

# LOCAL PLAN

## Development Management Local Plan

Adopted July 2015



# SCHEDULE OF DMLP POLICIES

## DELIVERING SUSTAINABLE GROWTH

POLICY DM1 – HIGH QUALITY DESIGN	13
POLICY DM2 – DEVELOPMENT AND AMENITY	16
POLICY DM3 – PROMOTING HEALTH AND WELL-BEING	18
POLICY DM4 – COMMUNITIES INFRASTRUCTURE LEVY AND PLANNING CONTRIBUTIONS	21
POLICY DM5 – PROTECTION AND DELIVERY OF SOCIAL AND COMMUNITY FACILITIES AND PLACES OF WORSHIP	24
POLICY DM6 – ARTS, CULTURE AND ENTERTAINMENT FACILITIES	26

## A DYNAMIC, CREATIVE ECONOMY

POLICY DM7 – NEW RETAIL DEVELOPMENT	32
POLICY DM8 – SMALL AND INDEPENDENT SHOPS	34
POLICY DM9 – CHANGING THE USE OF SHOPS IN TOWN CENTRES	38
POLICY DM10 – CHANGE OF USE OF SHOPS OUTSIDE TOWN CENTRES AND LOCAL SHOPPING CENTRES	39
POLICY DM11 – EVENING AND NIGHT-TIME ECONOMY USES	42
POLICY DM12 – HOT-FOOD TAKE-AWAYS AND SCHOOLS	43
POLICY DM13 – STREET MARKETS	44
POLICY DM14 – RETENTION OF EMPLOYMENT LAND AND FLOORSPACE	47
POLICY DM15 – NEW BUSINESS FLOORSPACE	50
POLICY DM16 – AFFORDABLE WORKSPACE	52
POLICY DM17 – DEVELOPMENT PROPOSALS IN PRIORITY EMPLOYMENT AREAS (PEAS)	55
POLICY DM18 – RAILWAY ARCHES	57

## PROVIDING BETTER HOMES

POLICY DM19 – GENERAL APPROACH TO NEW HOUSING DEVELOPMENT	60
POLICY DM20 – LOSS OF HOUSING	61
POLICY DM21 – AFFORDABLE HOUSING DELIVERY	64
POLICY DM22 – HOMES OF DIFFERENT SIZES	66
POLICY DM23 – RESIDENTIAL CONVERSIONS	68
POLICY DM24 – STUDENT HOUSING	70
POLICY DM25 – HOUSES OF MULTIPLE OCCUPATION (HMO)	73
POLICY DM26 – SHARED AND SUPPORTED HOUSING	75
POLICY DM27 – HOTELS	77

## CLEANER, GREENER, SAFER

POLICY DM28 – MANAGING THE HISTORIC ENVIRONMENT	82
POLICY DM29 – ADVERTISEMENTS	85
POLICY DM30 – TELECOMMUNICATIONS	86
POLICY DM31 – OPEN SPACE AND LIVING ROOFS	89
POLICY DM32 – PROTECTION AND ENHANCEMENT OF EXISTING OPEN SPACE AND THE LEE VALLEY REGIONAL PARK	92
POLICY DM33 – ALLOTMENTS AND FOOD GROWING	93
POLICY DM34 – SITES OF NATURE CONSERVATION AND / OR GEODIVERSITY VALUE, WALTHAMSTOW RESERVOIRS SPECIAL PROTECTION AREA AND WALTHAMSTOW MARSHES SITES OF SPECIAL SCIENTIFIC INTEREST	95
POLICY DM35 – LANDSCAPING AND TREE MANAGEMENT	97
POLICY DM36 – RESIDENTIAL MOORINGS	99

## CLIMATE CHANGE AND ENVIRONMENTAL SUSTAINABILITY

POLICY DM37 – SUSTAINABILITY STANDARDS FOR RESIDENTIAL DEVELOPMENT	104
--	-----

### **POLICY DM15 - NEW BUSINESS FLOORSPACE**

Where development proposals involve or require the provision of new business (B1) floorspace, either in commercial or mixed-use schemes, the Council will require the provision of well designed, high quality buildings and floorspace incorporating a range of unit sizes and types that are flexible, with good natural light, suitable for sub-division and configuration for new uses and activities, including for occupation by small or independent commercial enterprises<sup>11</sup>. All applications incorporating new business floorspace should include a marketing strategy (refer to Appendix 4) which demonstrates the design and layout of the proposed floorspace is of a high quality, is flexible and meets the needs of likely end users.

#### **4.9 Affordable Workspace**

**4.9.1** The Borough has a strong concentration of Small and Medium Sized Enterprises (SMEs) and start-up businesses, and has strong demand for buildings and floorspace for a range of commercial activities, particularly within the knowledge-based and creative and cultural sectors. The provision of affordable SME space is supported by the Hackney Employment Growth Options Study (2006) (updated in 2010), a local employment land review report and other on-going secondary evidence, which state that there is significant evidence supporting the adoption of Local Plan policies which aim to increase the availability of sites and premises for small businesses in Hackney. The report goes to state that 'the mismatch between the supply of and demand for B1 premises in Hackney largely is explained by the current supply being inappropriate in terms of location, type and/or cost. Indeed, the findings of this study indicate that affordability of premises is a particularly important factor which determines the ability of small firms to become established and grow. Indeed, our business survey and that provided by other recent research projects indicates that cost of rents and poor availability of suitable premises are the main factors in driving companies out of the Borough. The cost of most B1 supply in Hackney is at a price significantly higher than the rents small businesses are seeking to pay. The Hackney Employment Growth Options Study suggests that suitable and affordable workspaces need to be provided and preserved given that there is market failure in this area and that they are essential to Hackney's economic vitality and catalyst for regeneration. The findings also show that businesses seek affordable small offices, studios or workspace with favourable lease or license conditions, and many SMEs and

---

<sup>11</sup> Small or micro workspaces are units with a net floorspace of around 90sq.m or less in the B1(a), (b) and (c) and B2 use classes and 70sq.m for retail uses, which provide for a range of uses, and where appropriate, flexibility between uses (for example small offices and light industrial studios). This information is based on an assessment of existing premises, Hackney's Retail Health Check 2010 and the GLA's London Small Shops Study June 2010.

start-ups with the potential for financial self-sufficiency have particular needs that often cannot be met by market rent levels.

**4.9.2** London Plan Policy 4.1 identifies the need to ensure a good supply of workspace in terms of type, size and cost, supporting infrastructure and suitable environments for larger employers and small and medium enterprises, including the voluntary and community sectors. In light of this the Council's Core Strategy sets out the need for smaller employment space that is affordable and easily sub-divided for different uses to meet the needs of a rapid expansion of micro and small businesses in certain parts of the Borough as set out in the Delivering Sustainable Growth Chapter (Chapter 3).

**4.9.3** There is a need, therefore, for the provision of affordable employment floorspace within the Borough. This can partly be secured through development and through planning agreements as part of mixed use development. The following policy, therefore, sets out that the Council will seek the inclusion of a proportion of affordable workspace, or the re-provision of such floorspace, within major commercial development schemes (generally B1 and B2 development), and within major mixed-use schemes in the Borough's designated employment areas. The Council's first preference is for any affordable workspace to be secured through legal agreement with a Council registered workspace provider. The commercial terms relating to the affordable workspace are to be agreed between the applicant and the Council registered workspace provider and detailed within the associated legal agreement. Where this is not possible because the applicant wishes to either manage the space themselves or in association with a provider not registered with the Council, the Council will consider affordable workspace to be where rent and service charges, excluding business support services, are at least 20% less than comparable local market rates in perpetuity (although it is noted that, for some sectors and locations, much reduced rents may be needed to render them affordable to target occupiers such as locations in the Shoreditch and Wenlock PEAs). Proof of effective management arrangements will be required and secured via legal agreement to ensure the space is suitable for immediate occupation and remains available for business in need of below market rent floorspace.

**4.9.4** A 'significant element' of affordable workspace will depend on the size of the development scheme and the type of occupier (for instance, if the proposal is for one main occupier), and the viability of providing affordable workspace. As a guide, major developments should provide at least 10% of total gross commercial floorspace as affordable workspace. This is in addition to ensuring existing businesses are also re-provided for, where appropriate in any redevelopment of sites, given it is the Council's ambition to allow existing business to remain and grow in size as well as attract new businesses to the Borough.

**4.9.5** The design of workspace for small or micro enterprises will vary, depending on the end occupier or sector. In general, however, applicants should demonstrate that workspace is flexible in compliance with Policy DM15. Applicants will also be required to demonstrate likely lease terms for target sectors, and where appropriate make provision for short-term, flexible 'all-in' or 'meanwhile' leases, and/or letting space on a per-desk rather than per-square-foot basis. Where affordable workspace is to be provided, it is important that developers initiate dialogue with a Council registered workspace provider early on in the pre-application stage and that at the planning application stage a workspace provider is identified. A list of the Council's registered workspace providers can be found on the Council's web site at:

<http://www.hackney.gov.uk/Assets/Documents/Workspace-Providers-List.pdf>

**4.9.6** The following policy sets out the Council's requirements in terms of the provision of affordable workspace in development schemes.

#### **POLICY DM16 - AFFORDABLE WORKSPACE**

The Council will seek 10% of the new floorspace within major commercial development schemes<sup>12</sup> in the Borough, and within new major mixed-use schemes in the Borough's designated employment areas, to be affordable workspace, subject to scheme viability.

The applicant should submit evidence of agreement to lease the workspace preferably in association with a Council registered workspace provider. Under this preferred option the commercial terms to be agreed between the applicant and Council registered workspace provider are to be secured via legal agreement.

If on-site provision is not possible, financial contributions for equivalent off-site provision will be sought.

In addition, proposals for the redevelopment of existing low value employment floorspace reliant on less than market-level rent should reprovide such floorspace suitable, in terms of design, rents and service charges, for these existing uses, subject to scheme viability, current lease arrangements and the desire of existing businesses to remain on-site.

#### **4.10 Development within PEAs**

**4.10.1** Core Strategy Policy 17 sets that the "Council will encourage economic development, growth and promotion of effective use of land through the identification and regeneration of sites for employment generating uses, the promotion of employment clusters and the encouragement of mixed use

<sup>12</sup> Major schemes are development where the floor space will be more than 1,000sq.m (or the site area is more than 0.1 hectare).