

Statement on behalf of the London Legacy Development Corporation (9th February 2015)

Examination - London Legacy Development Corporation Local Plan 2015 to 2031

Inspector's Matters, Issues and Questions

Matter 7 (Sub Area 1)

Questions relevant to Sub-Area 1, Hackney Wick and Fish Island

1. Are policies for this sub-section of the Local Plan consistent with the adopted Fish Island and Hackney Wick Area Action Plans, 2012?

The policies and overall approach to planning for this sub area are generally consistent with the adopted area action plans. Specific detail of any significant departures and differences have been set out in response to Question 11 (Matter 1).

2. Does Policy 1.1 Managing change in Hackney Wick and Fish Island have insufficient regard for market forces and give too much protection for existing, sometimes poor quality employment space?

The emphasis of Policy 1.1 on protecting existing employment floorspace is underpinned by the findings of the Legacy Corporation's 'Economy Study: Part A – Employment Land Review' [LEB/6] which (at paragraph 5.5) recommends that the Legacy Corporation releases/de-designates between 0.4 and 6.2 ha of industrial land in the Local Plan and subsequently protects all remaining industrial type land in the Legacy Corporation area. In response to this Employment Hubs 1 (Stratford Town Centre Extension), 5 (Hackney Wick Other Industrial Location), 8 (Buxhall Crescent, Eastway) and 14 (Leyton Road North) within the Draft Local Plan (LD/3) were de-designated as Employment Clusters within the Publication Version of the Local Plan [LD/1] and effectively released. These releases addressed Draft Local Plan representations concerning whether the Local Plan had insufficient regard for market forces and gave too much protection to existing employment space. With regard to the area which previously fell within the Hackney Wick Other Industrial Location, this has been released from industrial use due to its regeneration capacity (as identified in the area action plans BPP/5 and BPP/6) and because protecting its industrial capacity in its current guise is no longer compatible with achieving the mixed use development necessary to achieving the overall vision and objectives of the Local Plan.

The Employment Land Review was prepared in accordance with a standard methodology that adheres to relevant government guidance. In line with this it made its recommendations based on the assumption that all existing employment floorspace within the Legacy Corporation area would remain in perpetuity and that extant approvals will not result in a net loss of employment floorspace once implemented. This means that the recommendation to release/de-designate between 0.4 and 6.2 ha of industrial land does not factor in the release of

industrial land that will (in reality) arise as a result of the implementation of some extant permissions. Therefore it is likely that when taken together, the de-designation of Employment Hubs 1, 5, 8 and 14, along with the implementation of extant permissions, will result in the release of more than 6.2 ha of industrial land. The Legacy Corporation considers that the protection of existing employment space by Policy 1.1 is therefore appropriate. Policy B.1 is also considered to provide an appropriate complementary policy framework against which to manage changes to sites with existing employment uses within this context (see Matter 2, Questions 7-9).

3. Could the emphasis on cultural and creative industries frustrate other proposals for viable employment use? Is the weight given to low-cost and managed workspace too much?

Policy 1.1 does not place a greater degree of emphasis on cultural and creative industries or give additional weight to low-cost and managed workspace. The intention of this part of the policy is to highlight that 'employment floorspace' includes floorspace used by creative and cultural industries and floorspace operating as low-cost managed workspace. Policy 1.1 refers explicitly to low-cost and managed workspace because it is predominantly located within sub area 1.

4. Should employment proposals which would increase employment density if not floorspace be encouraged?

Policy 1.1 will be applied in accordance with the provisions outlined under Policy B.1 (i.e. 5. a to h). These criteria allow for a more flexible approach to the retention of employment floorspace depending on site specific circumstances (i.e. if existing floorspace is classified as B1 Use Class). However, under these circumstances development proposals that re-provide a lower amount of employment floorspace must increase job density significantly.

5. Should there be more flexibility in Policy 1.1, for example to allow some B1(a) use as part of mixed use developments?

In line with Policy B.1 and as outlined above, Policy 1.1 does allow B1(a) Use as part of mixed use developments if existing floorspace is already classified as B1. The purpose of Policy 1.1 (2) is to ensure that additional B1 (a) uses are only brought forward within the Hackney Wick Station Area/Neighbourhood Centre boundary.

6. Concerning Table 2 and the Employment Clusters of the Local Plan, should more flexibility be given to land outside these clusters, for example at Fish Island North to convert B2/B8 space into units for more modern business purposes?

The 'Economy Study: Part A – Employment Land Review' [LEB/6] which (at Paragraph 5.5) recommends that the Legacy Corporation releases/de-designates

between 0.4 and 6.2 ha of industrial land in the Local Plan and subsequently protects all remaining industrial type land in the Legacy Corporation area is evidence that the retention of employment space outside employment clusters is necessary. Hence Policy B.1 does not permit the conversion of B2/B8 space into B1 space. Nevertheless, the General Permitted Development Order does provide flexibility by allowing a Permitted change to Class B1 from Class B2 and B8 (subject to total B8 floorspace being no greater than 500 sq.m).

7. Does the proposed amendment to Table 2 (no 6) distinguish the 2 railhead sites properly and set out the best way forward for Fish Island South including Bow Midland West & Bow Goods Yard East?

Yes, however for Policy B.1 and Table 2 to operate effectively with regard to the two rail head sites, the extent of the Bow Midland West and Bow Goods Yard East sites needs to be defined on the Proposals Map - and referenced 'Safeguarded Rail Site – Bow Midland West' and 'Safeguarded Rail Site – Bow Goods Yard East'. In addition a minor amendment to paragraph 10.3, (8th area priority) is proposed as follows to reflect the change to the Proposals Map (See LD/29):

'Strategic Links: Safeguarding the Bow Midland West Rail site for rail use and promoting access to the surrounding road network. Further south in Fish Island, there is a Strategic Industrial Location (SIL) designation that incorporates the safeguarded Bow Midland West Rail site (as identified on the Proposals Map). New development should not adversely affect existing businesses and should be designed to take account of their existence and their existing and future operational requirements, particularly where those businesses are located within the designated employment clusters.'

8. Has the full capacity for new residential development in Hackney Wick & Fish Island been assessed (Page 149 refers to 4,500 new homes over the plan period). Is there firm evidence to support the argument that unnecessary retention of employment space outside employment clusters holds back growth in housing?

The SHLAA assessed the full capacity of the Legacy Corporation area for new residential development, which included Hackney Wick and Fish Island. The reference to 4,500 units on page 149 of the Local Plan reflects the figures within Table 12 and 13 (Appendix 2). These show that sites with permission will deliver 2,147 units, with capacity remaining for a further 2,334 units (as of August 2014). The Inspector's Report [M/13] into the Further Alterations to the London Plan acknowledges at Paragraph 36 that the SHLAA provides a reasonable estimate of capacity.

The 'Economy Study: Part A – Employment Land Review' [LEB/6] which (at Paragraph 5.5) recommends that the LLDC releases/de-designates between 0.4

and 6.2 ha of industrial land in the Local Plan and subsequently protects all remaining industrial type land in the LLDC area is evidence that the retention of employment space outside employment clusters is necessary. Furthermore, as the release of industrial land for mixed use development through the Local Plan is likely to be greater than that identified within LEB/6; the Legacy Corporation considers that it has struck the right balance, enabling delivery of housing through mixed use development, without adversely impacting its economic strategy.

9. Are new canal bridges at Fish Island justified?

Both Figures 24 and 29 within the Publication Local Plan (August 2014) are incorrect with regard to the connections across Old Ford Lock (at the southern end of the Hackney Cut) and across the bottom lock and Roach Point Bridge on the Hertford Union Canal. These crossings are currently shown as 'key connections (on-road)' which is incorrect. The connections across the bottom lock and Roach Point Bridge should be shown as 'key connections (off-road)', whereas the connection across Old Ford Lock should be shown as a 'principal connection improvement'. A correction to this effect has been identified in the 'Table of minor amendments and corrections' (LD/26).

10. Do the Site Allocation policies for Hackney Wick and Fish Island place an unnecessarily strong emphasis on heritage and character-led development and potentially constrain innovative but high quality new development?

Site allocation policies emphasise heritage and character-led development only where relevant and appropriate, i.e. if the site allocation falls within a conservation area or is within its immediate setting. The policies within Allocations SA1.1, SA 1.2, SA 1.3, SA 1.4, SA 1.5 place a level of emphasis that is commensurate with the terms of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the previous Area Action Plans, i.e. that proposals for development should preserve or enhance conservation areas and improve and enhance their settings. It is considered that this context can help to encourage innovative and high quality development.

11. Is Policy SA1.1 too prescriptive over "roof forms"?

No, the 'roof' related development principle is worded generally and flexibly, and reflects page 84 of the Hackney Wick and Fish Island Design and Planning Guidance [LEB/10], which states: "The stronger a frontage reads and the greater the continuity with the existing context, the more scope there is for the rooflines and roof forms of new developments to vary."

12. Is the key to the diagram for Policies SA1.1 onwards sufficiently clear? For example what is meant by “other open space”?

Yes. ‘Other open space’ relates to any of the open space typologies identified in Local Plan Table 6 that are 2 hectares or under (Local parks, Small open spaces, Pocket parks and Linear open spaces). Other open space is shown for illustrative purposes and serves to indicate that ‘open space’ needs be incorporated within allocations to remedy local deficiencies as identified within TBP/5 (in accordance with Policy BN.7).

13. Hamlet Industrial Estate – is there a discrepancy between Figure 28 and its identified “green spaces” and Policy SA1.2?

No. There isn’t an open space designation within SA 1.2 (see the Proposals Map). Figure 28 only shows green space along the western bank of the Lee Navigation Canal for illustrative purposes.

14. Should development at Hamlet Industrial Estate be an exception to the Area Priorities set out in paragraph 10.3 and beginning with “heritage-led regeneration and high-quality design”?

No. Paragraph 10.3 is directly relatable to SA1.2 given that it is situated within a conservation area and in the immediate setting of several heritage assets (as identified on Figure 30).

15. Is Policy 1.6 concerning the height of buildings in Hackney Wick and Fish Island justified and necessary, in view of the inclusion of Policy BN10 in the plan?

The inclusion of Policy 1.6 is justified and necessary as it sets the trigger point for Policy BN.10. This approach reflects that taken to heights within the adopted AAPs.

16. Is the linear park proposed in Policy SA1.3: Hepscoth Road justified? Are the criteria referring to public realm on Wansbeck Road and waste sound? Does the date of 2020 onwards for phasing and implementation need to be changed?

The linear park requirement and the criteria referring to waste and public realm were found sound as part of the Fish Island AAP [BPP/6] examination process (these are set out on page 98 of the Fish Island AAP). The allocation has been phased as 2020 onwards to take account of the time needed to plan for the re-provision of the site's waste capacity elsewhere within London (to the satisfaction of LB Tower Hamlets and the GLA) in accordance with London Plan [RP/1] Policy 5.17.

17. Is the provision of non-residential, ground floor frontage in proposals for Bream Street (Policy SA1.4) likely to undermine the achievement of good design? Would the provision of some ancillary retail development be justified?

No. The band of 'Non-residential ground floor frontage' is justified given that this part of the allocation falls within Flood Zones 2 and 3 where more vulnerable ground floor uses (such as buildings used for dwelling houses) would be inappropriate. The site allocation is for mixed-use development, which ancillary retail uses fall under.

18. Regarding Policy SA1.6, Neptune Wharf, is there inconsistency in the requirement for buildings with a maximum frontage height of 6 storeys, when compared with development recently approved in this locality (7 storeys and an 11 storey tower are referenced)?

SA 1.6 (as amended through LD/26) reflects the general pattern of building heights across the Neptune Wharf scheme. The Local Plan is not prescriptive about height; it just sets a benchmark above which Policy BN.10 applies. Although SA 1.6 refers to a maximum frontage height of six storeys this does not preclude the possibility of taller structures. However any such proposals would be subject to detailed assessment in their particular context using Policy BN.10.

19. Should Policy SA1.7: East Wick and Here East refer to the new east-west, off road connection between the Canal Park and Waterden Road? Should it include references to access to Lee Valley Regional Park?

Key connections are shown for illustrative purposes only, however the east-west, off road connection between the Canal Park and Waterden Road is considered to be less significant than the primary east-west connection between Wallis Road and Waterden Road and has therefore been omitted. Key connections on the SA 1.7 allocation diagram link to the Lee Valley Regional Park. Furthermore, LD/26 (minor amendment no.70) now states "there is a need to improve access to local public transport, the adjacent waterways, and to the Lee Valley Regional Park and other local open spaces outside the Legacy Corporation area".

20. Should the boundary for SA1.8 Sweetwater include the waterspace as requested by the Canal and River Trust, to secure complementary development that respects its context?

The allocation boundary has been drawn to align with the Legacy Communities Scheme planning application boundary, which doesn't include the waterspace. There are no specific additional elements of development or improvement in this location that would require extension of the allocation itself into the waterspace.

Complementary development that respects the waterside context will be achieved through the application of Policy BN.2.

21. Should an additional new site allocation for mixed use development with improved north-south access at Hepscoth Road/Rothbury Road on BT land be included in the Local Plan?

In accordance with Policy B.1, the land at Hepscoth/Rothbury Road can still be developed for mixed-use without being allocated. The Local Plan's Key Diagram on Page 15 (Figure 3) identifies the area within which Hepscoth/Rothbury Road is situated as a 'Mixed-use growth area'. The NPPF at paragraph 157 states that: 'Crucially, Local Plans should: indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map'. Therefore Key Diagrams should be interpreted as holding a degree of material weight. Therefore, the Local Plan should be interpreted as encouraging mixed-use development in this area by virtue of the Key Diagram. Policy 1.3 will ensure that north-south access is enhanced. There is therefore not considered to be a need for a specific site allocation in this instance.

TOTAL WORDS IN THIS STATEMENT: 2,013