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?

80. 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?

7.1 The approach set out in the Infrastructure Delivery Plan (IDP) (ED027) for identifying necessary physical, social and green infrastructure is justified and consistent with national policy.

7.2 Paragraph 156 of the 2012 National Planning Policy Framework (NPPF) requires local planning authorities to set out the strategic priorities for the area in the Local Plan. Amongst other things, this includes strategic policies to deliver:

- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat); and
- the provision of health, security, community and cultural infrastructure and other local facilities.

7.3 Paragraph 157 of the NPPF states that crucially local Plans should plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of the Framework. As part of this process co-operation with neighbouring authorities, public, voluntary and private sector organisations is required.

7.4 As evidenced in the response to Matter 1 the Council has positively prepared LP33 in accordance with the NPPF and has met the requirements under the duty to cooperate and consultation. This includes appropriate engagement and collaboration with key stakeholders and infrastructure providers to help determine the infrastructure requirements needed to deliver the plan and as evidenced in the IDP.

7.5 The IDP (ED027) considers the infrastructure needs over the period of LP33 against the forecast growth in housing and population change. It is an update to earlier
versions of the IDP with the original 2009 version forming part of the evidence base that underpinned the Hackney Local Development Framework (LDF) Core Strategy. At the independent examination at that time the inspector was satisfied that the infrastructure assessment supported the Council’s position that the anticipated quantum of growth for 2010-25 set out in the Core Strategy would be supported by sufficient physical, social and green infrastructure.

7.6 The current IDP (ED027) reviews whether the existing physical, social and green infrastructure in Hackney is sufficient for current demand, whether known pipeline infrastructure provision will be sufficient for projected future demand, and what additional infrastructure may be necessary. Where information was available the IDP also sets out indicative capital costs of the provision of the infrastructure, potential sources of funding and timelines for delivery. By setting out the critical infrastructure requirements the IDP sets out to ensure the growth in residential and commercial development outlined in LP33 will be sustainable.

7.7 The IDP (ED027) makes clear that the information it comprises is drawn from a combination of sources including directly from relevant services. Notwithstanding, it is important to note that a combination of normal three- or five-year delivery planning cycles together with uncertainty about budgets for future delivery means that for the most part short- to medium-term is available in detail for the majority of infrastructure items. To address this the IDP states that reviews of the needs assessment and delivery plan will be carried out on an annual basis (ED027, page 16). It is therefore intended to ensure that the IDP (ED027) is monitored and remains a living document.

7.8 The approach set out in the IDP is therefore considered to be justified and consistent with national policy.

**Transport**

81. 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?

7.9 The effect of proposed development on the transport network has been adequately assessed and appropriate mitigation measures included in the LP33 along with a positive policy framework for new and improved sustainable transport infrastructure.

7.10 Much of the borough and strategic analysis of the transport impacts of growth in Hackney are in the context of sub regional assessment underpinning Hackney’s and analysis undertaken at a regional level by TfL and which is highlighted in Section 3 of the IDP (ED027). With regards to assessing impacts of proposed developments on the transport network, at the level of individual developments, LP33 Policy LP43 sets out a
requirements for certain categories of development to submit Transport Assessments for individual developments to identify and mitigate impacts on the transport network.

7.11 The Plan provides measures to avoid severe cumulative transport impact through securing this mitigation and mitigation and maximising opportunities for sustainable transport. The Council is committed to upgrading its local transport network in order to facilitate higher levels of walking and cycling, promote better access to public transport, and make our streets and public spaces more attractive to live, work, visit and invest in. This is reflected in Hackney's Transport Strategy 2015-2025 (ED047) which sets out the Council's vision for improving transport locally. It aims to improve conditions for walking and cycling, strengthen sustainable transport to support local regeneration, advance the case for key public transport infrastructure improvement, enable residents to access work opportunities, enhance accessibility, improve air quality and reduce emissions.

7.12 The policy approach set out in LP33 Chapter 10, and in the Appendix 3 Site Allocations, notably SHX3 Eagle Wharf, HC1 Clapton Bus Garage, HC3 Hackney Central Overground Station and Car Park, seeks to mitigate the transport impact of growth identified as well as providing enabling framework for the delivery sustainable transport facilities. Section 19 IDP (ED027), also highlights planned investment in infrastructure over the plan period including in specific sustainable transport infrastructure.

7.13 The LP33 approach is consistent with national policy (NPPF 2012) and regional policies (as set out in the Draft New London Plan (2018) (ED02) which is informed by the Mayor of London’s Transport Strategy, 2018).

82. 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?

Response to 82a.

7.14 The Council proposed changes to Policy LP41 (ii) in its initial response to representations received LBH EX01b (Summary of Representations to LP33 Regulations 19 Consultation March 2019). These changes are in response to comments made by TfL (ID128). TfL raised specific concerns regarding the use of the term private motor vehicles as the term excludes other vehicles such as taxis, private
hire vehicles and car clubs. The policy is seeking to reduce the dominance of all cars on the roads in Hackney and the proposed change is therefore necessary to make the policy sound. These changes are also repeated below, with further proposed modifications, for ease of reference.

Response to 82b.

7.15 Policy LP41 B requires new development will reduce the dominance of cars, manage excessive parking and reduce exposure to traffic-related air pollution. As explained in LP33 paragraph 10.4, the emphasis is on encouraging alternatives to the car by providing facilities for sustainable alternative transport and encouraging walking and cycling.

7.16 Policy LP41 is also seeking to enable and promote healthier choices such as cycling via the development of cycle routes and a high quality public realm which encourages walking. The aim of the policy is to encourage the integration of these alternatives into new development which will reduce overall traffic and bring down traffic-related air pollution. Other plan policies are relevant to the implementation of Policy LP41 B including LP42 Walking and Cycling; LP44 Public Transport and Infrastructure and LP45 Parking and Car Free development.

7.17 As set out at LP41 B new developments will also be required to contribute to programmes explicitly designed to reduce air pollution such as Low Emission Neighbourhoods which are using a number of air quality related measures listed in paragraph B (viii).

Response to 82c.

7.18 ‘Support permeability’ is to allow easier movement for pedestrians and cyclists and the reallocation of road space. The reallocation of road space away from cars and to more sustainable transport modes. It is proposed that modifications are made to the policy to ensure this is clearer.

7.19 Historically the urban character of the borough has supported pedestrians, with small back streets passages and alleyways breaking up urban blocks. The Council is seeking to open up access through developments in order to allow pedestrians and cyclists to get through as easily as possible. ‘Filtered permeability’ will be considered in the design assessment of development schemes in order that pedestrians and cyclists can use routes through a development but motor traffic cannot.

7.20 Reallocating road space means shifting the use of the road space away from cars and towards pedestrians, cyclists or to accommodate sustainable transport facilities. This might, for example, take the form of wider pavements to allow pedestrians more space
or to accommodate a bus shelter or specific designated cycle lanes. This re-prioritisation of the needs of road users is further explained in Policy LP42 is also reflected in LP33, paragraph 10.6.

**Modifications to the policy**

7.21 As highlighted in paragraph above, the Council proposed changes to Policy LP41 in its initial response to representations received (LBH EX01b Summary of Representations to LP33 Regulations 19 Consultation March 2019). These and the further modifications proposed in this statement above are set out below:

- LP41 B (ii) Reduce the dominance of the car private motor vehicles both in terms of...
- LP41 B (iii) Contribute to the healthy streets approach to improve air quality, reduce manage congestion and ....
- LPP41 (ix) Support Improve permeability and the reallocation of road space away from car use to promote walking, cycling and use of public transport.

83.LP42 Walking and cycling:

a. Is the negative wording in part B appropriate and consistent with national policy? Is it clear what ‘high quality safe road crossings’ are?

b. 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?

7.22 Policy LP42(B) is concerned with improving the pedestrian environment and walking experience for pedestrians. However, the Council acknowledges that LP42 B could be more positively worded and proposes modifications to the policy to allow this as set out below. In relation to the reference to ‘high quality safe road crossings’ the way this is delivered will depend on the context. This may include formalised crossings involving a pedestrian signal phases or including pedestrian countdown facilities or zebra and pelican crossings or high quality informal crossings which may include elements such as dropped kerbs, pavement build-outs, blended crossings, raised tables, pedestrian refuge islands; dropped kerbs and tactile paving.

7.23 Safety is the most important, but not the only consideration, crossings their site and design also impact on of street design and the broader experience of the public realm (see also Policy LP41). Therefore ensuring high quality crossings is also relevant.

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?
7.24 Policy LP42(C) sets out the Council’s approach to the delivery of cycle parking and sets standards for provision justified based on current (and target) cycle mode share in Hackney. The Council agrees that the standards are not adequately clear at present and proposes modifying the policy to make explicit reference to the standards which will be monitored as set out in LP33 paragraph 13.23.

7.25 The current cycle parking standards are set out in Appendix 2 of the plan and the levels proposed reflect the high levels of current and project levels of cycling in Hackney. Hackney had a cycle mode share of 6.7% in 2018 according to the latest London Travel Demand Survey (measured by trip origin) which is nearly twice the average cycle mode share in Inner London. As measured by a slightly different metric (borough of residence), Hackney’s cycle mode share is even higher – 7.6%. Hackney also has the most ambitious cycle mode share targets in London and the Hackney Transport Strategy (ED047, paragraph 2.7) has set a target for a 15% cycle mode share by 2025 page.

7.26 Levels of cycling to work are also important in setting cycle parking standards, especially for employment uses. The Hackney Transport Strategy (ED047, page 29) highlights that the Hackney mode share for cycling to work (derived from 2011 census data) is by far the highest in London at 15.4% and is more than twice the Inner London average of 7.1% and seven times the Outer London average of 2.2% and with further growth projected.

7.27 Compliance with these cycle parking standards will be monitored through the authority monitoring report processes and in the context of any changes in trends (or indeed targets for the in the cycle mode share). Any update of these standards will necessarily be undertaken in the context of a full or partial review of LP33.

**Modifications to the policy**

7.28 It is proposed to modify the policy as follows:

LP42 (B) New development will only be permitted where it:

LP42 (C) iii. Provides cycle parking for building users and visitors to the development in accordance with Hackney’s cycle parking standards (see Appendix 2 below).

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

Response to 84a

7.29 Policy LP43 sets out a positive framework for integrating transport and development. Any negative impacts on the operation of transport infrastructure must be satisfactorily mitigated; this does not necessarily preclude permitting development. However, the Council acknowledges that LP43(D) could be more positively worded and proposed changes are set out below.

Response to 84b

7.30 The changes to the text of LP43Diii as set out in LBH EX01b have been made following discussions with Transport for London to improve the effectiveness of the policy and ensure it is deliverable.

7.31 TfL support the Council’s aim of reducing car dominance but consider that it would be unrealistic - and therefore not effective - to aim to reduce congestion. Accordingly, TfL has suggested a more realistic and deliverable aim in this context would be to ‘manage’ congestion.

Response to 84c.

7.32 The Council agree that reference to TfLs latest guidance could improve the implementation of the and proposed supporting text are changes are set out below. However, reference to the development of waterborne freight is not considered necessary for effectiveness in a Hackney context. Although there is little freight on the canal at present and there is unlikely to be any potential to develop this in the context of short term development proposals. It is also noted that the Draft New London Plan (ED02) Policy SI15 Water transport already provides comprehensive policy guidance.

Response to 84d

7.33 The requirement for Construction Logistics Plans (CLPs) and Delivery and Servicing Plans (DSPs) is justified in the context of the constrained and intensely developed urban context. Freight trips associated with a development can have a big impact on the surrounding streets. CLPs and DSPs are needed to mitigate the transport and environmental impacts of new developments in both their construction and operational phases. This approach is in line with Draft New London Plan (ED02) Policy T7 Freight and Deliveries, servicing and construction.

Modifications to the policy
The Council proposed changes to Policy LP43 in its initial response to representations received (LBH EX01b Summary of Representations to LP33 Regulations 19 Consultation March 2019). These and the further modifications proposed in this statement above are set out below:

LP43C: Major development proposals are required to include the submission of either a Transport Assessment and Travel Plan, or a Transport Statement and Local Level Travel Plan, in accordance with the London Borough of Hackney thresholds and in line with Transport for London (TfL) Guidance.

LP43D: New development will only be permitted where it

LP43 D (iii) Minimises the demand for private car trips and enables new residents to make journeys by active modes and public transport

The numbering of the subsections in LP43 D will also be corrected.

85.LP44 Public transport and infrastructure:

a. 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)?
b. Are the policy requirements including car club development and electric vehicle charging infrastructure justified?
c. Will they be subject to viability considerations where relevant?
d. Should part A seek development that aims to reduce severance?
e. 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?

Response to 84a

LP44 seeks to protect existing and proposed transport infrastructure, the requirement for a contribution to the public transport network only arises in regard to major developments as part of a full assessment of the impact of any major developments on the public transport network. The Council has an adopted Community Infrastructure Levy, (CIL) and in common with other London authorities collects CIL on behalf of the Mayor of London. This provides the primary mechanism for financial contributions towards transport infrastructure. The Council considers that this approach therefore complies with the NPPF 2012, paragraph 204.

LP33 paragraph 10.11 clearly states that such contributions will be considered where appropriate which aligns with limitations on, and tests’ for the use of developer
contributions set out in the Community Infrastructure Levy Regulations 2010 (as amended). Proposed modifications are set out below to make this clearer.

**Response to 84b**

7.37 The policy requirements related to car club and electric vehicle charging equipment, subject to the amendments as set out below, are justified. The Hackney Transport Strategy (ED047) indicates car clubs as an important sustainable transport measures (along with promoting walking and cycling) to reduce car dominance. They can be an important step to help people make a transition to a car free lifestyle.

7.38 Car clubs are an important part of reducing car dominance and the impact of cars and can help facilitate car free developments. The Authority Monitoring Report (ED021, page 75) shows that in 2017/2018, 93% of completed developments were car free - this compares to 87% in the previous reporting years.

**Response to 84c**

7.39 The Councils Viability study (ED016) tests the ability of developments to accommodate policies in the Local Plan LP33 factoring developer contributions including Mayor of London and Hackney CIL costs. However, the Council accepts that it is appropriate to clarify that (with the exception of ‘fixed’ CIL payments) the requirements set out in policy will be subject to viability. Proposed modifications are shown below.

**Response to 84d**

7.40 The Council agree that reference to an aiming for reduce severance would improve the effectiveness of the policy and also contribute to the objectives set out in Section 2 of LP33. Proposed modifications are set out below.

**Response to 84e**

7.41 The Council expects development to ‘support’ car clubs and walking and cycling measures through on site design and as set out in LP33 paragraph 10.11. through developer contributions. Other plan policies provide more detail on design criteria including PP1 Public Realm, LP42 Walking and Cycling and LP45 Parking and Car Free Development.

**Modifications to the policy**

7.42 The Council proposed changes to Policy LP44 in its initial response to representations received (LBH EX01b Summary of Representations to LP33
Regulations 19 Consultation March 2019). These and the further modifications proposed in this statement above are set out below:

LP44 Public Transport and Infrastructure
All development must:

A. Protect existing and proposed transport infrastructure, particularly routes for walking, cycling and public transport, from removal or severance which could compromise their use or operation and should aim to reduce severance. Proposals which are contrary to the safeguarding of strategic infrastructure improvement projects, including Crossrail 2 will be refused.

In addition new major development must:
B. Make a financial contribution Contribute towards improvements to the bus network and associated infrastructure including new bus services, bus priority measures and frequency upgrades.
C. Contribute to improving rail infrastructure at local stations including travel interchange facilities and step free access.
D. Support car club development, cycle facilities and other sustainable transport initiatives such as electric vehicle charging infrastructure and pocket parks. Support sustainable transport initiatives such as cycle hire facilities, electric vehicle charging infrastructure and pocket parks. On-Street car club development will be supported when delivered in conjunction with an overall reduction in car parking or other effective demand management measures.
E. Improve access to public transport facilities by promoting walking and cycling.

10.11 Hackney will continue to work with relevant partner organisations including Transport for London (TfL) to secure improvements to public transport. Where appropriate, developers will be required to contribute to improving walking, cycling and public transport infrastructure. Due contributions will be secured through the use of Hackney’s Community Infrastructure Levy or S106 agreements, where these meet the legal tests for the use of planning obligations, or alternative arrangements where applicable. This is subject to overall viability of development.

86.LP45 Parking and car free development : 
   a. 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?
   b. 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?

Response to 86a
7.43 The policy sets out an approach to effectively manage parking. The effective management of parking spaces is a key determinant of transport mode choice and an important tool for tackling congestion and local pollution in the borough. LP33 reflects the borough’s position as an inner London borough with low car ownership and use and continue to support and build on our residents’ high levels of walking, cycling and the use of public transport (as set out in the Hackney Transport Strategy 2015-2025 (ED047)).

7.44 Accordingly, the council will limit the availability of off-street parking and require all new residential developments in the borough within controlled parking zones to be car-free with the exception of wheelchair accessible parking which is required to be provided in accordance with best practice standards. The policy is justified and based on robust evidence and complies with the London Plan.

7.45 LP45(B) allows only very limited exceptions for car-free development, all new estate regeneration schemes are car-free and the exceptions only apply to a very limited group of existing residents and would be considered as part of a package of measures designed to reduce overall car use and promote walking and cycling. The policy is justified and based on robust evidence and complies with the London Plan.

b. 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?

Response to 86b

7.46 The Council acknowledges that the requirements for onsite servicing may not be feasible some highly constrained sites and may also constrain/ negatively impact the design of development. Accordingly the original requirement for ‘designated spaces’ for deliveries may be challenging and this requirements goes beyond the London Plan (ED01). The London Plan (ED01) Policy T7 Freight and Servicing establishes the requirement for off street deliveries. This policy is intended to be read alongside the London Plan and ensure appropriate management of servicing and delivery impacts - while ensuring high quality design and layout.

Modifications to the policy

7.47 The Council proposed changes to Policy LP45 in its initial response to representations received (LBH EX01b Summary of Representations to LP33 Regulations 19 Consultation March 2019). These and the further modifications proposed in this statement above are set out below:
7.48 LP45 (D) New development must incorporate designated spaces for deliveries within the boundary of the development. must provide Delivery and Servicing plans which encourage provision for low-emission, consolidation and last mile delivery modes.

### Other infrastructure

#### 87. LP8 Social and community infrastructure:

a. 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?

### Response to 87a.

7.49 Policy LP8, amended by the proposed modifications to the policy, sets out a framework for the delivery of social and infrastructure in Hackney informed by evidence on need.

7.50 The National Planning Policy Framework (NPPF) 2012 at paragraph 70 sets out the need to plan positively for social, recreational and cultural facilities and services, guard against unnecessary loss, enable facilities and services to be modernised and retained and to take an integrated approach to considering the location of housing.

7.51 Policy LP8 Part A highlights the need to plan for a range of social and community infrastructure and Part B, C and Diii and E, provides an enabling framework for their delivery. This is informed by the Council’s analysis of needs including in the Infrastructure Delivery Plan (IDP) (ED027) which highlight the evolving nature of many aspects of infrastructure delivery. A further amendment to the policy (responding to the representation from Sport England (ID22) (SD05) is proposed to ensure it is clear that proposals for community infrastructure will be supported where these meet ‘future’ and not just current need (this also ensures consistency with Diii).

7.52 In line with the NPPF 2012 paragraph 70, policy ‘guards against’ against the loss of valued facilities, with these only permitted when certain criteria are met as specified in Part D of the policy. However the Council considers that this could be expressed positively. Proposed modifications are set out below.

7.53 A further amendment to the supporting text to reference capacity rather than the specific number of surgeries is proposed by the NHS London Healthy Urban Development Unit (ID125) (SD05). This is to respond to the specific point raised on avoiding ‘dating the plan’ and to artificially constrain the mechanisms by which this additional capacity can be met.

b. Is there clear evidence of the need for further infrastructure from the planned growth?
Response to 87b.

7.54 Evidence of the need for further infrastructure from the growth in the plan period is set out in the Infrastructure Delivery Plan (IDP) (ED027) where possible to do so. In an intensely developed urban area, where most infrastructure is not new and in the context of evolving models of service delivery by several infrastructure providers, a fixed view of infrastructure demand is not possible or appropriate. This infrastructure planning reality underpins the Council’s commitment to annual review of the IDP and emerging approaches in Planning Practice Guidance.

7.55 The IDP (ED027) assesses the need for the main social and community infrastructure ‘types’ identified in Policy LP8. In relation to education, the IDP identifies:

- recent trends indicate a fall in demand for primary school places (page 101); there is no medium term requirement for secondary school provision; however, this is to be kept under review (page 103). Outside the scope of the IDP assessment, the Council has also identified a need for additional places for faith schools in Stamford Hill as noted in LP33 paragraph 6.5. The emerging Stamford Hill AAP will provide the framework for accommodating this need.
- Post-16 provision facility demand is challenging to model but there may be an increase over the short term due to increased demand but potentially less demand in the longer terms beyond the plan period (page 104). There is potential here for knock on impacts on capacity available for adult education facilities where these are also provided within a college setting, but this has not been assessed in depth.
- Special school provision currently has adequate capacity with potential capacity in two schools should this be required (page 107).

7.56 Increased demand for primary health care provision is projected in the IDP (ED027) (page 148) in Woodberry Down and Brownswood wards (page 150) and a series of investment in Homerton Hospital, which serves a wider catchment area, is also highlighted (page 153). The ongoing transformation of adult social care nationally make a need/ supply analysis difficult but as noted in the IDP, “as efforts continue to be made to support people in their homes, issues of accessible transport, public realm and community facilities such as accessible public toilets and signage ... may need to be factored into ongoing works programmes in relevant departments” (page 161). This underpins and further justifies the importance of policy approaches set out in LP33 policies: PP1 Public Realm and LP9 Health and Wellbeing. The Council continues works closely with the CCG and NHS Property through the Estates Enabler Group and One Public Estate Programme. These forums help ensure a coordinating approach to the NHS evolving strategies related to their estate - which in turn will feed into ongoing updates of the IDP.

7.57 The IDP (ED027) summarises sports and leisure facility demand based on Indoor Sports Facilities Strategy analysis. It sets out that there is a need for capital investment
in Hackney to address future needs (page 140). This set out in the now completed Hackney Council Indoor Sport Facilities Strategy 2019 - 2033, February 2019. Work on the Playing Pitch Strategy is nearing completion. While the latter does not identify a need for an expanded quantum of playing field provision it does consider where there potential for improvement and reconfiguration. The COuncil is working closely with Sport England and the Playing Pitch Strategy once finalised will feed in to revisions for the IDP.

7.58 The IDP (ED027) goes on to identify that provision of library floorspace per head of population is towards the upper end of the approved standards. Whilst predicted population growth will reduce this figure, it will remain within the standard for the short to medium term (page 120) and a need for increased investment in the quality of existing facilities and archiving facilities has been identified (page 120).

7.59 In relation to youth facilities the IDP (ED027) identifies investment is necessary to meet current and projected need over the next 10 - 15 years (page 116). While the plan identifies that community halls managed by Hackney Housing Services show evidence of sufficient available booking capacity (page 183). However while there is capacity in this type of ‘community facility’ it also identifies that there is likely to be demand for different types of provision in particular cultural venues for Orthodox Jewish celebratory events; low cost rehearsal and creation spaces for organisations without their own venues; and cultural facilities (page 188 - 189).

c. 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?

Response to 87c.

7.60 The infrastructure requirements identified in Part A are based on the analysis of need and potential in the Infrastructure Delivery Plan (ED027) to address the cumulative impact of growth across the plan area. The list corresponds with the main social and community infrastructure types identified in the IDP. Infrastructure demand will not remain static over the plan period which is why as noted in LP33 paragraph 6.4 the Council will be regularly updating the IDP and using this as a mechanism to assess needs and identify provision.

7.61 Policy LP8 of LP33 (along with policies LP48, LP42, LP43, LP44, LP53, LP58 in relation to physical infrastructure) provide an enabling framework for this delivery of this infrastructure. The need for further infrastructure can be assessed through the ongoing review of the IDP (ED027) (intended on an annual basis as indicated in the IDP). This intention to regularly update the IDP is stated in LP33 paragraph 6.4.
d. 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?

Response to 87d.

7.62 LP33 sets out where social infrastructure will be provided (in Site Allocations) and priority areas within the places polices.

7.63 The site allocations in Appendix 3 identify where social and community facilities are expected to be delivered. This includes:
  o MH1 Woodberry Down where the site allocation references community and leisure facilities.
  o M2 Boys Club and Deaf Centres where the site allocation includes a requirement for retained community use.
  o HC7 London College of Fashion where the site allocation allows for the provision of Education and other community uses.
  o HC13 Lower Clapton Health Centre where reprovision of the health centre is proposed.
  o HC14 164 - 170 Mare Street where reprovision of community uses is required.
  o D3 1 - 7 Dalston Lane and 1 - 7 Ashwin Street where community and cultural uses are referenced in development principles.
  o D7 Birkbeck Mews include community and cultural uses (included specific requirements for re-provision of public toilets).
  o D6 Stamford Works where the allocation includes cultural/creative and community uses.
  o D10 Former CLR James Library includes cultural/creative and community uses.
  o SH1 71 - 73 Lordship Road includes provision of community/education use.
  o SHX1 Former Rose Lipman Library site allocation includes community facilities.
  o SHX2 St Leonard’s Hospital site allocation includes community facilities.

7.64 Beyond this, specific sites for delivery of infrastructure are not yet known. However, priorities for a range of infrastructure investment are addressed Section 4 of LP33 ‘Places for People’ (PP3, page 22, PP4 page 27, PP5 page 32, PP6 page 35, PP7 page 39, PP8 page 45, PP9 page 49, PP10 page 53) and in relation to social infrastructure specifically in (PP3, page 22, PP4 page 27, PP8, page 45).

7.65 The AAPs and masterplans will further articulate and refine local infrastructure requirements.
e. Is it clear how infrastructure will be secured?

Response to 87e.

7.66 LP33 makes it clear on how infrastructure will be secured whether on site or through developer contributions. On site provision is expected as set out in Appendix 3 site allocations. Paragraphs 13.14 - 13.15 also explains the role of Section 106 and the Community Infrastructure Levy in funding/ securing this infrastructure.

7.67 The IDP (ED027) also identifies the range of service providers and commissions with responsibility for, or otherwise involved in, delivering infrastructure. A schedule of planned infrastructure projects is included in Section 19 of the IDP.

f. Has the viability of providing necessary infrastructure been adequately assessed and is it deliverable?

Response to 87f.


7.69 The Viability Assessment (2018) (ED016) assesses the cost of affordable housing provision, transport and other infrastructure needs (to be funded from development through CIL and Section 106 (page 26 - 27) ). This will be an important mechanism for the delivery of infrastructure in Hackney. As noted in response to question 80 above, the current IDP (ED027) identifies specific infrastructure projects necessary to support growth. The IDP also sets out indicative capital costs of the provision of the infrastructure, potential sources of funding and timelines for delivery.

g. 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?

Response to 87h.

7.70 The proposed modification to deleted Dii and further amendments are intended to ensure that the policy is effective and enables the delivery of new infrastructure that meets community needs. The deletion of Dii, responds in part to the representation from NHS London Healthy Urban Development Unit (ID125) (SD05). They highlight that service providers and commissions have strategies to transform services which may involve in consolidation or rationalisation. The approach in Dii would inhibit this. Sport England (ID22) (SD05) also raise concerns about compliance with the National
Planning Policy Framework in relation to Dii. Furthermore, the reference to walking distance is will not be appropriate to all of the infrastructure types addressed in Part A which have different catchment areas associated with them. Removal of Diii ensures that the policy the policy approach is justified.

7.71 The inclusion of reference to adult education aids clarity. It is an example of a type of social infrastructure provision which falls under the umbrella of ‘education’ as specified in LP8 Part A. It is perhaps less apparent that adult education is included in this definition compared to other types of education facility such as colleges or universities as evident from representations received from the Hackney Labour Group. It also proposed that the glossary definition of ‘social infrastructure’ (LP33, page 242) also be updated for consistency.

Response to 87h.

7.72 The Council consider it is 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?

Response to 87i.

7.73 Overall, the Council considers that LP8, as amended by the changes set out below, to ensure it is positive and effective, comply with the requirements of national policy.

Modifications to the policy

7.74 The Council proposed changes to Policy LP8 and supporting text in its initial response to representations received (LBH EX01b Summary of Representations to LP33 Regulations 19 Consultation March 2019). This and further changes proposed are set out below:

LP8 Social and Community Infrastructure
A. The Council in partnership with service providers will plan for the following
infrastructure up to 2033:

- Education
- Health and Social Care Facilities
- Sport and Leisure Facilities
- Libraries, Museums and Archives
- Youth Facilities
- Community Facilities
- Cultural Facilities

B. Proposals for social and community infrastructure will be supported where they meet all of the following criteria:

i. meet the current or future identified need; and

ii. are of a high quality and inclusive design providing access for all; and

iii. provide flexible, affordable and adaptable buildings and where possible provide mixed used development, co-located with other social infrastructure uses and maximise use of buildings in evenings and at weekends.

C. Facilities should be located in places that are accessible by walking, cycling or public transport for its end users.

D. Proposals involving the loss of existing social and community infrastructure will not be permitted unless one of the following criteria is met:

i. a replacement facility of equivalent or better quality that meets the needs currently met by the existing facility is provided; or

ii. adequate alternative facilities are already within walking distance, which are capable of meeting the needs currently being met by the existing facility without leading to a shortfall in provision for the specific social infrastructure; or

iii. It has been demonstrated, as evidenced by at least a year of active marketing, that the facility is no longer required in its current use, and it has been demonstrated that it is not suitable and viable for any other forms of social infrastructure for which there is a defined need in the locality, or for which there is a current or future need identified in the Infrastructure Needs Assessment and Delivery Plan.

E. The incorporation of community facilities into mixed use residential schemes where it meets an identified need will be supported.

F. New development should have regard to existing social infrastructure capacity, and where proposed development is expected to place additional pressure on existing social infrastructure by increasing demand, these developments will be expected to contribute towards the provision of additional social infrastructure to meet needs, either through on-site provision or through contributions towards providing additional capacity off-site.

6.2 Social infrastructure covers a broad range of facilities including schools, child care facilities, adult education, health services, places of worship, libraries, youth facilities, sport and leisure facilities, public houses, community and cultural services and policing amongst others, all of which contribute to the quality of life and
well-being of the population. The protection, enhancement, and provision of additional social infrastructure is supported by policies outlined in the London Plan, and the National Planning Policy Framework.

6.4 In regularly updating the IDP the Council will engage with and use information from service providers such as the Learning Trust, City and Hackney CCG, Emergency Services, other Council departments and relevant social infrastructure providers, as well as the voluntary and community sectors. The 2018 IDP has identified the need for additional GP capacity four additional GP surgeries within the borough up to 2033, a number of important accessibility improvements to the borough’s transport infrastructure alongside improved cycling and walking infrastructure, new sports halls and swimming pools, and a suite of improvements to the Borough’s open spaces amongst other infrastructure requirements. The Council will work with the relevant stakeholders to encourage the provision and design of flexible community facilities that can accommodate a range of needs, where appropriate. Furthermore, beyond the scope of the general admission education assessment of the IDP the Council is aware that there will be an increasing need over the Plan period for additional places in faith schools in the Stamford Hill area. Additional analysis to be carried out will identify infrastructure needs on a more localised basis and for specific community groups.

6.6 If D (iii) applies, evidence must be required to show that the loss would not create, or add to, a shortfall in provision for the specific social infrastructure use and demonstrate that there is no demand for any other suitable social infrastructure use on the site. The applicant must demonstrate that all reasonable efforts have been made to preserve the facility and should provide Evidence should include but not be limited to 1 year of marketing evidence which follows the guidelines outlined in Appendix 1.

7.75 It is proposed that the glossary definition at page 242 could be updated to include reference to adult education so it is consistent:

Social infrastructure - Covers facilities such as health provision, early years provision, schools, colleges and universities, adult education facilities, community, cultural, recreation and sports facilities, places of worship, policing and other criminal justice or community safety facilities, children and young people’s play and informal recreation facilities. This list is not intended to be exhaustive and other facilities can be included as social infrastructure.

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

Response to 88.a

7.76 The criteria identified LP9 Part B of the policy are relevant to most new development. However, the Council accepts that the policy wording could be more positively framed and clarify that the requirements may not always be achievable in certain small scale developments.

7.77 The Council proposes amending the policy wording to reflect the National Planning Policy Framework (NPPF) 2012 requirements to ‘plan positively’ and mirror the approach in Part A of LP9 by clarifying where development will be supported.

7.78 Policy LP9 aligns with the approach set out in the Draft New London Plan (2018) (ED02), which highlights the need to consider “prioritising health in all London’s planning decisions” (paragraph 1.3.2 our emphasis). The criterion and specific examples identified LP9 Part B are most applicable to developments of a larger scale; however, the principle can be applied to smaller scales of development.

7.79 Policy LP9 also needs to be set within the context of the overall profile of development in Hackney. It is notable that in 2017 some 43% of the conventional housing supply was from ‘minor’ development schemes of less than residential 10 units as set out on page 32 of the Authority Monitoring Report for 2017/8 (ED021). However, it is acknowledged that very small scale development may not provide opportunities to achieve that some of the principles highlighted. A proposed modification to Policy LP9 is set out below to address such circumstances.

Response to 88.b

7.80 The requirement for the provision of health impact assessments is justified; it reflects the London Plan and emerging London Plan policies and associated evidence on assessing potential health impacts.

7.81 LP9 reflects both the published and emerging London Plan:

- The London Plan, Policy 3.2 (ED01) highlights that the impacts of major development proposals on the health and well-being should be considered and highlights a potential role for health impact assessments. The Draft New London Plan (ED02), Policy GG3) takes forward a similar policy approach in highlighting the need to ‘assess the potential [health] impacts of development proposals’.
- The Draft New London Plan also highlights that over-concentrations of uses such as betting shops, pawnbrokers, pay-day loan stores, amusement centres and hot food takeaways, can “give rise to particular concerns regarding the impact on mental and
physical health” (Draft New London Plan 2018 (ED02) paragraph 6.9.5. It highlights that boroughs may require a Health Impact Assessment for certain uses.

7.82 Accordingly, LP9 (and the supporting text at 6.8) requires consideration of potential health impacts of all schemes. Very large scale development schemes and the specific uses identified in the Draft New London Plan are identified as having a potential high impact on public health (ED02). This is reflected in the ‘Evidence Base for Policy LP39 (Hot Food Takeaways) May 2018’ (ED046). This is also addressed in the Council’s response to Matter 6 - Question 78 which highlights the significant health impacts of takeaways, betting shops and payday loan shops.

7.83 A number of other local authorities with characteristics similar to Hackney also include in their adopted or proposed Local Plan or SPD that major developments are required to submit a health impact assessment, including Tower Hamlets, Islington, Camden, Southwark and Newham. A number of these boroughs also require health impact assessments for takeaways and betting shops (e.g. Tower Hamlets), or takeaways, betting shops and payday loan shops (e.g. Islington).

7.84 The approach also aligns with advice in National Planning Practice Guidance (paragraph 046), published in March 2019.

Response to 88.a

7.85 It is effective to specify the type of local social infrastructure that should be provided in Large Scale Commercial Development. However, the Council accepts that the umbrella reference to ‘local social infrastructure’ which is not further defined is not sufficiently clear and should be deleted.

7.86 LP9 reflects both the published and emerging London Plan:

- The London Plan, at paragraph 3.86 and Policy 7.5 (ED01) highlights the importance of local social infrastructure including fountains, public toilets and seating.

- The Draft New London Plan (ED02) also highlights the importance for public health and/or inclusivity of: public toilet provision particularly as part of large scale commercial development (paragraph 5.6.2) and in town centres (Policy SD6); accessible free drinking water fountains (paragraph 3.7.11); and seating in town centres (Policy SD6).

7.87 The policy aligns with the London Plan (2016); however, the policy should be specific on requirements to be effective for decision makers and should include seating for consistency with London Plan policies. A proposed modification to Policy LP9 to address such circumstances is set out below.

Modifications to Policy LP9
7.88 It is proposed LP9 is amended as follows:

**LP9 Health and Wellbeing**

A. New development that contributes to a high quality environment that enables all Hackney residents to lead healthier and active lifestyles and reduce health inequalities will be supported, subject to all other plan policies.

B. New development will only be permitted where all of the following criteria are met. The development must: New development will be permitted where it is:

i. Be Designed to promote mental and physical activity and wellbeing, and reduce environmental factors which can contribute to poor health through appropriate arrangement of buildings and uses, access, open space and landscaping, the provision of facilities to support walking and cycling, and schemes must meet ‘Secured by Design’ principles where feasible; and

ii. Integrated with the public realm and public transport, and in particular ensures that local facilities and services are easily accessible by foot or bicycle.

C. Major schemes of 50 housing units or more, non-residential developments of 10,000 sqm or more, and proposals for takeaways, betting shops and payday loan shops of any size will be required to submit a Health Impact Assessment (HIA).

D. Large-scale commercial developments in major town centres and highly accessible locations should incorporate local social infrastructure such as free drinking fountains, seating, and free publicly accessible toilets as part of the development and provide for the long term maintenance of facilities.

89. **LP10 Arts, culture and entertainment** :

a. Are the criteria justified, effective and consistent with the London Plan and national policy? Are any suggested changes in relevant representations necessary for soundness?

7.89 LP10 contains criteria that is consistent with the London Plan and national policy. But deletion of reference to ‘cultural quarters’ in LP33 to ensure that the policy is effective. The role of cultural quarters (and local cultural clusters) can be considered and justification presented in through emerging AAPs and Masterplan processes as indicated in LP33 paragraph 6.11.

7.90 The National Planning Policy Framework (NPPF) 2012 identify ‘arts and cultural facilities’ as a main town centre uses as reflected in the policy. It is also noted that the GLA (ID35) in their representation (SD05) welcome Hackney’s approach which is noted to be in line with Draft New London Plan (ED02) Policies SD4 and HC5. Theatres Trust (ID109) (SD05) are similarly supportive of the approach.
7.91 The Council acknowledge that the definition of these cultural quarters should be specifically defined and must have a clear purpose. The Council consider that as implicit in paragraph 6.11, such quarters may be defined and designated through the AAPs for Shoreditch and Stamford Hill. In reference to Dalston - which is in any case a major town centre - the emerging masterplan can also consider where further guidance on this topic is necessary. Neighbouring authorities, including Islington, are being engaged in the development of these documents.

7.92 It is not considered that these change is necessary for soundness.

○ Representations from Historic England (ID37) (SD05) highlight the cultural importance of public interpretation of archaeology. However, while not negating the cultural interest it is important that the supporting text should be focused and succinct and therefore

○ Lee Valley Regional Park (ID50) (SD05) suggest that reference is made to the important cultural role of Lee Valley Regional Park and the Olympic Park and Lee Valley Park (reinstating this reference which was removed from Regulation 18 consultation). The Lee Valley Ice Rink (in neighbouring Waltham Forest is also highlighted). However, locations are all outside of the authority planning area which is why specific reference was omitted from this section. It is also noted that the special role of Lee Valley Regional Park is reflected in other Plan policies notably PPS Enhanced Corridors.

Modifications to Policy LP10

7.93 It is proposed LP10 is amended as follows:

LP10 Arts, Culture and Entertainment Facilities

A. New major development of arts, culture and entertainment facilities must be located within the Central Activities Zone, and major and district centre locations.
B. Smaller scale proposals will be permitted in areas that are accessible by public transport and walking and cycling routes by those that are likely to use the facility, including in other designated Cultural Quarters.
C. The dual use of sites for a mix of arts and culture related uses and use of vacant units in highly accessible areas and town centre locations for temporary arts related activities will be supported.
D. Development involving the loss of arts, culture and entertainment facilities will be resisted, unless re-provided in accordance with other policy requirements. Where loss of the facility is necessary to secure a development which will deliver wider planning benefits for the community, and this can be demonstrated to the Council’s satisfaction, a contribution towards cultural, public art or creative projects should be provided in accordance with the Council’s Planning Contributions SPD.

90.LP11 Utilities and digital connectivity infrastructure:
a. Are the criteria justified, effective and consistent with the London Plan and national policy? Are any suggested changes in relevant representations necessary for soundness?

b. 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?

Response to 90a

7.94 LP11 Utilities and digital connectivity infrastructure, as amended by the proposed modifications set out below, are justified, effective and consistent with the London Plan and national policy.

7.95 The National Planning Policy Framework (NPPF) 2012 identifies the need to work with other authorities to assess the quality and capacity of utilities infrastructure. The Infrastructure Development Plan (IDP) (ED027) assesses key ‘physical infrastructure’ requirements including utilities and digital connectivity. It is also noted that the GLA (ID35) in their representation (SD05) welcome Hackney’s approach which is noted to be in line with Draft New London Plan (ED02) Policy SI6 and paragraph 11.1.41. Overall the main thrust policy is aligned with the requirements of the London Plan and National Policy.

7.96 Representations from CMA (ID73) (SD05) suggest that the requirement to demonstrate there is adequate utilities infrastructure may be inhibited by slow responses from providers may be unwilling to respond until planning permission is granted. They suggest may hinder delivery and should only be applicable to ‘strategic’ rather than major development. However, the Council consider that:

- the approach is appropriate that the requirement to demonstrate adequate capacity is a pre-completion (which might subject to meeting relevant tests be secured via a condition) and not pre commencement (or indeed prior to planning permission).
- A lower threshold to deal with potential cumulative impacts is necessary given in 2017 some 43% of the conventional housing supply was from ‘minor’ development schemes of less than residential 10 units as set out on page 32 of the Authority Monitoring Report for 20171/8 (ED021).

7.97 Representations from CMA (ID73) (SD05) also consider that the criteria D is insufficiently specific and or covered by other regulations. However, it is noted that the approach is in alignment with Draft New London Plan (ED02) Policy S16 which highlights that new developments using higher-grade infrastructure could achieve connectivity speeds closer to 1 Gbps (in excess of Building Regulation minimums of at least 30 Mbps. Hackney’s Infrastructure Development Plan (IDP) (ED027, page 93) indicates the potential for achieving higher speeds.
The Council agree that modifications could be made to improve the effectiveness and clarity of the development each element of the policy applies to. It should be clarified that Part D (final bullet point) relates to new major development. The final policy statement relates to minor development but should be correctly labeled as ‘E’ (and not a second D).

Response to 90b

The inclusion of reference to Building Regulations is appropriate aligns the policy with Draft New London Plan (ED02) Policy SI6 which also includes specific reference to R1 of the Building Regulations. The reference is intended not to set out the need to meet the Building Regulations rather to exceed the minimum benchmark level of 30 MBps.

The final part of the Policy LP11 (second D) could be modified to ensure it is clear the policy is not stipulating a requirement to achieve the Building Regulation Benchmark. Instead the policy requirement is to aim to exceed them unless it is neither practical nor feasible.

Modifications to Policy LP11

It is proposed LP10 is amended as follows:

LP11 Utilities and Digital Connectivity Infrastructure Utilities

A. As part of any major residential and commercial schemes it will be required to demonstrate, in conjunction with utility providers, that there will be adequate utility infrastructure capacity to serve the development in place before the development is completed.
B. Utility infrastructure and connections must be designed into and integrated with the development wherever possible.
C. Utilities infrastructure provision must be completed prior to occupation. Where potential capacity problems are identified and no improvements are programmed by the utility company, the Council will require the developer to facilitate appropriate improvements.

Digital Connectivity:
D. To ensure homes and businesses are well connected all new residential and commercial development schemes should:
   - Ensure that sufficient ducting space for future digital connectivity infrastructure is provided;
   - Maximise opportunities to provide affordable digital connectivity;
   - Support the effective use of the public realm to accommodate well-designed and located mobile digital infrastructure; and
● Achieve greater digital connectivity speeds than set out in part R1 of the Building Regulations and where possible achieve connectivity speeds set out in the Council’s most recent Infrastructure Delivery Plan.

E. Major developments should achieve greater digital connectivity speeds than set out in part R1 of the Building Regulations and where possible achieve connectivity speeds set out in the Council’s most recent Infrastructure Delivery Plan.

D. F. Minor residential and commercial development schemes must meet the minimum requirements set out in Part R1 of the Building Regulations, and aim to exceed them - the minimum requirements set out in Part R1 of the Building Regulations unless it can be suitably demonstrated that this is not feasible and is not feasibly achieved.