
   b. Are parts A and B consistent with national policy?
   c. Is the requirement for desk based assessments reasonable?
   d. Are the changes suggested by the Council justified and necessary for soundness?
Green and open spaces

10. **LP46 Protection and enhancement of green infrastructure** – Is the policy sound? In particular:
   a. Is it appropriate for all new development to enhance the network of green infrastructure and watercourses across the borough etc as set out in part A of the policy?
   b. Is the policy based on robust and up to date assessments of the needs for open space etc as required by para 73 of the Framework?
   c. Are the policy provisions consistent with para 74 of the Framework? What about playing pitches which are referred to in the supporting text but not the policy?
   d. Does this Plan designate open spaces and if so in which policy? Is it clear within the Plan what type of open spaces are designated? Does this include playing pitches? Are the designations appropriate and is the differential between these and undesignated open spaces justified?
   e. How have ‘other open space’ been defined and is this justified?
   f. Is part D appropriate in the context of parts B and C?
   g. Is it reasonable to require living roofs on major development schemes that include roof plates over 100sqm?
   h. The Council has suggested an addition to Part E relating to the quality of living roofs. Is this justified and necessary for soundness? Is it appropriate for the roofs to be in accordance with a specification that is not within a development plan document? How will the Council ‘encourage’ living roofs and vertical forests?
   i. What does ‘support’ mean in the context of part F? Should this specifically state ‘permit’ or ‘allow’?

11. **LP47 Biodiversity and sites of importance of nature conservation** – is the policy sound? In particular:
   a. Is the policy consistent with national policy, especially in relation to the hierarchy of designated sites and their level of protection (para 113 of the Framework)?
   b. Is it consistent with the London Plan? Is it necessary to identify areas of deficiency in access to nature?
   c. Part A reads as a Council statement rather than a development requirement and as such, is it effective?
   d. Is the requirement for all new major development to include a biodiversity survey of the site justified?
   e. Are the Council’s suggested changes for part D and the supporting text relating to eaves height justified and necessary for soundness?
   f. Are any other suggested changes necessary for soundness?

12. **LP48 New open space** - is the policy sound? In particular:
a. Is the amount of communal open space required per person for residential and commercial development justified and based on robust evidence? Is it realistic to expect this level of provision on all sites? Has this been viability assessed and is it achievable?
b. Is it clear what type of open space is required to be provided? Does it include playing pitches and sports facilities and if so, is this appropriate?
c. On what basis have the Urban Greening Factors been determined and are they justified?
d. The Council has suggested the deletion of parts C and D of the policy and their replacement with new wording. Is this justified and necessary for soundness? The changes would still include negative wording ‘will only be approved if…’ – is this justified and consistent with national policy?
e. Are the areas of open space deficiency likely to change on a regular basis? Is it appropriate to include map 12 in the Plan?

13. **LP49 Green chains and green corridors** – Is the policy sound? Is it necessary to include reference to watercourses, natural buffer zones and specific lighting within this policy?

14. **LP51 Tree management and landscaping** – Is the policy justified, effective and consistent with the London Plan and national policy? How are ‘landscape features’ and ‘trees of amenity value’ etc proposed to be assessed and is this clear within the Plan? Are ‘landscape features’ defined in the Plan?

15. **LP52 Waterways, canals and residential moorings** - Part A reads as a statement, so is its inclusion in the policy as set out effective? Is the negative wording in part B appropriate? Are any suggested changes necessary for soundness?

*Climate change*

16. Section 19(1A) of the Planning and Compulsory Purchase Act 2004 requires that development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change. Does the Plan comply with this requirement?

17. **LP53 Water and flooding**
   a. Does the Plan ‘apply a sequential, risk-based approach to the location of development to avoid where possible flood risk...’ in accordance with national policy?
   b. In terms of the need for flood risk assessments, are the types of development listed in part C reasonable?
c. Is the part F requirement for all developments to attenuate rainwater on site reasonable?
d. Is the Council’s suggested change to require excellent BREEAM standards justified by robust evidence?
e. Does the supporting text suitably justify the policy requirements?
f. Are any other suggested changes necessary for soundness?

18. **LP54 Overheating**
g. Is the Council’s suggested change to the supporting text, to require all major development to produce an energy assessment, reasonable and justified? If so, should this requirement also be in the policy?
h. Is it necessary to refer to the positive impact of green infrastructure on the UHI effect within the policy or is the wording in the supporting text (para 12.6) adequate?
i. How will the Council ‘strongly support’ measures which deliver biodiversity benefits and is this policy wording effective?

19. **LP55 Mitigating climate change**
j. Are zero carbon emissions justified for all new residential development? Are there any other requirements set out in the Sustainable Design and Construction SPD which need to be set out in policy?
k. Is the requirement for all non-residential development to achieve BREEAM excellent standards etc justified?
l. Is the Council’s suggested change to the supporting text, to require all major development to produce an energy assessment, reasonable and justified? If so, should this requirement also be in the policy?
m. Are the percentages for reducing carbon emissions through energy efficiency measures justified and effective?

n. Is the generation of at least 10% of major commercial development energy needs from renewable sources on site or in the local area justified?
o. Is it necessary to refer to the positive impact of green infrastructure on the UHI effect?
p. How will the Council ‘strongly support’ measures which deliver biodiversity benefits and is this wording effective?

20. **LP56 Decentralised Energy Networks** – Is the requirement for all new major development to connect to existing networks, justified? Are the exceptions reasonable? What is the role and purpose of the Decentralised Energy Masterplan?
21. **LP57 Waste** – What does the term ‘provide clear consideration….’ within the policy mean? Is this and the inclusion of the Council objective in part B effective? Are any suggested changes necessary for soundness?

22. **LP58 Improving the environment – pollution** – Are the policy requirements for air quality, water quality, contaminated land and noise and vibration justified, effective and consistent with the London Plan and national policy? Is it necessary for soundness to include reference to the 9 air quality focus areas in the Borough? What is part B trying to achieve and is it clear and effective as written?
Matter 9 – Implementation, monitoring and viability

Main issue – Is the Plan viable, deliverable and capable of being effectively monitored?

1. Does Chapter 13 of the Plan provide the necessary framework to ensure that the policy requirements are effectively implemented and monitored? Is the use of ‘area based supplementary planning documents, masterplans and planning briefs to set out more detailed proposals’ a reasonable approach?

2. What is the role and purpose of the regeneration delivery plans? Will these set out further development sites and infrastructure or other area based requirements or just provide more detailed guidance on what is set out in this Plan? Is the approach justified?

3. Will the viability of development be adversely affected by the requirements in the Plan including in respect of any required standards, affordable housing provision and transport and other infrastructure needs? Has this been suitably tested?

4. What are the ‘quantitative indicators’ referred to in para 13.23? Should these be clearly set out in the Plan? Are they appropriate and measurable?

5. Does the monitoring framework clearly set out what actions will be taken if policies are not being achieved?

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