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

70. 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?

6.1. LP32 A identifies the need to deliver 34,000sqm of new retail and leisure floorspace by 2033. This includes up to 19,500sqm of comparison goods floorspace and 11,200sqm of convenience goods floorspace, with the remainder made up of other A class uses. This requirement is based on credible evidence set out in the Town Centre and Retail Study 2017 (ED039) and are deliverable within Hackney’s updated town centre hierarchy. Hackney Central has been upgraded from a district to a major centre and Stamford Hill has been upgraded from a local to a district centre (see ED040). These redesignations and the policy approach set out in policies LP32 - LP35, which directs new retail uses to town centres and seeks to protect existing retail uses within town centres, will ensure that we can meet our retail needs over the plan period.

6.2. The town centre hierarchy consists of two major town centres (Dalston and Hackney Central) which is were the majority of the retail and leisure need over the plan period will be located, including in site allocations D5 Kingsland Shopping Centre and HC2 55 Morning Lane (the Tesco Site). Below this, there are three district centres (Stoke Newington, Finsbury Park and Stamford Hill); smaller scale retail and leisure uses will be accommodated in the district centres as well as in the CAZ retail cluster which will be defined in greater detail in the Future Shoreditch AAP. Smaller local centres are unlikely to be the focus for substantial growth in retail uses given their relatively smaller size and intention to serve local communities, but existing retail is to be retained in these locations.

71. 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?
6.3. The Plan sets out a positive strategy that promotes growth and competitive town centres. Policy LP32 A sets out that the most significant growth and new retail development will be focused primarily in Dalston and Hackney Central, the two major centres, followed by Stamford Hill, a district centre which has opportunity for growth, and Shoreditch within the Central Activities Zone.

6.4. Opportunities identified in the Site Allocations for provision of new retail floorspace which will contribute towards meeting these needs, including two major strategic sites in Dalston and Hackney Central: site D5 Kingsland Shopping Centre and HC2 55 Morning Lane (the Tesco Site). New area based plans including the Dalston Masterplan SPD, Stamford Hill AAP and Future Shoreditch AAP will provide further guidance to manage and deliver retail growth in accordance with policy LP32.

6.5. This approach is justified by robust evidence set out in the Town Centre and Retail Study 2017 (ED039).

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

6.6. Yes, needs for main town centre uses as identified in national policy (and reiterated in footnote 9 of LP33 on p.110) have been adequately assessed. The needs for retail and leisure and entertainment facilities have been assessed through the Town Centres and Retail Study 2017 (ED039). The quantitative assessment for retail need over the plan period is set out in detail in chapters 9 and 10, concluding that the Council needs to plan for up to 19,500 sq.m net additional comparison goods floorspace by 2033 and up to 11,000sqm convenience goods floorspace by 2033. The commercial leisure assessment in Chapter 11 assesses other town centre uses including restaurants, cinemas, cafes, cultural facilities, pubs and bars, theatres, health and fitness facilities, live music / gig venues, entertainment venues and nightclubs. It concludes that there is an indicative need to plan for up to 3,500sqm of A3 floor space across the borough by 2033 including up to 1,300sqm in Dalston and up to 1,100sqm in Shoreditch (paras 11.40-11.42 of the Retail Study ED039). There is also a modest need of up to 900sqm new A4 floorspace over the plan period, but it should be noted that this figure factors in the large pipeline of A4 floorspace already consented in the Shoreditch area. If this consented floorspace does not come forward, then there is a need for up to 3,700sqm of A4 floorspace borough wide over the plan period including up to 600sqm in Dalston and 1,100sqm in Shoreditch (paras 11.43-11.45 of the Retail Study ED039).

6.7. Commercial office space is another main town centre uses identified in national policy and these needs have been assessed in detail in the Employment Land Study (ED034), concluding that we have a requirement for up to 117,000sqm of new business floorspace over the plan period.
73.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?

Response to 73 (a)

6.8. The town centre hierarchy set out in LP32 is justified. The hierarchy has been carried forward from the previous plan with some changes. Hackney Central and Stamford Hill have been upgraded to major centre and district centre respectively and the justification for this is set out in ED040 which demonstrates that both centres meet the relevant tests for designation as set out in the London Plan. Based on Hackney's evidence, this change has also been reflected in the new new Draft London Plan (ED02)

6.9. In addition, four new local shopping centres have been designated at Dunsmure Road, Oldhill Street, Green Lanes and Hackney Downs and this is justified by the findings of the Town Centre and Retail Study (ED039, Section 8, pp68).

6.10. The sequential approach, whereby retail uses are directed to town centres in the first instance and development should be appropriate to the scale, character and function of a town centre in keeping with its status within the hierarchy, is appropriate. This has been a long standing approach in Hackney as a way to maintain the vitality and viability of town centres.

6.11. It should be noted that, upon adoption of LP33, the majority of paragraphs 9.3, 9.4, 9.7 and 9.8 will be deleted as well as Maps 5 - 10 as these were included only for context for the Regulation 19 Consultation.

6.12. The Council’s approach to centre boundaries and frontages is justified. All boundaries and frontages have reviewed as part of the preparation of LP33 and the policy approach which was previously split between the Development Management Local Plan (ED04) and Area Action Plans has been consolidated in LP33.

6.13. Minor changes were made to the boundaries of Hackney Central and Dalston town centres. In Dalston, the town centre boundary has been expanded to include an area to the east of the existing centre, on the north side of Dalston Lane. In Hackney Central, units along Clarence Road were removed from the town centre boundary.
since the majority of the shops had been converted to residential under PD rights, and additional retail units along Amhurst Road were included within the boundary. No other boundary changes to other centres were considered necessary.

6.14. Frontages were also reviewed as part of this process and changes have been made. The previous approach consisted of primary frontages and secondary frontages within the town centres, with differing policy approaches for each frontage, however there was no specific policy for those areas of the town centres which fall outside of either of the frontages. The new approach defines primary frontages in the major town centres along the main high streets, with the rest of the town centre area being designated as secondary shopping area. Dalston also has two Primary Shopping Areas at Kingsland Shopping Centre and Ridley Road. The policy approach in each of these areas is defined clearly in policy LP33 of the Plan.

6.15. In the district centres, it was not considered necessary to define primary and secondary frontages since retail uses are distributed across the centre and the centres fall into natural parades of shops.

6.16. The approach is justified by the Town Centre and Retail Study 2017 (ED039) and the Council’s own assessment of uses in and around the town centres and is in line with paragraphs 23 and 24 of the NPPF (2012).

Response to 73 (c)

6.17. All boundaries and frontages are clearly defined in the policies map. As noted in response to part a) of this question, the maps showing the changes to the boundaries and frontages of major and district centres and the new local centres shown for clarity in Maps 5 to 11 will be removed in the final version of the Plan.

6.18. Policies 33 and 34 outline broadly which uses are permitted in the major and district centres - retail, commercial, leisure and cultural development. Appropriate town centre uses are also defined in footnote 9 on page 110.

6.19. The criteria within the town centre policies are sound. In policies LP33 and LP34, a set of criteria is included to outline the requirements that must be met before change of use away from A1 retail is permitted. One of the criteria is to ensure that the proportion of A1 units in a particular frontage or area does not fall below a specified percentage; this figure is based on the current proportion of retail units in each area and has been reassessed for each area as part of the drafting of the town centre policies. The remaining criteria have been carried forward from the DMLP (ref ED04) and remain sound.

Response to 73 (d)
6.20. Changes to the wording of policy LP32 part B is not considered necessary as the intention of this part of the policy is to discourage large scale retail development outside of town centres.

**Response to 73 (e)**

6.21. Representations were made in response to policy LP33 Hackney Central and Dalston.

6.22. Representation 100/014 (LBH EX01b) suggests that Kingsland Shopping Centre should be removed from the Primary Shopping Area. This is not considered appropriate since the aim of this part of the policy is to protect the area for retail use given that it is a key concentration of retail within Dalston and Hackney as a whole. This change is would make the policy unsound as it would negatively affect the ability for the Council to meet the Local Plan objective and positively plan for retail growth.

6.23. Representation 100/015 (LBH EX01b) suggests changes to part B of the policy regarding the re-provision of large retail units by changing the wording to ‘must’ to ‘should’. This is not considered to be necessary for soundness.

6.24. Related to this, representation 078/011 (LBH EX01b) seeks to include the whole range of appropriate town centre uses as appropriate uses in the redevelopment of a large retail unit. The intention of the policy is to retain large A1 retail units in retail use to ensure that a critical mass of retail and these vital shops remain available to residents. These changes are therefore not considered appropriate as they would make the policy unsound as it would negatively affect the ability for the Council to meet the Local Plan objective and positively plan for retail growth.

6.25. Representation 100/015 (LBH EX01b) also suggest changes to part F of the policy to the wording around the retention of a 60% threshold of retail units within the primary shopping frontage, and part H to remove the requirement to retain a shop front within the primary frontage. The primary shopping frontages have been designated because these are the areas where the most significant concentrations of retail exist. The designations cover only a small part of the major town centres and are key areas where retail should be retained. The suggested changes are therefore not considered appropriate as they would make the policy unsound as it would negatively affect the ability for the Council to meet the Local Plan objective and positively plan for retail growth.

6.26. Representation 073/018 and 073/019 (LBH EX01b) suggest that clarification should be provided in regards to the specific uses permitted in town centres. As explained in the Council’s response at to the Inspector’s question 73 , this is not considered appropriate.

**Other policies**

74.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?

6.27. The wording of this policy is not considered to be negative. The intention of the policy is to retain a range of retail and community uses within Local Shopping Centres. No changes are necessary.

6.28. The 50% threshold is justified. It has been established based on an average of the current proportion of retail units across all the Local Shopping Centres. The intention is to retain this proportion. It is based on robust evidence as set out in Volume 4 of the Town Centre and Retail Study 'Appendix' (p. 3-7) (ED039).

75.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?

6.29. The policy wording will be amended as follows:

A. Individual shops or parades outside of designated town and local centres will be safeguarded for A1 retail purposes. Development involving the loss of A1 retail will only be permitted if all of the following criteria are met:

6.30. It is reasonable to protect A1 retail uses outside of designated centres. These often consist of individual convenience shops which provide easy access to small scale shopping facilities for local residents, which is particularly important for those who may be less mobile. Small local shops also form an important part of Hackney’s local character. The proposed policy is considered to be in line with paragraph 70 of the NPPF (2012).

6.31. The 400m walking distance to alternative shopping facilities is justified. This is a commonly established measure for a 5 minute walk. The policy permits the loss of a shop outside of a town centre if alternative shopping facilities are available within 400m, or a 5 minute walk, to ensure continued access for residents.

76.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?

6.32. The policy wording will be amended as follows:

C. Amalgamation of individual A1 shop units will only be permitted in the primary frontages of major town centres.

6.33. The policy criteria are soundly based. All parts of the policy seek to protect small retail units which are valuable in terms of providing employment for Hackney’s residents, particularly for independent retailers or traders since, by virtue of their size, small shop units are generally more affordable and accessible to independent or
start-up shop businesses and independent traders. Small and independent shops also contribute to Hackney's character and identity and add to the variety of Hackney's retail offer. Part A of the policy seeks to secure a proportion of small units within major developments. Part B sets criteria that must be met where sub-division of a small shop unit is proposed, for example, in situations where an applicant wishes to convert the rear of a shop to retail use, to ensure that the remaining retail unit remains fit for purpose. Part C of the policy permits amalgamation of small shop units only in the primary shopping frontages. No changes are considered necessary for soundness.

77. 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?

Response to 77 (f)

6.34. The suggested change to part A is as follows:
A. New evening and night-time economy uses will be primarily located in the borough’s designated centres and the CAZ.

6.35. The suggested change to include the CAZ (alongside designated centres) as a location for evening and night-time economy uses is justified since this is a key area of the borough where evening and night time economy uses are concentrated. The Future Shoreditch AAP will provide details on the approach to new evening and night time economy uses in this area. This change is justified and necessary for soundness.

6.36. The suggested update to paragraph 9.24 is as follows:
Night time economy uses that would harm the attractiveness of Hackney's centres or the amenity of local residents, taking into account cross boundary impacts, will not be permitted.

6.37. This amendment is proposed in response to representation 040/007 (LBH EX01b) and is justified but not necessary for soundness.

Response to 73 (g)

6.38. The following change is proposed to part C of the policy: ‘Proposals for evening and night time economy uses will only be permitted if both of the following criteria are met:’
6.39. The policy criteria are soundly based. They seek to ensure that negative impacts arising from the evening and night-time economy are managed to protect the amenity of residents. They are informed by the findings of the Evening and Night Time Economy Behaviour Study (ED041).

Response to 73 (h)

6.40. No other changes are considered necessary for soundness. The GLA suggest in response 035/021 (LBH EX01b) that the policy should outline different approaches for different centres within the night time economy hierarchy, however this will be considered through relevant AAPs and masterplans where appropriate.

78. 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?

Response to 78 (i)

6.41. Supporting text 9.26 of LP33 sets out the overall aim of the policy, which is to manage the negative impacts of betting shops, payday loan shops and hot takeaway shops on the vitality of town centres and the impact on residents. This is in line with section 2 'Ensuring the vitality of centres' of the NPPF and the draft new London Plan policy E9 'Retail, Market and Hot foot takeaways'.

6.42. LP33 policy LP9 'Health and Wellbeing' seeks to enable residents to lead healthier and active lifestyles and reduce health inequalities. LP39 can make a contribution to the physical and mental health and wellbeing in the borough. Paragraphs 9.27 and
9.28 expand on the implication of these uses, however to clarify the purposes of the policy insert include reference to ‘**health and wellbeing**’ in paragraph 9.26.

**Response to 78 (j)**

6.43. The existing concentrations of hot food takeaways, betting shops and payday loan shops are within the Borough are known. In 2017 there were 352 fast food outlets in Hackney, and 22% of all food outlets in Hackney were fast food outlets. This translates to a concentration of 143 takeaways per 100,000 people\(^1\). Evidence also indicates that there are 25 betting shops per 100,000 people in Hackney\(^2\) and 4.1 payday loan shops per 100,000 people in Hackney.

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\(^1\) UKCRC Centre for Diet and Activity Research (CEDAR), University of Cambridge (2017) Food Environment Assessment Tool (FEAT). Available at: [https://www.feat-tool.org.uk/map/](https://www.feat-tool.org.uk/map/)

Response to 78 (k)

6.44. There is evidence of an existing over concentration of such uses within the Borough. In Hackney there is a density of 143 fast food outlets per 100,000 population which is 50% higher than the national average of 96 outlets. Hackney has a higher per population density of takeaways than other boroughs with similar characteristics as Hackney that have adopted similar policies regarding takeaways as those suggested in LP39, e.g. Barking & Dagenham, Haringey, Newham, Brent, Enfield, Ealing, Waltham Forest.³


6.45. Data from the Gambling Commission database show that in 2016 (Joint Strategic Needs Assessment, (ED063) paragraph 2.6.1 p 19), Hackney had a 30% higher per population density of betting shops than the national average with 25 betting shops per 100,000 people, compared with England’s 19 betting shops per 100,000 people. Survey carried out by Hackney’s Trading Standards in 2019 indicates that there are 96 betting shops in the borough. Based on the latest local information, and a population of 275,000 this means that there are 35 betting shops per 100,000 people in the borough.

6.46. Hackney one of the highest rate of payday loan shops per 100,000 people in London. The Places and Spaces section of the Joint Strategic Needs Assessment at paragraph 2.6.2 indicates that in 2014 there was 4.1 payday loan shops per 100,000 people in Hackney, this is above the 3.6 shops in London, and the 2.7 shops per 100,000 people in England. Hackney's Trading Standards survey from 2019 indicate that there are 23 money lenders / pawnbrokers in borough. Based upon a population of 275,000 this would equate to 8.4 payday loan shops per 100,000 people. It should be noted that these estimates do not include independent shops and pawnbrokers, only the major national chains. The trend appears to show that the rate per population of betting shops and loan shops are increasing in the borough.

6.47. Takeaways, betting shops and payday loan shops are more likely to cluster in areas of higher deprivation, and Hackney is the 11th most deprived local authority in England.

Response to 78 (i)

6.48. The policy is consistent with the London Plan and draft new London Plan Policy E9 (6.9.5) which outlines the need for the management of the proliferation and concentration of takeaways, betting shops and payday loan shops by local authority planning teams. The London Plan clearly states that A5 hot food takeaways uses should not be permitted where these are within 400 metres walking distance of schools. This is also in accordance with sections 2 and 8 of the NPPF (2012) which advocates ensuring the vitality of town centres, and promoting health communities.

Response to 78 (m)

6.49. The reasons for the restrictions on hot food takeaways, betting shops and payday loan shops are clearly explained in paragraphs 9.26 -9.28 of LP33 with changes suggested in the Council’s response to the Inspector’s question 78(i).

6.50. The approach of Policy LP39 is supported by robust local evidence which shows that:
- 40% of Hackney Year 6 children are overweight or obese, with 50% in some wards, compared to 38% in London and 34% in England, as evidenced in national statistics.
- Obesity is a major contributor to the risk of developing cardiovascular disease (as well as type 2 diabetes and several cancers).
- Hackney has one of the highest rates in London of premature deaths from cardiovascular disease.
- In Hackney, the average number of calories found in takeaway meals sampled is over half the daily energy requirement of an 11 year old girl; and children and adults frequently make purchases from takeaways.
- It is estimated that there are 1,000 problem gamblers in Hackney and 9,500 people at risk of gambling-related harm.

6.51. There is also evidence that access to gambling venues increases gambling activity and problem gambling. Gambling can exacerbate financial vulnerability and worsen mental health problems. There are links between debt and poor mental health, suicide, substance misuse and physical health problems.

6.52. Tackling childhood obesity is one of the Priorities in Hackney’s Health & Wellbeing Strategy, and is part of a wider whole system approach across the Council to tackle obesity, coordinated by the Obesity Strategic Partnership. More broadly, promoting health and wellbeing is a key Council objective. Furthermore, the Council is committed to reducing socioeconomic and health inequalities, as demonstrated in Council’s Community Strategy (ED017).

Response to 78 (n)

6.53. The 5% restriction, spacing of units and distance of 400m from schools is based on:
- The draft London Plan Policy E9, which notes that “… C Development proposals containing A5 hot food takeaways should not be permitted where these are within 400 metres walking distance from the entrances and exits of an existing or proposed primary or secondary school […]"

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7 Shift (2017) Healthier fast food: mapping the fast food environment in Hackney. Available at: https://shiftdesign.org/content/uploads/2017/05/Shift-Healthier-Fast-Food_FINAL.pdf
8 The Obesity Strategic Partnership is chaired by the Chief Executive, and lead by Public Health. Members include representatives from Hackney and City Clinical Commissioning Group, and other Council service areas who can influence aspects of the food (and physical) environment. The Partnership seeks to develop a whole system and collective approach to health and wellbeing in the borough including reviewing the Council’s Health and Wellbeing Strategy.
● Guidance from the Mayor of London’s Town Centres Supplementary Planning Guidance (1.2.29 and 1.2.37) and the Royal Society of Public Health\(^9\)

● Evidence of best practice across London: ten London boroughs have implemented Local Plan policies to restrict hot food takeaways within proximity of schools and fifteen have done so to manage over-concentration of hot food takeaways (with the majority using a limit of c5%); this includes boroughs with characteristics similar to Hackney such as Tower Hamlets, Islington, Camden, Haringey and Waltham Forest.

● The Hackney Town Centre and Retail Study (ref ED39) (Volume 4) shows that on average UCO A5 units make up 5% of the total units in the designated centres.

● The scientific literature presents evidence that there are links between fast food outlets’ proximity to schools / children’s high exposure to fast food outlets and higher rates of obesity [26-29] (p.2, ED046)

**Response to 78(o)**

6.54. A variety of retail, commercial leisure and cultural facilities are encouraged within Hackney’s town centres. Policies seek to ensure they provide attractive shopping and leisure experience to increase the amount of time people spend in them. A London Assembly report provides evidence that betting shops and payday loan shops reduce the value of high streets, and their presence discourages other businesses from locating nearby\(^10\). Restricting such uses in town centres would assist with the chapter objective to support distinctive town centres and a vibrant town centre experience as detailed in paragraph 9.28 of LP33.

6.55. There is also evidence that residents with closer access to gambling venues are more likely to gamble and to be problem gamblers; gambling and debt can be harmful to mental and physical health. It is therefore appropriate to restrict these uses boroughwide.

6.56. The restriction of A5 hot food takeaways in town centres is also justified through evidence on the need to prevent take-aways from locating near schools (many of the borough’s schools are located within town centres) and based on evidence relating to the impact on vitality and viability of town centres as detailed in paragraph 9.26 of the Local Plan and the Council’s response to the Inspector’s question 78(n). The approach is consistent with the draft New London Plan (Policy E9 Retail, markets and hot food takeaways) (ED02).

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Response to 78(p)

6.57. It is recognised that not all takeaways sell unhealthy food, however, there is no guarantee that a healthy business model would continue into the future under an A5 use class. It is not an unreasonable prospect that pressures on the business could lead to a change in the nature of the food sold, despite the best intentions of businesses, and it would be impractical to monitor and address any such changes. Therefore the Council has a responsibility to regulate the proliferation of takeaways, especially near schools, regardless of whether they provide healthy or unhealthy food. Paragraph 9.27 of the Policy LP39 seeks compliance with the Council’s Healthy Catering Commitment.

Response to 78(q)

6.58. Section 13 Implementation and Monitoring of LP13 sets how the Plan will be monitored, and reported through the Authority Monitoring Report. Policy 39 of LP33 states that proposals for takeaways, betting shops and payday loan shops will need to submit a Health Impact Assessment with their planning application, which will contain information necessary for monitoring purposes.

Response to 78(r)

6.59. The policy is consistent section 8 ‘promoting healthy communities’ of the NPPF, particularly paragraph 70 which states that planning policies should ‘plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments’. This policy seeks to make a positive contribution towards achieving this aim by ensuring the uses within town centre enhance the social and economic sustainability of the centre.

6.60. The policy is also consistent with guidance from Public Health England, the National Institute for Health and Care Excellence, Department of Health and the Local Government Association, including:

- Public Health England (2017) Spatial Planning for Health (page 30)\(^{11}\)

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79.LP40 Street markets: Are the policy criteria soundly based and justified by the available evidence?

6.61. Yes, evidence in support of the policy was provided by the Infrastructure Delivery Programme (ED027) and the Town Centre and Retail Study 2017 (ED039). All the markets and their value to the Hackney community were assessed through the IDP (p.190). Further detail was provided through the Town Centre and Retail Study (ED039) for the street markets of Broadway Market, Hoxton Street, Well Street and Ridley Road, which feed into the success of the town centres in which they are situated. The value of Ridley Road to the local community is given on p37, Broadway Market is on p.56, Hoxton Street on p.58 and Well Street on p.65.

6.62. The policy accords with paragraph 23 of NPPF 2012 and draft new London Plan Policy E9, both recognises the contribution markets make to the vitality of town centres. LP40 sets out the consideration for new markets and stalls, and directs towards town centres, as is the emphasis for new commercial in LP33, LP34 and LP35.

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13 Department of Health (2011) Healthy Lives, Healthy People: A Call to Action on Obesity in England (paragraph 4.5)

14 Department for Culture, Media and Sport (2014) Gambling Protections and Controls (Planning and Localism section)