



The Planning
Inspectorate

Report to Hackney London Borough Council

by **P W Clark MA MRTPI MCM**

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 26 October 2012

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO DALSTON AREA ACTION PLAN

LOCAL PLAN

Document submitted for examination on 29 February 2012

Examination hearing held on 3 July 2012

File Ref: U5360/429/8

Abbreviations Used in this Report

AA	Appropriate Assessment in accordance with the Habitats Regulations
AAP	Area Action Plan
CS	Core Strategy
DMDPD	Development Management Development Plan Document
GLA	Greater London Authority
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
NPP Framework	National Planning Policy Framework
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
TfL	Transport for London
UDP	Unitary Development Plan

Non-Technical Summary

This report concludes that the Dalston Area Action Plan Local Plan provides an appropriate basis for the planning of the Dalston Area over the next 15 years providing a number of modifications are made to the Plan. The Council has specifically requested that I recommend any modifications necessary to enable them to adopt the Plan. Many of the modifications to address this were proposed by the LPA, and I have recommended their inclusion after full consideration of the representations from other parties on these issues.

The modifications can be summarised as follows:

- The inclusion of a model policy containing a presumption in favour of sustainable development;
- Clarification of the relationship between Core Strategy, AAP and Development Management DPD
- Provisions of the UDP superseded by the AAP;
- Clarification of policies on non-retail uses; and
- Quantification of development proposals.

Introduction

1. This report contains my assessment of the Dalston Area Action Plan Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the submitted draft plan February 2012 which, subject to a number of minor post-publication changes, is the same as the document published for consultation in September 2011.
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant. They are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council requested that I should propose any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. They have been subject to public consultation during the course of the examination of the plan and so there is no need for further consultation on them. I have taken the consultation responses into account in writing this report. For the reasons stated below, a further Sustainability Appraisal (SA) is not necessary.
5. In addition to the issues recited in this report, my examination covered a number of other matters. Where these enquiries were satisfied by the Council's response and were relatively minor in nature, they are not specifically reported.

Assessment of Duty to Co-operate

6. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation.
7. To an extent, in London, the duty to cooperate is achieved through the workings of the Mayor's London Plan. The Mayor has confirmed that the Dalston Area Action Plan complies with the London Plan. A steering group, comprising personnel from a range of different council service areas and other key public bodies such as GLA and TfL was established from the outset to steer the preparation of the AAP.
8. The Dalston Area Action Plan boundary is contiguous in part with the London Borough of Islington. In addition to statutory notices at key plan making stages, a meeting took place on 21 July 2009 at which key issues were discussed. All other adjoining boroughs were consulted at each stage of AAP preparation through written correspondence.

9. Regulation 4 of the Town and Country Planning (Local Planning)(England) Regulations 2012 prescribes 12 bodies and any local enterprise partnership as bodies required by s33A of the 2004 Act to cooperate in maximising the effectiveness of the preparation of development plan documents so far as relating to a strategic matter. The Council has provided evidence of its engagement with ten of those bodies and the local enterprise partnership (Team Hackney).
10. The two bodies for which evidence of engagement is lacking are each Integrated Transport Authority and the Marine Management Organisation. Because Transport for London takes the place of any Integrated Transport Authority in London and has been engaged in the plan's preparation in its own right, there is no deficiency in the Duty to Co-operate resulting from the omission of each Integrated Transport Authority from engagement. Similarly, because the area of the Dalston Area Action Plan contains no coastline and its provisions would have no strategic impact on any matter which would be the concern of the Marine Management Organisation, the omission of that authority from engagement is of no consequence.

Assessment of Soundness

Preamble

11. The Dalston Area Action Plan is prepared within the context of the London Plan, an adopted Core Strategy and a forthcoming Development Management DPD. The London Plan defines Dalston both as an Intensification Area (typically built-up areas which can support redevelopment at higher densities) and as a Major Town Centre (generally containing over 50,000 sq m of retail floorspace with a relatively high proportion of comparison goods. They may also have significant employment, leisure, service and civic functions).
12. London Plan policy 2.15 and table A2.1 identify a medium potential for growth with a night time economy cluster of more than local significance, where some office provision could be promoted as part of wider residential or mixed use development. London Plan policy 2.13 and table A1.2 identify an employment capacity of 1,000 new jobs and set a requirement for 1,700 new homes.
13. One of the strategic objectives for the Core Strategy is for Dalston to become a thriving, vibrant and well-connected centre with strong commercial, retail and cultural industries. Outcome 14 of the Borough's Sustainable Community Strategy 2008/2018 is to ensure that Dalston and other town centres and areas of growth are vibrant places where local people and visitors choose to shop and spend leisure time and make sure that these centres remain attractive places to do business and invest in.
14. Core Strategy Policy 1 is (in part) to encourage significant economic and housing growth to locate in Dalston Major Centre. The aim is to rejuvenate Dalston town centre by adding new uses, employment and activities in mixed use, commercial and residential projects, enhancing its historic environment, increasing the density of employment within the area and attracting new businesses and investment. Specific mention is made of a contribution of approximately 1,770 new homes and 6,000 sq m of new employment space, including approximately 3,000 sq m of convenience shopping. Core Strategy policy 13 identifies Dalston as the principal focus of growth within the

borough's town centres. Core Strategy policy15 is to encourage the managed expansion of Hackney's diverse evening and night time economy in Dalston.

15. The AAP reflects the task it is set by the London Plan and the Core Strategy in its stated purpose, set out in paragraph 1.1; "to establish the basis for shaping the regeneration of the area and to ensure the continued role of Dalston as a Major Town Centre." It seeks to do this in a Vision statement supported by seven objectives and twenty-nine policies.
16. Sixteen of these are of general application, defining the area of the plan, establishing a land use strategy, setting criteria for protecting local heritage and enhancing its character, directing building heights, promoting employment provision, housing, retailing, community and creativity, leisure and the evening economy, public realm, play space provision, social infrastructure, evaluating transport proposals, energy efficiency. Five policies make specific proposals for improvements to the pedestrian network, crossings and junctions, cycle routes and facilities, public transport and parking and servicing. Eight policies apply the general criteria to specific areas and sites, leading to twenty-one site specific subsidiary policies.

Main Issues

17. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have examined the plan in accordance with the four criteria for soundness set out in paragraph 182 of the National Planning Policy Framework, that is; positively prepared, justified, effective and consistent with national policy. From this examination I have identified three main issues upon which the soundness of the Plan depends.

Issue 1 – Consistency with National Policy

18. The examination has tested the AAP against the requirements of the National Planning Policy Framework. As submitted, it complied in all respects except for paragraphs 15, 23 (bullet point 3) and 157 of the Framework.
19. The first of these supersedes the requirement, formerly in paragraph 4.30 of Planning Policy Statement 12 *Local Spatial Planning*, which advised against the repetition or reformulation of national policy in Local Plans. The NPP Framework now requires plans to reflect the presumption in favour of development, with clear policies to guide how that presumption will be applied locally. A model policy has been prepared for local authorities to include in their Local Plans.
20. The plan is prepared in accordance with the strategy set by the London Plan and the Hackney Local Development Framework Core Strategy. The latter has been adopted after being found sound. Much of the evidence base for the Area Action Plan is common to that of the Core Strategy. Its policies all seek to promote development. It follows that the AAP has been positively prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.
21. It therefore complies with the two bullet points of paragraph 14 of the Framework which explain what the presumption in favour of sustainable development means for plan-making. The AAP is therefore based on that

presumption. But it does not contain the model policy to guide how that presumption should be applied locally which paragraph 15 seeks.

22. Policy DTC05 of the AAP requires development to accord with the land use designations specified on figure 9. Subsequent text states that further detail on appropriate new development uses within designated character areas and opportunity sites is given in later policies. But it is silent on opportunity sites yet to be identified. That is where the presumption of the NPP Framework should apply. I therefore recommend that the plan be modified by the inclusion of the text following policy DTC05 within the policy itself (**MM3**) and by the insertion of the model wording of the presumption in favour of development (**MM5**). As this is simply a restatement of National Policy which has itself been the subject of sustainability appraisal and is also implicit in, and entirely consistent with, the existing thrust of the Area Action Plan, no additional sustainability appraisal would be needed.
23. The third bullet point of NPP Framework paragraph 23 requires local plans to define the extent of town centres and primary shopping areas based on a clear definition of primary and secondary frontages in designated centres. Policy DTC01 defines the town centre. Figure 10 and policy DTC08 refer to primary and secondary shopping "areas" rather than "frontages".
24. Policies DTC08 and DTC10 both touch upon locations for non-retail or night-time uses. As originally drafted, although DTC08 did not specifically exclude non-retail or night-time uses from the Primary Shopping Area, subsection (3) specifically directed them to the Secondary Shopping Area. DTC10 observed that the existing night time economy uses overlap with the Primary Shopping Area but directed new leisure and evening economy uses to Gillett Square (site L), the Ridley Road Market Area and sites F, J1 and N where they fronted the eastern curve. Read together, these two policies implied an exclusion of new non-A1 uses from the Primary Areas, which was sufficiently clear not to need modification in order to comply with this aspect of the NPP Framework.
25. For reasons explained below, it is necessary to modify the AAP so as to be effective by making it clear which UDP policies are to be superseded. In order to supersede saved UDP retail Policies, to remain consistent with what has been proposed for Hackney Central AAP, and to be consistent with the now amended emerging Development Management DPD (recently completed Regulation 18 public participation) which provides that the primary and secondary shopping frontages for its two key main shopping centres, Dalston and Hackney Central, will be designated in the respective AAPs, the Council itself proposes a number of modifications (principally **MM7**) but including (**MM6, MM8, MM9, & MM10**). These would make it clear that proportions of non-retail units would be permitted in both Primary and Secondary frontages.
26. The suggested modifications would better reflect the way the Council's existing evidence is collected based on number of units rather than floorspace and is how the Council intended to continue monitoring retail health in the future (and is consistent with draft policies for other centres outside of Dalston and Hackney Central). For the reasons given, I conclude that they are necessary. As they would only alter the substance of the plan in accordance with provisions consulted upon as part of the Development Management DPD, no additional sustainability appraisal would be required.

27. The fifth bullet point of paragraph 157 of the Framework requires Local Plans, amongst other things, to provide detail of the quantum of development where appropriate. The second sentence of Hackney's Core Strategy policy 1 promises, amongst other things, that the AAP will identify the quantity and location of growth in Dalston. It is one of the characteristics of an Area Action Plan, as opposed to other types of Local Plan that it should provide detail, so it would be appropriate for this to be done in the Dalston AAP. Yet, apart from the summary figures contained in table 3 on page 115 (which are gross, not net) and the reference to storey heights in relation to each opportunity site there is no quantification of the policies and proposals contained in the AAP.
28. The Council has an Accommodation Schedule itemising each site, on which table 3 of the AAP is based. It is concerned that publication of this would have the potential to prejudice development proposals coming forward. This concern is not elaborated but presumably reflects the risk that the schedule could be seen in some way as an upper limit of permissibility. An example of such an interpretation which gives substance to the Council's concern may be found in a representation made at Modification stage which sought an increased residential figure for one site on grounds of viability.
29. As noted above, the agenda for the AAP, set by the London Plan and the Core Strategy is both quantitative and qualitative. The inclusion of the Accommodation Schedule within the AAP is therefore necessary to reflect these aims and to comply with the requirements of national policy. Nevertheless, the risk of misinterpretation is real. It should be minimised by the footnote intended to provide clarity in the presentation of the accommodation schedule.
30. I therefore recommend that the plan be modified by the inclusion of the schedule as a table within the plan and a reference to it within policy DTC05 (**MM15 and MM4**). Because this is no more than an amplification of existing proposals and a breakdown of the totals already set out in table 3, it does not alter the intended impact of the plan and so does not require a further Sustainability Appraisal.

Issue 2 – Justification

Alternatives

31. The plan should be the most appropriate strategy, when considered against reasonable alternatives, based on proportionate evidence. The Council has pointed to evidence in the form of the Issues and Options Document (July 2005), the Dalston Baseline Report and the Options Study (March 2008) which demonstrate that a range of reasonable alternatives was identified and evaluated in the preparation of the AAP. It has also demonstrated during the course of the examination that other sites were rejected, or modified before inclusion in the plan. I am therefore satisfied that it represents the most appropriate strategy and is based on proportionate evidence.

Availability

32. The Council has described the process by which the opportunity sites were identified. It includes consultation with key land owners. The evidence for their availability at the time is tabulated in figure 8.1 of the Baseline report

2008. During the examination, the Council provided evidence to demonstrate their continued availability to date.

Viability

33. There is no evidence that the Council has tested the viability of each and every proposal in the AAP. Indeed its response to the representations on modifications is that viability testing would be carried out at application stage. Rather, it has justified the viability of the plan and its proposals in general terms, informed by analyses of the market, need, supply and demand. Viability is not identified as an issue by participants, except in representations on modifications, which are considered in paragraphs 28 and 49 of this report. Where it has been necessary to consider viability in specific cases, the results suggest that the Council's overall approach is sound.

Need

34. Although quantification is somewhat lacking within the AAP, the Council has provided evidence during the examination which throws light on the issue of need. In terms of housing, the AAP is expected to produce 1,768 new homes by 2026. This satisfies the requirements of both the Core Strategy (1,770 new homes in Dalston AAP area by 2025) and the London Plan (1,700 new homes within the AAP by 2031). It well exceeds the needs estimate of 1111 new homes to 2020 derived from the Hackney Urban Capacity Study of 2005.
35. In terms of employment, the AAP identifies capacity for 15,880 sq m of employment floorspace. This would provide capacity for 1080 new jobs and so meets the expectations of the London Plan for 1,000 additional jobs in Dalston by 2031. It well exceeds the Core Strategy's requirement to identify 6,000 sq m of floorspace or the assessment of need for 6,000 sq m derived from the Hackney Employment Growth Options Study Final Report (2006) and its update of 2010.
36. The NPP Framework, paragraph 14, advises that Local Plans should meet objectively assessed needs with sufficient flexibility to adapt to rapid change. Paragraph 22 of the framework advises that planning policies should avoid the long term protection of sites allocated for employment use where there is no prospect of a site being used for that purpose. In the light of the AAP's more than adequate provision of development opportunities for all sectors of the economy, there is no question of that being the case here. The generous provisions of the AAP demonstrate that the AAP would operate as an encouragement and not as an impediment to sustainable growth and so would accord with section 1 of the Framework.
37. In terms of retail, the demand analyses in the Hackney Retail and Leisure Study of 2005 (updated to 2011) identify a requirement of 2,719 sq m convenience retailing and 3,150 sq m leisure floorspace in Dalston by 2016. These are gross figures. It also identified a need for 8,501 sq m (gross) comparison retailing floorspace across the borough as a whole (but mostly in Dalston). This last figure converts to 6,376 sq m net additional floorspace. The figures total 14, 370 sq m.
38. The capacity to be provided by the AAP would be 4,910 sq m in the short term (by 2016) but rising to 31,530 by 2021 and 32,797 by 2026. These too are

gross figures. Net additional capacity would be 2,655 sq m by 2016, rising to 20,009 sq m by 2021 and falling back slightly to 19,879 by 2026. The principal development proposal which would help achieve this result is the redevelopment of the Kingsland Shopping Centre. Because this would tend to be delivered in one large lump, it accounts for the early mismatch in timing between growth of supply and demand.

39. One aim of the AAP is to redress the balance of retail expenditure so that more is retained within the economy of the borough and less outflows to other areas and so that more local people can carry out more of their shopping, leisure and other activities locally, thus improving sustainability by reducing the need to travel. It is frankly aspirational rather than needs-based and so, the eventual excess of supply over calculated need is not a reason for declaring the plan unsound; rather, it is justified by arguments for sustainability rather than extrapolations of existing spending patterns.
40. Representations were made to the effect that the economic environment has changed significantly since the 2005 Retail and Leisure Study on which the AAP is based. Reference was made to the growth of Stratford. Yet the Council had reviewed its retail study in 2011. Furthermore the GVA consultants report on which the representations are based concludes that "in summary, the analysis outlined in this section indicates that the boroughs to watch for major property market activity and change over the next ten years are" (a list which includes the London Borough of Hackney). It also advises that "around the city centre the market push eastwards, around Farringdon-Smithfield, Shoreditch, Dalston, Old Street and Aldgate East, is expected to continue." Neither of these comments lends support to the contention that the aspirations of the Dalston AAP would be unsound.

Primary shopping area

41. The AAP defines a Primary Shopping Area which is much more extensive than the former Core Shopping designation of the Unitary Development Plan. The secondary shopping area is relatively small, confined to parts of Bradbury Street and parts of Dalston Lane. Extensive sections of the Primary Shopping Area, along Kingsland Road, north of Ridley Road and south of Dalston Lane would lie outside the new "shopping circuits" which are to be created through proposals in the plan.
42. As submitted, although policy DTC08 does not specifically exclude non-retail or night time uses from the Primary Shopping Area, subsection (3) of the policy specifically directs them to the Secondary Shopping Area. This imputation is reinforced by policy DTC10 which identifies that the area of existing night time economy uses overlaps the Primary Shopping Area but directs new leisure and evening economy uses to Gillett Square, the Ridley Road market area and sites F, J1 and N fronting the eastern curve public realm.
43. The combination of policies DTC08 and DTC10 implies an aspiration to retain the extensive Primary Shopping Area in predominantly or exclusively retail use. The Council bases the delineation of the Primary Shopping Area on considerations of locating retail growth as well as supporting existing retailers. Whilst the quantity of retail floorspace, compared to need and demand, is likely to be in deficit in the early years of the plan, the extensive area defined is likely to be justified.

44. The Council argues that the quantity and type of new retail floorspace to be provided on the designated development sites will be self-fulfilling in redressing the outflow of retail expenditure from the borough and so generating additional retail demand in Dalston over and above that identified by a simple projection of existing spending patterns. The new "shopping circuits" are seen as part of the qualitative element of that step-change in appeal. Their effect in tending to concentrate pedestrian footfall within the circuits and so excluding the outlying parades is discounted. If correct, the extensive Primary Shopping Area would continue to be justified. But that is an act of faith; it cannot be proven or disproven by evidence.
45. For reasons explained above, the Council itself wishes to make modifications to policy DTC08. These would have the incidental effect of moderating the rigour of policies DTC08 and DTC10 as drafted by allowing a percentage of non-retail uses in both Primary and Secondary frontages. This added flexibility would mean that it is not so necessary to justify the extent of the Primary Shopping Area solely by reference to forecasts of retail expenditure. Accordingly, its extent is justifiable in that if the act of faith turns out to be over-optimistic, the policy is sufficiently flexible to absorb any surplus capacity by allowing an expansion of non-retail uses.
46. The Council points out that the Hackney Retail and Leisure Study 2005 identifies that Dalston has a shortfall of 3,510 sq m of A3/A4/A5 uses and that this amount would provide the optimum ratio to A1 uses to increase the amount of time that shoppers linger in the town centre. This argument is restated in section 5.6 of the AAP in support of policy DTC10. The Council suggests that the plan be modified to reflect this recommendation **(MM11)**. I concur. Neither Table 3 of the AAP nor the Council's Accommodation Schedule distinguishes different classes of retail use, although the plan's policies clearly do. For consistency, I recommend that additional entries be included within table 3 **(MM14)** and within the Accommodation Schedule **(MM15)** to make that distinction.
47. Parts of the new shopping circuits are to be created by the development of opportunity site J1 for a mixed use development including retailing on the ground floor. Yet the Council's retail and leisure study of May 2005 notes that this site is not really suitable for retail or leisure development. Its Core Strategy designates the area including the site as a Priority Employment Area.
48. The discrepancy is explained by the invention of the "shopping circuits". I concur that these are likely to be a significant element in achieving the Council's act of faith in seeking a higher retailing profile for Dalston. Continuity of retail frontage along the circuits is likely to be a determining factor in their success. The Council suggests a modification **(MM13)** to the plan to clarify the relationship between the retailing element of site J1 and the Priority Employment Area designation. This modification retains the retail element of the proposal at ground floor level whilst recognising the primacy of the Priority Employment Area designation. I concur that it is necessary for soundness.
49. For the same reason, the modification would also rebalance the mixture of uses encouraged at upper floor levels on this site, retaining residential use as an element of mix but requiring employment uses as well, rather than as an alternative. Representations were made in response to this modification

suggesting that it might adversely affect the viability of development but as it was neither claimed nor proven that it would have the effect of making development unviable, whereas the Council was able to point to developments which have proven viable with employment use provided, I am satisfied that the balance which would be achieved by the Council's modification is sound.

Building heights

50. As noted above, the London Plan defines Dalston as an Intensification Area. Policy 7.7 of the London Plan identifies areas of intensification or town centres with good access to public transport as locations for tall and large buildings. It requires them to be identified in Local Development Frameworks. Accordingly, the Core Strategy identifies Tall Building Opportunity Areas on its map 8.1, although Core Strategic Policy 24 still requires a rigorous design and impact approach to assessing the heights and bulk of buildings in relation to existing surroundings and views, which may involve a detailed local area analysis.
51. The Council describes the detailed local area analysis which has been carried out in the preparation of the AAP as including individual site analysis, modelling and building envelope studies. In consequence only two sites (C and F) are identified as suitable locations for tall buildings in the AAP. Despite that, representations were made to the effect that tall buildings on these two sites would cause unacceptable overshadowing to Gillett Square, Bradbury Mews and Ridley Road market and so make the proposals of the AAP unsound. Contrary representations contended that greater height could be permitted on sites D1 and D2. Other representations contend that the height proposed for site F would lead to an uncomfortable relationship with the width of the proposed open space known as the Eastern Curve and so be unsound.
52. These contentions were tested in a hearing session. Evidence was produced which demonstrates that it would be possible to design developments on sites C and F which would not cause overshadowing to Gillett Square, Bradbury Mews or Ridley Road market greater than the recommendations of Building Research Establishment guidance. Although those making representations felt that a higher standard should be applied, I cannot find the plan unsound whilst it meets a national standard.
53. Evidence was also produced to demonstrate that overshadowing of the area known as the Eastern Curve by existing development already exceeds BRE guidance; that new development would increase the affected area by 13%; but that there would remain areas not overshadowed at all which would provide opportunities for the retention of the existing Eastern Curve garden and the creation of additional green spaces and play areas. A feasibility study demonstrates the potential for introducing a 3m wide shared pedestrian and cycle route through the existing garden and other green spaces and into areas of public domain with more mixed surfaces. With this evidence, there is no reason for me to declare that the Council's proposals for the Eastern Curve would be unsound.
54. Evidence was produced which demonstrates that the decking over the railway, forming sites D1 and D2 would be structurally capable of supporting lightly fabricated buildings to a height of about eight storeys. However, no evidence was produced to counter the conclusions on overshadowing reached by the Council from its studies of computer-generated 3D models of theoretical

development blocks. I therefore have no reason to declare the Council's conclusions unsound.

55. A late representation (made in response to but not directed at the published Modifications) made a number of points about the evolution of policies DTC 04 and DTC-CA 01 and their consistency with policies DTC 02 and DTC22. I am not convinced that policy DTC 04, if read in full, would be as limiting as alleged or consequentially inconsistent with the other policies listed. I do not therefore find that it would be unsound through inconsistency.

Flood risk

56. The AAP contains a paragraph (10.2.6) which deals briefly with flood risk and biodiversity in terms which read as policy. It reads oddly in a section of the AAP which is concerned with Energy Efficiency. Further enquiry established that there are no requirements for the AAP distinct from those of the borough as a whole. These are partly covered in the Core Strategy or are to be covered in the forthcoming Development Management DPD. There is no justification for its inclusion in this AAP. It would be ineffective because not translated into any policy. The matter would be sufficiently dealt with by the explanation of the relationship between the Core Strategy, AAP and DMDPD set out in paragraph 1.2.4 (as modified) and so I recommend that paragraph 10.2.6 be deleted from the AAP **(MM12)**.

Issue 3 – Effectiveness

Superseding the UDP

57. As submitted, the AAP gave no indication that any saved UDP policies would be superseded, nor that any changes to the Proposals map would be required as a result of its adoption. Such a lack of effectiveness would, inevitably, have required me to find the plan unsound.
58. The Council took this view because it regarded the AAP as a masterplan and because the emerging Development Management DPD was expected to have a direct relationship to the Dalston AAP. Yet, as submitted, policies DTC01-21 read as development control policies, generally applicable to the area of the AAP. They would be ineffective (and the AAP would thereby be unsound) if they did not supersede the equivalent saved UDP policies, or were themselves unintentionally overridden by subsequent DMDPD policies.
59. Paragraph 1.2.4 of the AAP explains the Council's view of the relationship between the AAP, the saved UDP policies and the emerging DMDPD policies. I recommend its modification **(MM2)** to make clear that the policies of the AAP are to have effect within the AAP area and to refer to tables **(MM1, MM2 and MM15)** which indicate those policies and proposals which are to be superseded by the provisions of the AAP.
60. Policies DTC22-29 apply the earlier policies to particular character areas and policies DTC-CA01 to 08 apply them to particular sites. The Council accepts that there are designations on the UDP proposals map which would be replaced by the Dalston AAP and has tabulated them in a form which I adopt as a modification to the plan **(MM15)**.

61. Because these modifications do not alter the substance of the plan, merely its effectiveness, no sustainability appraisal is needed.

Assessment of Legal Compliance

62. Representations (including one made in response to the publication of Modifications but relating to an earlier stage of plan preparation) were made to the effect that the AAP is not legally compliant because changes made at each stage of its preparation meant that the subsequent version of the plan was not that previously consulted upon. Yet each subsequent stage has its own consultation requirements, which are met. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Dalston Area Action Plan is identified within the approved LDS January 2011 which sets out an expected adoption date of July 2012. Although its submission was four months behind schedule, the Area Action Plan's content is compliant with the LDS. Its adoption date is likely to be three months behind schedule.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in November 2006 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes (MM)
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report February 2012 sets out why AA is not necessary.
National Policy	The Dalston Area Action Plan complies with national policy except where indicated and modifications are recommended.
Regional Strategy (RS)	The Dalston Area Action Plan is in general conformity with the London Plan.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act (as amended) and 2012 Regulations.	The Dalston Area Action Plan complies with the Act and the Regulations.

Overall Conclusion and Recommendation

63. The submitted Plan has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.
64. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. This I do. I

conclude that with the recommended main modifications set out in the Appendix the Dalston Area Action Plan local plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

P. W. Clark

Inspector

This report is accompanied by the Appendix containing the Main Modifications

Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM1	5	1.2.4	<i>Insert after third sentence; <u>Appendix G lists proposals map designations superseded by the provisions of the AAP</u></i>
MM2	5	1.2.4	<i>Insert after fourth sentence; <u>In similar fashion, policies DTC01 to DTC21 inclusive provide this level of policy guidance applicable to the AAP. The policies of the Development Management DPD will apply where the AAP policies are silent. Appendix H lists those saved UDP policies superseded within the area of the AAP. Then continue as submitted.</u></i>
MM3	38	DTC05	<i>Add; <u>2) Further detail on appropriate new development uses within designated character areas and opportunity areas are detailed in part C (policies DTC22 to 29 and DTC-CA01 to 08)</u></i>
MM4	38	DTC05	<i>Add; <u>3) Development on opportunity sites should aim to achieve the quantity of accommodation set out in the Accommodation Schedule listed at Appendix F (to be reviewed annually in the Council's Monitoring Report).</u></i>
MM5	38	DTC05	<i>Add; <u>4). When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</u></i> <i><u>5). Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</u></i> <i><u>6). Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</u></i> <i><u>Any adverse impacts of granting permission would</u></i>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</u></p> <ul style="list-style-type: none"> • <u>Specific policies in that Framework indicate that development should be restricted.</u>
MM6	40	DTC06(1)	<p><i>Amend final sentence to read;</i></p> <p>These uses should not displace shops or any other A Use Class encouraged in the Primary or Secondary Shopping Area Frontages (Figure 10 Retail Strategy).</p>
MM7	44	DTC08	<p><i>Amend clauses 2 and 3 to read;</i></p> <p>2) New retail development will be primarily accommodated within the Primary Shopping Area <u>and Frontages (defined in Figure 10) which will continue to contain predominantly retail (A1) of above 60% (as a proportion of total units) to increase the convenience retail provision.</u> The focus of this new provision will be on Site F (redevelopment of the Kingsland Shopping Centre), Site C (redevelopment of the Peacock's store) and Sites D1 and D2 (associated with the Western Curve scheme). The Council will work with landowners to promote redevelopment of each of these opportunity sites.</p> <p>3) Within the Secondary Shopping Area Frontages, as defined in Figure 10, a mixture of uses will be permitted including retail, business and entertainment uses (e.g. restaurants and cafes) <u>providing proposals do not result in a concentration of non-retail (A1) uses (more than two-thirds of the total number of units measured across the AAP Secondary Frontages).</u> Accommodation for small-scale independent retail and leisure-related uses and for cultural/creative, community and third sector related offices and facilities will be particularly encouraged.</p>
MM8	45	5.4.2 (1)	<p><i>Amend second paragraph to read;</i></p> <p>There are a number of potential development sites located adjacent to existing core shopping area. In particular t <u>The redevelopment and expansion of... (then as written)</u></p>
MM9	45	5.4.2(2)	<p><i>Amend to read;</i></p> <p>As indicated in the Retail Strategy (Figure 10), there are distinct retail typologies proposed, which tend to form clusters (note the AAP does not directly adopt the retail terminology in PPS 4 for Primary Shopping Area): <i>(then as written except; amend first line of first bullet point to read; Primary Shopping Area and Frontages – and amend first line of second bullet point to read; Secondary Shopping Areas Frontages –)</i></p>

Ref	Page	Policy/ Paragraph	Main Modification																														
MM10	47	Figure 10	<p><i>Amend key as follows;</i></p> <p>Primary Shopping Area <u>and Frontages</u> Secondary Shopping Area <u>Frontages</u></p>																														
MM11	49	5.6	<p><i>Amend third paragraph to read;</i></p> <p>The Hackney Night Time Economy — Evidence Based Study (Feb 2005) has identified considerable scope for improvement in Dalston. Drawing on experiences from successful town centres elsewhere, the study concluded that “to achieve an optimum ratio of retail (A1) to restaurant/cafes (A3), there is additional capacity for 3,519 sqm of A3 uses” across the Borough as a whole. It is expected that this is distributed between the Borough’s two principal town centres, Dalston and Hackney Central.</p> <p>The Hackney Retail and Leisure Study – Main Report (2005) has identified that Dalston has a shortfall of 3,510 sqm of A3/A4/A5 uses. Table 3 in the AAP identifies that Opportunity Sites broadly have enough capacity to meet this demand.</p>																														
MM12	79	10.2.6	<p><i>Delete paragraph 10.2.6</i></p>																														
MM13	97	DTC-CA05	<p><i>Amend text of subsection 1 to read;</i> Comprehensive and coordinated development of sites J1 and J2 will be encouraged to provide a high quality, mixed use development (4-8 storeys). The development, whether in one building or two, will accommodate retail <u>and/or employment</u> at the ground floor with employment and/or residential above. <i>(Then as written).</i></p>																														
MM14	115	Table 3	<p><i>Amend as follows;</i></p> <p>Table 3: Indicative AAP Potential New Accommodation</p> <table border="1"> <thead> <tr> <th colspan="5">Indicative AAP Potential New Accommodation</th> </tr> <tr> <th>Land Use</th> <th>Short Term 2011 - 2016</th> <th>Medium Term 2017 - 2021</th> <th>Long Term 2022 - 2026</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Residential</td> <td>529 units</td> <td>971units</td> <td>268 units</td> <td>1768 units</td> </tr> <tr> <td>Employment</td> <td>7234 sqm</td> <td>7379 sqm</td> <td>1267 sqm</td> <td>15880 sqm</td> </tr> <tr> <td>Retail</td> <td>4910 sqm <u>(764 sqm* Secondary Retail)</u></td> <td>26620 sqm <u>(7,466 sqm** Secondary Retail)</u></td> <td>1267 sqm <u>(2,606 sqm Secondary Retail)</u></td> <td>32797 sqm <u>(10,836 sqm Secondary Retail)</u></td> </tr> <tr> <td>Community</td> <td>2303 sqm</td> <td>0 sqm</td> <td>25000 sqm***</td> <td>27303 sqm</td> </tr> </tbody> </table> <p>*This figure increases to 3,370 sqm should the first phase of the shopping centre (Site F) development be delivered in the short term (which is broadly in line with the demand figure outlined in Section 5.6) **This figure decreases to 4,860 sqm should the first phase of the shopping centre (Site F) development be delivered in the short term ***Community space for expansion of Holy Trinity Primary School</p>	Indicative AAP Potential New Accommodation					Land Use	Short Term 2011 - 2016	Medium Term 2017 - 2021	Long Term 2022 - 2026	Total	Residential	529 units	971units	268 units	1768 units	Employment	7234 sqm	7379 sqm	1267 sqm	15880 sqm	Retail	4910 sqm <u>(764 sqm* Secondary Retail)</u>	26620 sqm <u>(7,466 sqm** Secondary Retail)</u>	1267 sqm <u>(2,606 sqm Secondary Retail)</u>	32797 sqm <u>(10,836 sqm Secondary Retail)</u>	Community	2303 sqm	0 sqm	25000 sqm***	27303 sqm
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MM15	After appendix E	Appendices F,G and H	<p><i>Insert appendices F, G and H as follows:</i></p>																														

Appendix F Accommodation Schedule

Site Ref	Site Name	Ownership	Proposed Use	Site Area (sqm)	Gross Foot-print (sqm)	Indicative Building Height range (no. of storeys). Refer to site policies for further detail	Residential		Employment (sqm)	Existing Retail to be redeveloped / demolished	Retail			Community Use	
							sqm	No. of Units			New anchor retail	New non anchor retail	Total new retail		Net add retail on existing retail to be re-developed
											Gross Floor Area (sqm)				
A	130 Kingsland High Street and site to the rear	Private	Retail, employment, residential	1920	1267	4-6	3801	26	1267	1367		1267	1267	-130	
B	Dalston Kingsland Garden and associated works	Private	Redeveloped garden entrance hall with retail provision and employment above	600	585	4-6			1,017			585	585	585	
C	51 - 57 Kingsland High Street	Private	Retail at ground floor with employment above, and residential	1600	1281	4 - 6 (Kingsland High Street) Taller building set back	7000	84	2312	1281		578	578	-703	
D	D1 - 25 - 33A Kingsland High Street D2 - 1, 3, 5, 7 Dalston Lane, Aldwin Street, 2-8 and 10 - 34 Kingsland High Street	TL	Mixed use	1710	848	4 - 6	423	100		1276		2404	2404	1128	
		TL and Council	Mixed use	2218	2218	3 - 6	6150								
E	39 - 42 Kingsland High Street	Private	Residential over shop / commercial	788	585	3-4	505	8		595		585	585		
F	Kingsland Shopping Centre	Private (Council owned site F9)	Residential over retail	26,800	22,358	4 - 8 (potential for taller building elements)	30,408	611		11043	10677	8,675	19,552 (7,818 sqm Secondary Retail)	8,508	
G	91 - 95 - Ridley Road Market Improvement Area	Private and Council	Market, retail and residential	10,161	1,606	1 - 6	5,022	58		1,337	1152	245	1,397 (555 sqm Secondary Retail)	80	
H	2 - 16 Aldwin Street, 11 - 15 Dalston Lane	Council	Mixed use	1,826	776	4 - 6	2,718	35	776	190		776	776	988	
I	17 - 25 Dalston Lane	Private	Retail and residential	677	677	3 - 4	2,031	27		175		677	677 (446 sqm Secondary Retail)	802	
J	J1 - Thames House	Private	Retail, employment, residential	2814	2200	7 - 8	9900	132	2,200	165		2,300	2,300 (200 sqm Secondary Retail)	2,035	
	J2 - Cur Marlow Street and Dalston Lane to 27 Dalston Lane	Private	Retail, employment, residential	1161	1161	4 - 6	4,544	92	2,322				756 (sqm Secondary Retail)		
K	Oram House, Town Street	Private	Employment and residential	545	545	4 - 6	2725	36	545						
N	67A - 73 Dalston Lane and frontage onto Town Street	Private and Council	Employment and residential	4000	2069	4 - 8	5664	76	3,305				208 (sqm Secondary Retail)		
O	Dalston Lane Terrace	Mostly Council	Mixed use	3140	2892	3 - 4	4388	44		100		1,100 (728 sqm Secondary Retail)	1,000		
P	CLP James Library, 16 - 22 Dalston Lane and 62 Beaconsfield Road	Council	Mixed use	1900	1002	4 - 6	3006	40		206		800	800	294	2,300
Q	Former Roseberry Cottages	TL	Residential	685	685	6 - 10	6850	91							
M	Holy Trinity Primary School	Private	School extension and residential	4458	2500	6 - 10	18084	214							25000
L	Stanford Works	Private	Mixed use	1156	1156	4 - 6	4261	54			1156	1156 (116 sqm Secondary Retail)	1156		
Constructed Sites (note reference refers to Phase 1 AAP)															
L	Senate House	Private	Employment and Residential	1130	813	4 - 6	3,292	28	813						
M	26 - 28 Ramegate Street	Private	Employment and Residential	1570	723	1 - 12	4238	82	723						
Total				78,670	47,837		128,854	1768	16,886	17,766	12,829	20,768	32,797 (10,898 sqm Secondary Retail)	18,032	27,303

Nb: the accommodation schedule is intended to be an 'evolving' document and will be used as, and reviewed through, part of the Annual Monitoring Report to monitor the provision of new floorspace as individual applications come forward. It is important to note that as development applications come forward for opportunity sites, they are expected to meet the relevant AAP design principles and land use policies as well as the relevant character area policies DTC22 – DTC29 in the first instance. The main purpose of the Schedule is to give an indication to the Council on potential growth and development levels within the AAP area to assist with further forward planning, rather than defining acceptable proposals for sites.

Appendix G**Superseded UDP Designations****UDP
Designations
Replaced by
AAP**

Designation Number	UDP Designation	Replaced by AAP	AAP Replacement Policy
284	Dalston-Hackney Marshes cycle route	No	N/A – This is outside AAP Area.
370	Birkbeck Mews (AAP Opportunity Site G1) - Parking for light commercial vehicles for local businesses	Yes	Policy DTC – CA 03 – Ridley Road Character Area Site Specific Policies
360	64 - 66 Boleyn Road - Junction improvement and road widening to permit two way traffic to/from proposed car park (See Proposal 366)	No	N/A - This is outside of the AAP area.
372	Part of Birkbeck Road - the creation of pedestrian priority streets	No	N/A - This is outside of the AAP area.
380	Gillett Street (between Gillett Place and Kingsland High Street) - the creation of pedestrian priority street	No	Policy DTC 25 – Gillett Square Character Area.

366	Land at Gillett Street - Public car park to serve Dalston Town centre	Yes	Policy DTC – CA 04 – Gillett Square Character Area Site Specific Policies.
81	54-62 Boleyn Road and 11a, 11b Gillett Street - Suitable for housing development.	Yes	Policy DTC 05 – Ensuring a Vibrant Town Centre Through Mixed-Use Development
358	1 and 2 Bradbury Street and Gillett Street rear of 71-79 Kingsland High Street - Service road to link Bradbury Street with Gillett Street	Yes	Policy DTC – CA 04 – Gillett Square Character Area Site Specific Policies.
373	Bradbury Street (between Kingsland High Street and Boleyn Road) - creation of pedestrian priority street.	Yes	Policy DTC 17 – Strategic Improvements to the Pedestrian and Cycle Network and Policy DTC – CA 04 – Gillett Square Character Area Site Specific Policies.
376	Winchester Place - the creation of pedestrian priority street.	Yes	Policy DTC 17 – Strategic Improvements to the Pedestrian and Cycle Network
371	Ridley Road (between Kingsland High Street and St. Mark's Rise) - the creation	Yes	Policy DTC 17 – Strategic Improvements to the Pedestrian and Cycle Network

	of pedestrian priority streets		
356	Ridley Road (between Kingsland High Street and St. Mark's Rise) - Defined street market	Yes	Replaced by Core Strategy Designation 26.
357	36-66 and 25-57 Kingsland High Street - Area where the Council will not normally permit changes of use involving loss of ground floor retail floor space	Yes	DTC08
276	Safeguarded corridor. Most development proposals subject to consultation with Union Railways Limited - Safeguarded corridor. Most development proposals subject to consultation with Union Railways Limited	Yes	This has been replaced by Core Strategy Policy Designation 2 and AAP Section 9.2 'Supporting Public Transport Improvements'.
368	Shopping Centre - Car park to serve new shopping development	Yes	Policy DTC – CA 02 – Kingsland Shopping Centre Site Specific Policy

	and Dalston Town centre		
277	Former Eastern Curve and land at Martel Place - Land protected for future possible railway use.	Yes	This has been replaced by Core Strategy Designation 237 and AAP Policy DTC 11 – Public Realm Quality.
377	Part of Stanborough Passage (adjoining Kingsland High Street) - the creation of pedestrian priority street.	Yes	Policy DTC 17 – Strategic Improvements to the Pedestrian and Cycle Network.
374	Part of Boleyn Road at its junction with Kingsland High Street - the creation of pedestrian priority street.	Yes	Policy DTC 17 – Strategic Improvements to the Pedestrian and Cycle Network.
378	Part of Abbot Street (between Kingsland High Street and Ashwin Street) - Proposals 371-380 all involve the creation of pedestrian priority streets	Yes	Policy DTC 17 – Strategic Improvements to the Pedestrian and Cycle Network.
352	Land bounded by Kingsland High Street, Abbot Street and Dalston Lane - Town	Yes	Policy DTC – CA 06 – Ashwin Street Character Area Site Specific Policy and Policy DTC –

	centre development site suitable for retail development, community and office use. This proposal is affected by railway safeguarding lines.		CA 01 – Kingsland High Street Character Area Site Specific Policy
354	Ramsgate Street - Defined Employment Area	Yes	This has been replaced with Core Strategy Designation 122 and AAP Policy DRC 06 – Employment Provision and Priority Employment Area.
369	Ramsgate Street car park - Car park to serve businesses within Ramsgate Street Defined Employment Area	Yes	This has been replaced with Core Strategy Designation 122 and AAP Policy DRC 06 – Employment Provision and Priority Employment Area.
375	Part of Kingsland Passage (adjoining Kingsland High Street) - the creation of pedestrian priority street	Yes	Policy DTC 17 – Strategic Improvements to the Pedestrian and Cycle Network.
269	Dalston Lane - Proposed station for East London Line Extension	Yes	This extension has been completed. Policy DTC – CA 06 – Ashwin Street Character Area Site Specific

			Policy and Policy DTC – CA 01 – Kingsland High Street Character Area Site Specific Policy
270	Dalston - Safeguarded route. Most development proposals subject to consultation with London Underground Limited.	No	This has been replaced by Core Strategy Policy Designation 2 and AAP Section 9.2 'Supporting Public Transport Improvements'.
273	Dalston Lane - Safeguarded for proposed station at Dalston	Yes	This has been replaced by Core Strategy Policy Designation 2 and AAP Section 9.2 'Supporting Public Transport Improvements'.
379	Part of Bentley Road (adjoining Kingsland Road -) the creation of pedestrian priority street.	Yes	Policy DTC 17 – Strategic Improvements to the Pedestrian and Cycle Network
351	Land at Dalston Junction Station, former Gaumont Cinema and 14 Dalston Lane - Town centre development site suitable for major office	Yes	Policy DTC – CA 08 – Dalston Junction Character Area Site Specific Policies

	development, leisure facilities, community uses and car parking. This proposal is affected by railway safeguarding lines.		
359	Rear of 46-86A Dalston Lane - Rear service road to improve service arrangements to local firms and shops	Yes	Policy DTC – CA 07 – Dalston Lane Character Area Site Specific Policy

Appendix H

Saved UDP policies superseded within AAP area

Policy Number and Name	Replaced by AAP	AAP Replacement Policy
Environmental Quality		
EQ13 Demolition in Conservation Areas EQ14 Alterations & Extensions of Buildings in Conservation Area	Yes	DTC03
EQ15 Designation of New Conservation Areas	No	N/a
EQ17 Alterations to Listed Buildings EQ19 Changes of Use of Listed Buildings	Yes	DTC03
EQ21 Metropolitan Open Land EQ28 London Squares EQ30 Areas of Special Landscape Character EQ31 Trees	No	N/a
EQ32 Shop Front and Shop Signs EQ33 External Advertisements EQ34 Projecting Advertisements EQ35 Illuminated Advertisements EQ36 Advertisements in Relation to Conservation Areas and Listed Buildings EQ37 Advertisement Hoardings	Yes	DTC11
EQ40 Noise Control EQ41 Development Close to Existing Sources of Noise EQ42 Air Pollution EQ43 Development of Contaminated Land EQ44 Water Pollution	No	N/a

Housing		
HO12 Conversions HO15 Residential Hostels	No to all	N/a
Employment		
E8 Employment Uses and Nuisance E9 Special Industries E10 Car Repairs E11 Car Breakers and Open Site Uses E14 Access and Facilities for People with Disabilities E16 Provision of Workplace Nurseries and Creches E17 Retention of Off-street Service Facilities E18 Planning Standards	No to all	N/a
Retailing and Town Centres		
R3 Development within Shopping Frontages R4 Local Shops R6 Core Shopping Areas R7 Changes of Use in Shopping Centres R9 Redundant Shops Outside Shopping Centres R10 Cafes, Restaurants, Wine Bars and 'Take-Away' Hot Food Shops	Yes	DTC08, DTC09 and DTC10
R11 Mini Cab and Driving School Offices	No	N/a
R12 Amusement Arcades, Amusement Centres, Video Game Centres and Pool Halls R13 Shopfronts and Shop Sign R14 Access to Upper Floors R15 Use of Upper Floors	Yes	DTC09 and DTC11
Open Space and Nature Conservation		
OS5 Development Affecting Open Spaces and Parks OS15 Restriction of development affecting the proposed Walthamstow reservoirs Special Protection Area, Sites of Special Scientific Interest, and Local Nature Reserves	No to all	N/a
Community Services		
CS8 Places of Religious Worship CS9 Provision of Childcare Facilities	Yes	DTC09 and DTC13
Arts, Culture and Entertainment		
ACE1 New Arts, Culture and Entertainment Development ACE2 Promoting the development of Arts, Culture and Entertainment Facilities ACE3 Retention of Arts, Culture and Entertainment Buildings ACE4 Art and Art Space	Yes	DTC09 and DTC13
ACE5 Percent for Art ACE6 Arts and Open Space ACE8 Planning Standards	No	N/a