

EXECUTEC

**49 - 50 EAGLE WHARF ROAD
LONDON
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PLANNING STATEMENT

July 2015

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APPENDICES

1.0	LBH Pre-Application Response, dated 30 October 2014
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1.0 INTRODUCTION

1.1 This Planning Statement (“the Statement”) has been prepared by Montagu Evans to assist with the determination of an application for detailed planning permission by Executec (“the Applicant”) for the mixed use redevelopment of the Site at 49 - 50 Eagle Wharf Road, London (“the Site”).

1.2 The description of development is as follows:

“Partial demolition of existing buildings, retention of 3 storey building and former industrial chimney and redevelopment to provide mixed use scheme, comprising residential, commercial and café floorspace, including creation of basement floorspace, landscaped communal courtyards, pedestrian link route to the Regents Canal, cycle parking and other associated works.”

1.3 A key element of the proposals is the retention of the most important heritage assets on the Site, namely the late 19th century warehouse buildings that part front the canal and the late 19th / early 20th century chimney. Other buildings and structures on the Site, which are less important from a heritage perspective, are to be demolished allowing the redevelopment of the Site to deliver a new mixed use scheme envisaged as comprising the following:

- 64 residential units, comprising a mix of tenures and unit sizes;
- 4,218 sqm (GIA) of commercial floorspace (Use Class B1);
- 127 sqm (GIA) of café floorspace (Use Class A3);
- Landscaped communal courtyards;
- A new pedestrian route through to the Regent’s Canal;
- 3 car parking spaces allocated for blue badge holders; and
- 176 cycle parking spaces (103 spaces for residential use and 73 spaces allocated to the commercial floorspace).

1.4 A full assessment of the scheme proposals is contained within **Section 7.0** of this Statement.

Consultation

1.5 The Applicant has undertaken extensive pre-application consultation which has informed the scheme for which planning permission is now sought, with formal pre-application discussions held with planning and design officers at the London Borough

of Hackney. A copy of LBH's pre-application response, dated 30 October 2014, is included at **Appendix 1.0** to this Statement.

- 1.6 The Applicant has also undertaken an extensive public consultation process. A letter detailing the proposals for the redevelopment of the Site was sent to local residents, Councillors, businesses and community groups, including the Canal and River Trust, Natural England and English Heritage.
- 1.7 In addition, a public exhibition was held at the Napier Grove Community Centre on 4th December 2014, and was attended by approximately 20 members of public. A subsequent meeting was held with representatives from the Friends of Regents Canal and the Arlington Residents' Association on 13 January 2015.
- 1.8 The proposals were also presented to the London Borough of Hackney's Design Review Panel (DRP) on 15th April 2015. Further details of the comments received from the DRP and the impacts upon the scheme proposals of these comments – and other feedback received during the consultation process - are set out within the accompanying Design and Access Statement prepared by Stephen Davy Peter Smith Architects which accompanies this Application, and later within this Statement.
- 1.9 Full details of the consultation process undertaken in connection with the proposed development, and of the comments received during this process, are set out in the accompanying Statement of Community Engagement, prepared by AECOM.

Purpose and Format of the Planning Statement

- 1.10 The purpose of this Planning Statement is to provide a planning policy analysis of the proposed scheme in light of national, regional and local planning guidance. The Statement sets out how the relevant planning policies and other key material considerations to the determination of the Application have been taken into account.
- 1.11 The Planning Statement forms part of the information which has been submitted with this Application, and is to be read in conjunction with the following documents:
- Application Covering Letter;
 - CIL Additional Information Form;
 - Planning Application Forms and Certificates, duly signed and dated;
 - Application Drawings, prepared by Stephen Davy Peter Smith Architects;
 - Design and Access Statement, prepared by Stephen Davy Peter Smith Architects;

- Noise Impact Assessment, prepared by Accon UK;
- Archaeological Assessment, prepared by Howe Malcolm Archaeology & Planning Ltd;
- Daylight and Sunlight Assessment, prepared by Dixon Payne;
- Ecological Appraisal, prepared by Lloyd Bore Ltd;
- Employment Floorspace Viability Report, prepared by Currell Commercial;
- Energy Statement, prepared by XCO2 Energy;
- Heritage Statement, prepared by Montagu Evans;
- Sustainability Statement, prepared by XCO2 Energy;
- Transport Assessment, prepared by TTP Consulting;
- Framework Travel Plan, prepared by TTP Consulting;
- Statement of Community Involvement, prepared by AECOM; and
- Desk Study Report, prepared by Southern Testing Laboratories Limited.

1.12 This Planning Statement demonstrates that the proposed scheme:

- Will ensure the retention and restoration of the most significant heritage assets on the Site, as well as their re-use for employment and residential purposes;
- Will secure the replacement of and net increase in employment floorspace, resulting in increased employment density on the Site;
- Will bring about a significant qualitative enhancement to employment floorspace compared with the exiting offer,
- Will accommodate affordable workspace providing opportunities for local, small and medium sized enterprises, to locate and grow their businesses within the borough;
- Will deliver high quality residential accommodation of a range of unit sizes thereby contributing to addressing London's pressing housing need;
- Will provide affordable homes contributing to the needs of the borough;
- Has been prepared within the context of and has been informed by full consultation with the local planning authority, the surrounding community and other key stakeholders;
- Is in accordance with relevant planning policy at the national, regional and local level and delivers sustainable development; and
- Would, through the comprehensive redevelopment of the Site, deliver an appropriate mix of uses and provide a high quality built environment which is well-related to the surrounding context.

1.13 **Section 2.0** of this Statement provides background information on the Site and its planning history, and **Section 3.0** sets out the application proposals. **Section 4.0**

summarises the planning policy relevant to the Site, and the proposals are assessed against the policies in **Section 5.0**. The planning benefits of the scheme are summarised at **Section 6.0**. A summary and conclusions are contained within **Section 7.0**.

2.0 SITE LOCATION AND PLANNING HISTORY

- 2.1 The Site is located within the jurisdiction of the London Borough of Hackney (“LBH”), and is situated on the northern side of Eagle Wharf Road.
- 2.2 The Site is currently occupied predominantly by commercial buildings that in part are used for film and photographic studios and operated by Holborn Studios. The remaining parts of the Site are occupied by small and medium sized businesses, many of which occupy floorspace on short term leases.
- 2.3 The Regent’s Canal forms the northern boundary of the Site, beyond which lies the London Borough of Islington.
- 2.4 Directly to the east of the Site is 48/48a Eagle Wharf Road, which comprises 3 storey warehouse buildings currently in use as commercial storage facilities, along with associated car parking.
- 2.5 Directly to the west of the Site is 51 – 59 Eagle Wharf Road (which becomes 164 – 168 Shepherdess Walk as it turns the corner to the north at the western end of Eagle Wharf Road). This site has recently been redeveloped, comprising a building of 4 storeys in height with a setback 5th storey along its main Eagle Wharf Road elevation, rising to 5 storeys fronting Shepherdess Walk and 7 storeys fronting Regents Canal. This building comprises commercial space at ground and lower ground floors and residential units above.
- 2.6 The Site lies within the Regents Canal Conservation Area. The complex of buildings on the Site have been locally listed and include a historic industrial chimney. As noted in LBH’s pre-application response, “The Commissary”, a bar and restaurant occupying part of the Site is noted within the Regents Canal Conservation Area Appraisal as being *“an attractive and sensitive conversion of an industrial building”*.
- 2.7 A detailed description of the Site and surrounding area is provided in the accompanying Design and Access Statement prepared by Stephen Davy Peter Smith Architects.

Planning History

- 2.8 The Application Site was the subject of a planning application submitted in December 2012 (ref. 2012/3923) for the:

“Demolition of existing buildings and the erection of a mixed use building to provide 5,139 sqm of Class B1 floor space, 371 sqm Class A3 (restaurant) floor space and 82 residential units together with associated car parking spaces, delivery bay, cycle parking and associated amenity space and landscaping”.

2.9 This application was submitted by the different applicant has not yet been determined.

2.10 Other relevant applications listed on the Council’s online records include the following:

- Application ref. SOUTH/479/98/FP – Change of use of existing staff restaurant to a public restaurant (A3 use) – Granted 11/01/1999; and
- Application ref. SOUTH/570/97/FP – Provision of facilities and pontoons to facilitate the provision of 15 residential and commercial boat moorings – Granted 01/04/1999.

3.0 DEVELOPMENT PROPOSALS

3.1 As set out in **Section 1.0** of this Statement, a critical element of the proposals is the retention of the key heritage assets on the Site. As set out in detail within the accompanying Heritage Statement, prepared by Montagu Evans, it is considered that the retention and renovation of the most interesting historic buildings on the Site will enhance the character and appearance of this part of the Regents Canal Conservation Area.

3.2 The new build elements of the scheme comprise the following:

- A block running the length of the Eagle Wharf Road frontage, returning along the eastern boundary towards the canal front. The scale of this building is inkeeping with the adjoining development to the south west;
- A stand-alone block located between the retained canal front building and the chimney; and
- A block running parallel with the retained western boundary wall, replacing a structure of similar scale.

Commercial Floorspace

3.3 The scheme proposes 3,425 sqm (NIA) / 4,218 sqm (GIA) of commercial floorspace (Use Class B1).

3.4 The existing buildings on Site currently provide 3,387 sqm (NIA) / 4,784 sqm (GIA) sqm of employment floorspace. Consequently, the proposals will deliver an increase in net internal commercial area on the Site by 38 sqm.

3.5 This increase in net commercial area is reflective of the enhanced efficiency of the proposed commercial floorspace. The proposed provision represents the maximum viable amount of commercial floorspace capable of being delivered on the Site. The new space will be contemporary and flexible, meeting the needs of modern office occupiers. The quality of the proposed commercial floorspace will ensure that the development assists in the provision of new viable employment opportunities which meet identified needs in this part of the borough, and which support the role and function of the Priority Employment Area (PEA).

3.6 The commercial floorspace will be located at basement, ground, first and second floors across the Site. At basement level, provision has been made for film / photographic

studios with the outline design and layout of the floorspace developed in consultation with Holborn Studios in order to meet their specific needs.

3.7 10% of the commercial floorspace will be offered to prospective tenants at affordable rents. Whilst the precise terms of the proposed affordable employment space will be negotiated during the course of the Council's consideration of the Application, it is anticipated that approximately 340 sqm (NIA) – equating to 10% of the total provision of commercial floorspace – will be offered as affordable commercial space. This is a key benefit of the proposed development and reflects a core development priority for the Council within this area, as set out in adopted and emerging policy.

3.8 In addition, the proposed development involves the delivery of 127 sqm (GIA) of A3 café floorspace, which will generate additional employment and replaces the existing café located on the Site.

Residential Floorspace

3.9 The Application proposes a total of 64 residential units, with a range of one, two and three bed units, including 10% wheelchair adaptable units.

3.10 In terms of unit mix, the proposed development includes 28 one bed units (44%), 21 two bed units (33%), 13 three bed units (20%) and 2 four bed units (3%).

3.11 Residential units are to be located on upper floors across the Site and accessed via five cores. The majority of units are single storey, with duplexes at second and third floors within the central block located along Eagle Wharf Road, and at the fifth and sixth floors within Core B the fourth and fifth floors within Core D.

3.12 The majority of units are dual aspect, and all have private amenity space in the form of either terraces or balconies and meet design standards contained within the London Plan and the London Housing Design Guide, as well as the emerging minor alterations to the London Plan 2015 and the Mayor's Draft Interim Housing SPG.

3.13 As discussed in detail in **Section 5.0** of this Statement, the provision of sustainable new residential accommodation in this location is consistent with planning policy objectives at all levels, and will add to the vibrancy and vitality of the local area by increasing the resident population.

Landscaping and Public Realm

3.14 The scheme includes the incorporation of landscaped public realm areas for use by residents, occupiers of the commercial floorspace onsite, and visitors to the café unit. The key objectives for areas of public realm within the Site are as follows:

- To provide an attractive environment for users, underpinned by strong ecological and sustainable principles;
- To provide a scheme of beauty and distinction that actively promotes the value of outdoor space in the context of an urban environment; and
- To embrace the heritage, history and context of the Site.

3.15 The scheme proposals also include the creation of a new destination space fronting Regents Canal, with a widened and more accessible waterfront public realm. Pedestrian routes permeate through the Site in order to reach the café space which is located on the canal frontage.

Car Parking

3.16 The proposed development is largely car free. A total of three car parking spaces are proposed at ground floor level for blue badge holders, accessed via Eagle Wharf Road.

Cycle Parking

3.17 The development proposals include the provision of cycle parking in accordance with the requirements set out in the London Plan. A total of 176 spaces will be provided within secure storage areas. 103 of these spaces will be allocated for use by residents, with the remaining 73 spaces for use by users of the commercial and café floorspace.

4.0 PLANNING POLICY FRAMEWORK

4.1 This Application has been informed by adopted and emerging development plan policies and other relevant guidance. This section of the Statement provides a summary of the planning context from which such policy is drawn. We do not provide a verbatim account of all relevant policy as this is dealt with in **Section 5.0** which provides an assessment of the Application proposals against the policies and guidance contained within the documents identified in this Section.

National Guidance

4.2 The National Planning Policy Framework (“the NPPF”) was published on 27 March 2012 and superseded previous national planning guidance contained in various Planning Policy Guidance and Planning Policy Statements. The NPPF sets out the Government’s approach to planning matters, and is a material consideration in the determination of planning applications.

4.3 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision taking (paragraph 14). This paragraph goes on to state that:

“For decision taking this means:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.”*

In March 2014 the Government published the National Planning Practice Guidance (“the NPPG”), which is a material consideration to planning applications. The NPPG replaces a number of previous circulars and guidance to provide a simplified source of guidance at the national level.

Statutory Framework

- 4.4 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with policies of the statutory Development Plan, unless material considerations indicate otherwise. However, section 14 of the National Planning Policy Framework (2012) states that where the Development Plan is absent, silent or relevant policies are out of date, presumption should be in favour of sustainable development and planning permission should be granted, unless material considerations indicate otherwise.

The Statutory Development Plan

- 4.5 The statutory Development Plan for the Site comprises:
- The London Plan 2015;
 - The Hackney Core Strategy Development Plan Document (December 2010) (“the Core Strategy”); and
 - Saved Policies of the Hackney Unitary Development Plan (1995) (“the UDP”).

Emerging Policy

Hackney Local Development Framework Development Management Local Plan

- 4.6 Following consultation, LBH published the Development Management Local Plan Publication Version (DM LP) in July 2013. The DM LP will contain the development policies that elaborate on the Core Strategy. Along with the London Plan, the Core Strategy and other supplementary planning documents, the DM LP will form the development plan used to determine planning applications.
- 4.7 Following hearings held by an Inspector in September 2014, LBH commenced consultation on proposed main modifications to the DM LP, which took place between February and April 2015.
- 4.8 Given the advanced status of the DM LP, it is considered that the policies contained therein which are not subject to alteration under the proposed main modifications, can be afforded significant weight in terms of the determination of planning applications, in line with the NPPF. Those policies not subject to proposed main modifications have been afforded a reasonable degree of weight.

Minor Alterations to the London Plan

- 4.9 On 11 May 2015 the Mayor of London published for six weeks public consultation two sets of Minor Alterations to the London Plan – on Housing Standards and Parking Standards. These minor alterations have been prepared to bring the London Plan in line with new national housing standards and car parking policy.

Regional Guidance

- 4.10 The Greater London Authority (GLA) has published a number of supporting documents that are relevant in the consideration of this Application. Of particular relevance are:

- London Planning Statement SPG (May 2014);
- Sustainable Design and Construction SPG (April 2014):
- Housing SPG (November 2012):
- Use of Planning Obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy SPG (April 2013);
- Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012);
- Planning for Equality and Diversity in London SPG (October 2007); and
- Accessible London: achieving an inclusive environment (April 2004).

- 4.11 In May 2015, the Mayor published the Draft Interim Housing SPG for consultation until August 2015. This document provides guidance on the implementation of housing policies in the 2015 London Plan.

Local Guidance

- 4.12 LBH has a number of adopted and emerging policy documents which are a material consideration in respect of the Application, including:

- The Planning Contributions Supplementary Planning Document (November 2006); and
- The Affordable Housing Supplementary Planning Document (July 2005).

- 4.13 As a result of changes in the property, legislative and financial markets over recent years, a new affordable housing supplementary planning document is currently being produced by the Council. In July 2011, the Council noted the Interim Policy Planning Position Statement on Planning Flexibilities for Affordable Housing Delivery. Upon their

adoption, the new affordable housing SPD, along with the Development Management Local Plan, will supersede this interim position statement.

Site Specific Designations

4.14 The Site is subject to the following designations under the adopted Development Plan:

- Within a Priority Employment Area (PEA);
- Within the Regents Canal Conservation Area;
- Bordering the Regents Canal, which is identified as Site of Interest for Nature and Conservation (SINC) and part of the Green Links, Green Corridors and Open Spaces in Hackney.

4.15 In addition, as set out previously within this Statement, the existing buildings on the Site were added to LBH's list of buildings of local interest in 2014, having been previously identified as Buildings of Townscape Merit in the Regents Canal Conservation Area Appraisal.

5.0 PLANNING POLICY ASSESSMENT

5.1 Within this section we assess the component parts of the proposed development against the statutory Development Plan and other material considerations as outlined in **Section 4.0**.

Employment Floorspace

5.2 The existing Site comprises a mix of pre-war industrial style buildings arranged around a central courtyard. The buildings are disjointed with a number of different styles and offer a mix of light industrial and office floorspace, totalling 3,387 sqm (NIA) / 4,784 sqm (GIA), with a café premises fronting the canal.

5.3 The majority of occupiers on the Site are on short term leases and some of the spaces rented on a daily basis. Consequently, there is a high turnover of occupiers on the Site, and significant uncertainty as to the medium to long term occupancy of the existing commercial floorspace.

5.4 The existing buildings offer a basic level of commercial accommodation, comprising a confused arrangement of large and small spaces with concrete floors, high ceilings and very little natural light. In general, the floorspace has a light industrial feel and is set up for studio type use with a small amount of office space. A total reconfiguration and refurbishment of the space would be required in order to bring it up to a modern specification that would appeal to long term occupiers. This is confirmed within the Employment Viability Report prepared by Currell Commercial, submitted in support of this Application.

5.5 As set out within **Section 3.0** of this Statement, the Site is located within a Priority Employment Area (PEA) wherein the Council seeks to promote business (Use Class B1), hotel (Use Class C1) and non-residential institutions as the preferred land uses. Policy 17 (Economic Development) of the Core Strategy clarifies that *“new A class and residential (C3) uses may be acceptable in PEAs”*.

5.6 Core Strategy Policy 18 (Promoting Employment Land) states that the Council will protect employment land and floorspace last used for employment purposes anywhere in the borough. The policy expands that redevelopment of existing employment land and floorspace may be allowed, as provided for in Policy 17 as above, when it will contribute to:

“addressing worklessness; improving business function and attractiveness; enhancing the specification of business premises; improving the immediate area; increasing the take up of existing employment floorspace and meeting the identified up-to-date needs of businesses located, or wishing to locate, on the borough. Any employment floorspace provided should contribute to the economic objectives of the borough...be of high quality, flexible, have natural light and be easily adaptable to the modern needs of business”.

Demand

- 5.7 Emerging Policy DM14 (Retention of Employment Land and Floorspace) of the Publication DM LP (July 2013) states that the Council will resist the loss of employment floorspace, unless there is strong evidence that there has been no demand for the existing floorspace for its current or former use, and the possibility of retaining, reusing or redeveloping it for similar or alternative smaller or more flexible units for commercial use has been fully explored.
- 5.8 This Application is accompanied by a Viability Report Relating to Employment Floorspace prepared by Currell Commercial. This report notes that the existing commercial accommodation on Site is substandard, providing basic and dated employment space characterised by inefficient floorplates. Furthermore, the existing building does not meet modern health and safety standards and is not DDA compliant, failing to provide adequate access for disabled persons.
- 5.9 In light of the above, and given increasing stringency applied to requirements for disabled access and forthcoming tightening of environmental criteria, it is considered that the existing space comprises an unattractive offer for commercial tenants. This is confirmed by the VREF which states at paragraph 4.5 that:
- “The current buildings are not well designed to make the most of the site and I feel it would be almost impossible to find an occupier to take occupation of the two buildings for B1 or similar use and hence it currently houses an abundance of different occupiers for mainly studio, filming and more light industrial use. Even if we were to consider letting the space to several smaller companies then I believe the lack of natural light in several parts of both buildings would make some of the space very difficult to let unless for light industrial or filming use”.*
- 5.10 Although the buildings are occupied at present, there is a high turnover of tenants and the floorspace is offered at sub market rents. In light of the poor condition of the

buildings, this regime cannot be sustained and will not ensure the long term future of employment use on the Site, which is a key objective for development within the PEA.

5.11 The VREF goes on to consider the works necessary to update the existing space to modern standards, including, for example:

- Refurbishment or replacement of the roof;
- Refurbishment or replacement of windows;
- Replacement of external doors;
- Internal stripping out throughout;
- Replacement of floors;
- Complete internal redecoration;
- Replacement of air conditioning;
- Installation of at least one new passenger lift;
- Upgrade of WCs; and
- Upgrade of kitchens.

5.12 It is not considered that the refurbishment of the existing space would be financially viable. In addition, the costs of maintaining an older building with inevitable and above average overheads when compared to more modern development are likely to preclude occupation by commercial tenants, particularly in the current market.

Quantity

5.13 The existing buildings comprise 3,387 sqm (NIA) of commercial floorspace. As set out previously, the proposed development seeks to provide 3,425 sqm NIA of commercial floorspace. Consequently, the proposals will yield an increase of 38 sqm above the quantum of floorspace currently available for commercial use.

5.14 This quantum of commercial floorspace does not include the 119 sqm (NIA) / 127 sqm (GIA) of proposed café floorspace (Use Class A3), which is also employment generating. Should this be included, the total employment space on the Site would be 3,552 sqm (NIA).

5.15 The financial appraisal accompanying this Application demonstrates that the proposed provision of commercial floorspace is the maximum amount that can be incorporated whilst maintaining a viable form of development. In order to reprovide this quantum of employment floorspace, the development can only be made viable if supported by a higher value generating use, such as residential.

- 5.16 Emerging Policy DM16 of the DM LP states that the Council will “seek 10% of the new floorspace within major commercial development schemes 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 proposed development includes the delivery of approximately 340 sqm (NIA) of affordable commercial floorspace to directly respond to this policy requirement.

Quality

- 5.17 The redevelopment of the Site affords the opportunity to considerably improve upon the quality of the existing employment floorspace offer. As discussed in more detail later within this Statement, the proposed development will provide modern, fit for purpose commercial floorspace which represents a significant improvement to its quality and flexibility. This is in line with London Plan Policy 4.2 (Offices), which sets out that the Mayor will, and boroughs should, “encourage renewal and modernisation of the existing office stock in viable locations to improve its quality and flexibility”.

- 5.18 Paragraph 6.2 of the accompanying VREF states that:

“The space proposed would now be primarily on basement, ground floor and first floor only, as well as a small part of the second floor, and would comprise approximately 4,218 sqm (45,000 sqft) commercial space which would be to a modern standard with good natural light and ceiling height throughout. Therefore it is envisaged that there would be no loss of employment space but the proposed B1 office space would be modelled to ensure it met current market requirements and would replace the current sub-standard accommodation in situ”.

- 5.19 The proposed development is considered to accord with Core Strategy Policy 18 (Promoting Employment Land), and with paragraph 4.7.1 of the DM LP, which states that the Council will support the provision of “more modern, high quality employment floorspace with better facilities which can lead to better quality jobs and higher density employment”. This is reflected in emerging Policy DM14 (Retention of Employment Land and Floorspace) of the DM LP which seeks that “any new employment use provides a range of higher quality, more flexible floorspace and preferably a higher density employment than the previous use”.

- 5.20 Furthermore, the proposed commercial space adheres to the requirements of emerging Policy DM15 (New Business Floorspace) which states that new commercial floorspace should be “well designed, high quality...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 and independent commercial enterprises”.

- 5.21 The VREF demonstrates that the quality of the new employment floorspace will be attractive to the market and sets out how the floorspace will be marketed and at what price.
- 5.22 In conclusion, the qualitative improvement in floorspace, coupled with the net increase, is considered to outweigh the quantitative loss on a GIA basis.

Employment Density

- 5.23 Core Strategy Policy 16 (Employment Opportunities) states that the Council will seek to address unemployment and facilitate access to jobs by increasing the employment offer within the borough and allocating land for employment purposes. As already set out, Core Strategy Policy 18 (Promoting Employment Land) states that the redevelopment of commercial floorspace should address worklessness. Furthermore, emerging policy DM14 (Retention of Employment Land and Floorspace) of the DM LP (2012) states that the quantitative loss of employment floorspace may be acceptable where such floorspace provides *“higher density employment than the previous use”*.
- 5.24 We consider that the proposed development directly accords with these adopted and emerging policies. As set out above, the current building supports 100 – 200 full time employees occupying commercial space of approximately 4,784 sqm (GIA), including the café floorspace. Through the provision of 4,345 sqm of high quality commercial floorspace, the proposed scheme could create approximately 296 full time jobs. This calculation has been undertaken in accordance with guidance set out in the Employment Densities Guide produced by the Homes and Communities Agency (HCA). As such, the proposed development, when compared to the existing use, will increase the number of jobs by between 100 and 200. This does not include the employment generated through the creation of the café floorspace.
- 5.25 Critically, the new commercial floorspace element of the proposals would not be profitable in isolation to the developer. Consequently, its delivery is dependent upon the residential element, which effectively serves as ‘enabling development’, allowing the provision of high quality and affordable commercial space within the PEA, in accordance with the Council’s priority for development in this location. This is consistent with London Plan Policy 4.3 (Mixed Use Development and Offices) which

states that *“mixed use development and redevelopment should support consolidation and enhancements to the quality of the remaining office stock”*.

- 5.26 In conclusion, the proposed fit-for-purpose employment floorspace will provide a substantial increase in terms of the intensification of employment uses on the Site and represents the maximum viable amount of commercial floorspace capable of being delivered on the Site.

Principle of Mixed Use Development

- 5.27 The proposed employment led mixed use development accords with the current thrust of planning policy at a national and regional level, which places an emphasis on achieving sustainable development. In particular, at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as the ‘golden thread’ running through plan making and decision taking.
- 5.28 Both the NPPF and the London Plan advocate the need to regenerate previously developed land and optimise the use of land and provide high density development in appropriate locations.
- 5.29 Accordingly, the principle of comprehensive mixed-use redevelopment for the Site is clearly established in adopted and emerging planning policy guidance. At the national level, paragraph 17 of the NPPF identifies a number of core planning principles, including the need for plan-making and decision taking to both *“promote mixed use developments”* and *“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”*.
- 5.30 The principle of mixed use development is similarly encouraged at the local level, with Core Strategy Policy 17 (Economic Development) stating 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 development with a strong viable employment component that meets the identified needs of the area”*.
- 5.31 In terms of emerging policy, the DM LP notes at paragraph 3.2.3 that mixed use development can be beneficial in a number of ways, such as *“reducing the need to travel between homes, jobs and services, providing a range of activities through the day, allowing an efficient use of land, and providing more opportunities for the development of housing”*. Furthermore, at Paragraph 4.1.3 it is recognised that in order

to reflect the changing nature of the local economy and allow for the provision of higher grade, more modern and less 'heavy' commercial uses, the Priority Employment Area designations allow the development of mixed use schemes where appropriate.

- 5.32 Detailed consideration has been given to the commercial component of the proposals above, as well as the need for residential floorspace to be included as part of the proposals not only to respond to local need but also to facilitate the redevelopment of the site and allow for the reprovision of employment uses, including affordable commercial floorspace. The application seeks to provide a high-quality mixed-use development within the borough, which will serve to enhance the local area and respond to policy objectives for high quality affordable employment space within the PEA, along with the provision of high quality residential accommodation of a range of unit sizes. As such, we consider that the principle of development is in full accordance with planning policy requirements.

Residential Development

- 5.33 The promotion of residential uses as part of mixed-use development is in accordance with national and regional policy guidance, with the NPPF stating that "*housing applications should be considered in the context of the presumption in favour of sustainable development*". Furthermore, the NPPF also advocates policy that seeks to significantly boost the supply of housing (paragraph 47).
- 5.34 Paragraph 47 of the NPPF also requires local planning authorities to ensure their Local Plan meets the full, objectively assessed housing needs for market and affordable housing. There is a specific requirement for local planning authorities to maintain a supply of deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market.
- 5.35 London Plan Policy 3.3 (Increasing Housing Supply) states that there is a "*pressing need for more homes in London*". Part D of the policy states that boroughs should seek to achieve and exceed the relevant minimum borough annual average housing targets through the intensification of brownfield housing sites and mixed use redevelopment, especially of surplus commercial capacity.
- 5.36 The London Plan target for residential development in Hackney, as set out in Table 3.1 of the London Plan, is 1,599 new residential units per year (15,988 total to 2025).

- 5.37 At the local level, there is a general presumption in favour of residential development within the saved policies of Hackney's UDP. Saved Policy HO3 sets out that the Council will normally permit housing development on sites not designated for residential use providing that this does not conflict with other policies. As highlighted above, Core Strategy Policy 17 states that residential development is considered acceptable in PEAs where auxiliary to employment floorspace.
- 5.38 Emerging Policy DM19 of the DM LP refers to the Council's general approach to new housing development, stating that there is a general presumption in favour of housing and that proposals for new housing development will be permitted provided they would not adversely conflict with other adopted policies in relation to design quality, amenity, environmental sustainability, employment land and floorspace, and the borough's shopping centres.
- 5.39 The delivery of new housing is therefore a key policy requirement at the national, regional and local levels.
- 5.40 The scheme proposes the delivery of 64 residential units on the Site, contributing to the targets set for the borough. As set out within the preceding section of this chapter, the residential element of the proposed scheme is intended to serve as enabling development, allowing the delivery of high quality affordable employment space which would not otherwise be viable, in accordance with the Council's development priorities for the PEA.
- 5.41 Sited within an accessible location, the scheme will provide high quality residential accommodation targeted at individuals who wish to benefit from urban living. As evidenced by the accompanying Design and Access Statement and discussed later within this Statement, the residential units will be designed to the highest standards. It is therefore likely that the residential development will contribute significantly to the viability of local services and thus the vitality of the wider area.

Residential Density

- 5.42 London Plan Policy 3.4 (Optimising Housing Potential) seeks to optimise housing density, having regard to local context, design principles and public transport accessibility. The policy cross refers to Table 3.2, which sets out appropriate density ranges for residential development in terms of location, existing building form and massing, and PTAL rating.

- 5.43 As set out previously within this Statement, the Site benefits from a PTAL rating of 3. Table 3.2 highlights that an appropriate density range for a site with a PTAL of between 2 and 3 in a Central location is between 350 and 650 habitable rooms per hectare.
- 5.44 Importantly however, it is expressly stated that Table 3.2 should not be applied mechanistically when assessing proposals for residential development, and that *“its density ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential – local context, design and transport capacity are particularly important”*. This is echoed within paragraph 47 of the NPPF which states that in order to boost significantly the supply of housing, local planning authorities should set out their own approach to housing density to reflect local circumstances.
- 5.45 Building on from this, the Mayor's Housing SPG (November 2012) provides further guidance on the issue of housing density, stating that, in general *“higher levels of public transport accessibility provide scope for higher density development”*.
- 5.46 This is reflected at the local level within Policy 22 of Hackney's Core Strategy (Housing Density), which states that higher residential density will be promoted in sustainable locations.
- 5.47 The proposed development includes a total of 188 habitable rooms, equating to a residential density of 478 habitable rooms per hectare (hr/ha). This is within the range identified within Table 3.2 of the London Plan, and will serve to ensure that the proposed development fits in with the local context, does not negatively impact the amenity of neighbours and provides appropriate accommodation for future residents. It is therefore considered that the proposals are entirely acceptable in this regard.

Housing Mix, Unit Size and Design

Mix

- 5.48 Policy 3.8 (Housing Choice) of the London Plan seeks to ensure that new residential developments comprise a mix of unit sizes to address the housing needs of the local area. The policy does not, however, specify a precise mix of housing types.
- 5.49 Core Strategy Policy 19 (Housing Growth) states that new residential development should incorporate a mix of dwelling types and sizes that reflect Hackney's current and future housing needs. In terms of emerging policy, Policy DM22 (Homes of Different

Sizes) of the DM LP includes the following preferred residential mix for market housing within the borough:

1 bed	2 bed	3 bed or more
Lower % than 2 bed	Higher % than 1 bed	33%

- 5.50 Emerging Policy DM22 (Homes of Different Sizes) acknowledges that *“the mix may vary...dependent on site and area location and characteristics, and scheme viability, if required or agreed by the Council”*.
- 5.51 The application proposes 64 residential units, 28 of which (44%) of which are to be 1-bed units, 21 (33%) are to be 2-bed units, 13 (20%) are to be 3-bed units and 2 (3%) are to be 4-bed units. The proposed mix has been developed in response to the specific location and characteristics of the Site, which make it less appropriate for family housing. Specifically, the Site is located within a densely developed area close to a District Centre, and offers limited opportunities for the type and quality of amenity space and children’s play space required to support a large number of family sized units. Accordingly, it is considered that development upon the Site should focus upon the intensification of housing, ideally achieved through the delivery of predominantly one and two bed accommodation.
- 5.52 From a commercial stand point, this is also the optimum mix to ensure an economically viable scheme that delivers the significant benefits identified, specifically in terms of affordable employment floorspace. As set out previously within this Statement, the residential element of the proposed scheme is intended to serve as enabling development, allowing the delivery of high quality employment space which would not otherwise be deliverable. This responds to the Council’s development priorities for the area. As such, the proposed residential mix has been arrived at in order to support the viability of the scheme. A larger proportion of family sized units would reduce the total number of residential units on the Site and therefore reduce the viability of the development and its ability to be implemented. That said, the proposed development yields a significant proportion of family sized units and as such will make a positive contribution to addressing the housing needs of the borough.
- 5.53 In light of the particular circumstances of the Site, we consider that the proposed housing mix is acceptable.

Size and Design

- 5.54 London Plan Policy 3.5 (Quality and Design of Housing Developments) states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. The policy adds that the design of new dwellings should take account of “*factors relating to ‘arrival’ at the building and the ‘home as a place of retreat’, have adequately sized rooms and convenient and efficient room layouts*”. The policy also states that LDFs should incorporate minimum space standards that generally conform to Table 3.3 of the London Plan.
- 5.55 Supporting text for this policy also notes that new housing development should take account of the London Plan’s more general design principles (Policies 7.2 – 7.12), and those on neighbourhoods (Policy 3.8) and sustainable design and construction (Policy 5.3).
- 5.56 Additionally, the Mayor’s Housing SPG (November 2012) sets out a requirement for a minimum of 5 sqm of private outdoor space that should be provided for 1 – 2 person dwellings and an additional 1 sqm for each additional occupant (Standard 4.10.1).
- 5.57 In May 2015 the Mayor published proposed Minor Alterations to the London Plan (MALP), which seek to reflect new national space standards and set out the new standards which the Mayor wishes to adopt across London. The MALP also removes reference to Lifetime Homes, with the proposed amendments requiring that 90% of new housing be built to meet Building Regulation requirement M4 (2) ‘accessible and adaptable dwellings’ and 10% be designed as wheelchair accessible.
- 5.58 In addition, in May 2015, the Mayor published the Draft Interim Housing SPG which provides revised guidance as to how to implement housing policies within the London Plan, as well as providing clarity on what standards apply in the transition period before the adoption of the MALP.
- 5.59 As set out within the Design and Access Statement prepared by SDPS Architects, the majority of residential units across the Site are single storey, whilst the central block positioned along Eagle Wharf Road comprises duplex apartments at second and third floors to provide dual aspect family units. There are no single aspect north facing units within the development.
- 5.60 All residential units have private amenity space in the form of either terraces or balconies and all are designed to meet the size standards set out in the relevant adopted and emerging policy documents.

5.61 In summary, the proposed development provides a range of unit sizes and types to meet the requirements of London Plan and local policies. The proposed mix has been developed to respond to the specific characteristics of the Site's location and surroundings, including levels of accessibility. Given this, the decision has been taken to provide primarily one and two bedroom units, although a smaller element of three bedroom units is proposed. In design terms, all of the units have been designed to meet all relevant housing space and accessibility standards.

Affordable Housing

5.62 London Plan Policy 3.11 (Affordable Housing Targets) removes the strategic target for 50% of all new residential development to be provided as affordable housing, replacing it with an annual average target across London of 17,000. The policy states that 60% of affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale, with priority afforded to the provision of family housing.

5.63 Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) sets out that the maximum reasonable amount of affordable housing that should be sought when negotiating on individual private residential and mixed use scheme, having regard to:

- a. Current and future requirements for affordable housing at local and regional levels;
- b. Adopted affordable housing targets;
- c. The need to encourage rather than restrain development;
- d. The need to promote mixed and balanced communities;
- e. The size and type of affordable housing needed in particular locations; and
- f. The specific circumstances of individual sites.

5.64 Part B of Policy 3.12 specifies that negotiations should take account of the individual circumstances of schemes of sites, a central element of which is development viability.

5.65 Policy 20 (Affordable Housing) of Hackney's Core Strategy states that "*affordable housing will be sought on all developments comprising 10 residential units or more. New housing should seek to meet a borough wide affordable housing target of 50% of all units subject to site characteristics, location and overall scheme viability*".

5.66 The Application includes the delivery of 14 intermediate units, comprising 22% of the total number of residential units on the Site. The intermediate units are to be located

within Block A and are envisaged to comprise 5 one-bed units, 4 two-bed units and 5 three-bed units.

- 5.67 As set out in the supporting Financial Viability Assessment, the delivery of 22% affordable housing is considered to be the maximum that can viably be supported by the proposed development, which also includes the delivery of affordable commercial space in line with policy priorities for the area.

Design

- 5.68 High quality and inclusive design is encouraged at all policy levels. The NPPF notes that good design is a key aspect of sustainable development, and should contribute positively to making places better for people. Part 7 of the NPPF outlines the requirement for good design and sets out that development should:

- Function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- Are visually attractive as a result of good architecture and appropriate landscaping.

- 5.69 Chapter 7 of the London Plan sets out the Mayor's policies on a number of issues relating to London's places and spaces. Policy 7.2 (An Inclusive Environment) requires all new development in London to achieve the highest standards of accessible and inclusive design, while Policy 7.4 (Local Character) states that "*development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings*". Part D of Policy 7.6 (Architecture) states that buildings and structures should "*not cause unacceptable harm to the amenity of surrounding land and buildings*".

5.70 At the local level, Core Strategy Policy 24 (Design) states that *“all development should seek to enrich and enhance Hackney’s built environment and create a sense of place and local distinctiveness that is attractive and accessible”*. It is stated that this is to be achieved by:

- Ensuring good and optimum arrangement of the site in terms of form, mass and scale, including usable amenity space where appropriate and addressing biodiversity matters;
- Adopting 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;
- Identifying with and respecting the architectural, historic quality and character of the surrounding environment;
- Enhancing of the area between the public and private domains including boundary treatment and access for all;
- Enhancing of the Public Realm and ensuring good connection into existing routes, movement patterns and streetscape; and
- Reducing crime and the perception of crime by promoting social inclusion, reducing barriers to movement and applying the principles of ‘Secure by Design’.

5.71 Proposed Policy DM1 (High Quality Design) of the Publication DM LP (July 2013) sets out design criteria for new development, based around general design principles and specific issues of setting and context. Within this policy it is stated that development proposals should *“be of a height and massing which responds to and is compatible with the streetscape and adjacent buildings, has regard to heritage assets and to the particular circumstances of the site”*, should *“incorporate sustainable design and construction measures and material”*, *“be well laid-out internally, ensuring that proposals would not lead to cramped layouts, and allow for adequate circulation space”* and *“provide a safe and inclusive environment, designed to be accessible to people with disabilities”*.

5.72 The GLA has also published Supplementary Guidance to the London Plan. SPG: Achieving an Inclusive Environment provides detailed advice and guidance on providing inclusive design in London.

5.73 In terms of design, the proposed development follows a number of overarching principles, as follows:

- The retention and enhancement of key heritage assets within the Site;

- The provision of an open and sensitive canal frontage;
- The arrangement of buildings within the Site to maximise the provision of high quality and efficient commercial floorspace; and
- The arrangement of buildings within the Site to minimise proximity to adjoining properties, including the location of the tallest element of the scheme in a way that reduces the potential impact on neighbours.

5.74 An initial pre-application submission was made to the Council in September 2014, with a meeting held with officers in October 2014. Following this meeting and comments received from officers, the overall massing and scale of the proposed development was reduced. This was supported by further analysis in the form of a street elevation massing study, which analysed the step backs and scale of the façade in relation to the existing context of the Site. In addition, lightwells were integrated within the street elevation and refined to create a coherent and open ground floor.

5.75 Following a second pre-application submission, a further meeting was held with LBH to discuss issues raised in terms of the massing along Eagle Wharf Road and the proposed additional storey to the existing warehouse building fronting the Regent's Canal. In response, revisions were developed to break up the massing into separate blocks along Eagle Wharf Road. It was subsequently agreed by LBH that:

- The revised massing to Eagle Wharf Road was much improved; and
- The new massing breaks up the street scene and has a less overbearing effect than that previously proposed.

5.76 The scheme proposals were presented to LBH's Design Review Panel in April 2015, and a subsequent meeting was held with design officers in May 2015. Following these meetings, it was agreed that the applications proposals would be amended slightly, as follows:

- Incorporation of balconies within simplified building forms;
- Introduction of a brick clad frame to extend the main street elevation of the central block up to the fourth floor; and
- Introduction of spandrel panels at the base of the ground floor fenestration to provide screening to low level office furniture etc.

5.77 It is considered that the proposals, particularly in terms of height and mass, respond appropriately to the surrounding built context. The design proposals are set out in detail in the accompanying Design and Access Statement prepared by SDPS, which also details the evolution of the scheme.

Heritage

- 5.78 The NPPF provides government guidance on managing the historic environment. Paragraph 128 states that LPAs should require an applicant to describe the significance of any heritage assets affected including any contribution made to their setting. The guidance sets out the matters to be taken into account in deciding applications which impact on heritage assets, both designated and non-designated with a presumption in favour of conservation of designated assets. The policy notes that those elements that contribute positively to the setting of, or better reveal, heritage assets should be preserved.
- 5.79 Respect for heritage assets is required by Policy 7.8 of the London Plan which states that the Mayor and Boroughs should seek to ensure that new developments conserve, and where possible enhance, the significance of heritage assets.
- 5.80 At the local level, Policy 25 of the Core Strategy requires development to make a positive contribution to the character of Hackney's historic and built environment. This includes identifying, conserving and enhancing the historic significance of the borough's designated heritage assets, their setting and where appropriate the wider historic environment.
- 5.81 Saved policy EQ13 of the UDP refers to the demolition of unlisted buildings within conservation areas and states that this will usually be permitted where:
- a) The existing building does not make a positive contribution to the character and appearance of the conservation area; and / or where demolition is considered acceptable and there are satisfactory proposals for redevelopment of the site, conservation area consent will be granted concurrently with full planning permission. This consent will either be conditional upon the making of a contract for the works necessary to implement the approved development scheme as one operation or subject to a legal agreement to secure the same objective;
 - b) The proposed replacement building, other development or vacant site would preserve or enhance the character or appearance of the conservation area.
- 5.82 Saved policy EQ14 refers to the alteration and extension of buildings in conservation areas and states that this will usually be permitted where:
- a) They preserve or enhance the character or appearance of the area;

- b) They preserve (or, where missing, reinstate) characteristic features such as doors, windows, roof details and party wall upstands even where these elements may be redundant.

5.83 In terms of emerging policy, DM 28 of the DM LP is entitled 'Managing the Historic Environment' and covers the approach to conservation areas and other heritage assets (including locally listed assets).

5.84 As set out previously within this Statement, the application site lies within the Regent's Canal Conservation Area, and a number of buildings on the Site have been added to LBH's list of buildings of local interest, having been previously identified in the Regent's Canal Conservation Area Appraisal as Buildings of Townscape Merit. A detailed analysis of the 'significance' of these heritage assets and the effect of the proposed development upon them is contained within the Heritage Statement prepared by Montagu Evans which accompanies this Application.

5.85 It is noted within the Heritage Statement that the redevelopment of the Site retains the buildings of most historic and architectural interest. These buildings, the 19th century warehouses and the tall chimney, will be renovated and the proposals include the removal of later extensions and structures attached to these buildings such that their significance is better revealed. Consequently, views along the Regent's Canal towards the site will be enhanced. The creation of open space around the chimney and improvements to the canalside frontage in front of the retained buildings will provide further enhancement of this part of the Conservation Area.

5.86 The conclusion within the Heritage Statement is that the retention and renovation of the most interesting historic buildings on the site will enhance the character and appearance of this part of the Regent's Canal. The loss of other buildings within the site is justified by the high quality design approach to the new buildings on the site. Therefore, the character and appearance of the Regent's Canal Conservation Area are not only preserved but enhanced, complying with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990, the policies of the National Planning Policy Framework and the Hackney Development Plan policies relating to historic environment.

Residential Amenity

5.87 At a national and regional level there is a requirement to prevent unacceptable harm to amenity arising from new development. Paragraph 109 of the NPPF seeks to prevent new and existing development from contributing to or being put at unacceptable risk

from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution.

- 5.88 London Plan Policy 7.6 (Architecture) states that buildings and structures should not “*cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate*”.
- 5.89 This is echoed by Proposed Policy DM1 (High Quality Design) of the DM LP, which states that development proposals must “*ensure adequate sunlight, daylight and open aspects to all parts of the development and adjacent buildings and land, and ensure that proposals are not obtrusive in relation to adjacent buildings*”. Proposed Policy DM2 (Development and Amenity) furthers that development proposals must be designed to ensure that they will not result in adverse impacts on the amenity of occupiers and neighbours.

Daylight / Sunlight

- 5.90 A Daylight / Sunlight Analysis has been prepared by Dixon Payne and accompanies this application. This report sets out details of assessments undertaken in accordance with the BRE Report “*Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice*” (2011).
- 5.91 The report concludes that in terms of the effect on daylight, the proposals accord with the guidelines, save for the effect on 14-27 Eagle Wharf Road. In this instance, there is a discernible effect, but only as a consequence of the proposals matching the size and mass of the adjacent building known as Angel Wharf.
- 5.92 Insofar as sunlight is concerned, only the windows to the front elevation windows to 12A/B Eagle Wharf Road met the criteria for analysis; following the proposals these windows will receive above 50% of annual sunlight with at least 18% of winter sun.
- 5.93 In terms of internal illuminance, the proposed accommodation can be seen to accord with the relevant guidelines.
- 5.94 Overall, the daylight/sunlight effects of the scheme are considered to be acceptable, particularly in the context of a high density urban location such as this.

Noise

- 5.95 In terms of noise, the accompanying Noise Impact Assessment prepared by Accon UK notes that through the provision of double glazed window units and appropriately designed ventilation, a good internal noise environment can be achieved within the proposed residential units. These measures would achieve compliance with relevant regional and local policy standards.

Transport

- 5.96 Section 4 of the NPPF sets out the Government's policy in terms of Transport. Paragraph 29 notes that:

“transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives”.

- 5.97 Paragraph 32 requires that developments that generate significant amount of movement are supported by a Transport Statement or Transport Assessment, while paragraph 36 requires a Travel Plan.
- 5.98 Chapter 6 of the London Plan provides the regional guidance for transport. Policy 6.1 (Strategic Approach) seeks to encourage the *“closer integration of transport and development”*, while supporting *“development that generates high levels of trips at locations with high public transport accessibility and/or capacity”*.
- 5.99 At the local level, Core Strategy Policy 6 (Transport and Land Use) states that the Council will *“encourage patterns and forms of development that reduce the need to travel, particularly by car, and will ensure that development results in the highest standard of design quality, environment and facilities for pedestrians and cyclists”*.
- 5.100 In terms of emerging policy, Policy DM45 (Movement Hierarchy) of the DM LP states that all development proposals should prioritise transport users in line with the following hierarchy:

- Pedestrians and those with mobility difficulties;
- Cyclists;
- Public transport;
- Coaches and taxis/private hire vehicles;
- Motorcycles;

- Rail freight;
- Commercial and business users including road haulage;
- Car borne shoppers and visitors; and
- Car borne commuters.

5.101 Additionally, Policy DM46 (Development and Transport) states that “*developments should make suitable provision for encouraging the use of public transport, walking and cycling*”, while Policy DM47 (Walking and Cycling) states that development proposals must “*take full account of the needs of pedestrians, cyclists and other users*”.

5.102 As set out in the accompanying Transport Statement prepared by TTP Consulting, the site has PTAL rating of 2, indicating a low accessibility to public transport. However, it is important to note that Old Street Station is just outside of the 960m walk distance cut off from the site and it is therefore considered that a PTAL of 2 underplays the true accessibility of the site. In pre-application discussions, LBH have indicated that PTAL of 3 is more representative of the ‘true’ accessibility of the Site.

5.103 The TS confirms that the development is not anticipated to have any material impact in traffic/transport terms, and that all of the relevant operators, i.e. bus, rail, tube and train services, would have sufficient spare capacity to accommodate the trips that could be generated by the proposed development.

Car Parking

5.104 The NPPF highlights some national guidance in respect of car parking. The document advocates that local authorities should set parking standards that are in line with local needs, considering accessibility of the development, the type and usage of the development, accessibility to public transport and the overall need to reduce the use of high-emission vehicles.

5.105 Policy 6.13 of the London Plan (Parking) aims to achieve an appropriate balance between promoting new development and preventing excessive car parking provision. Maximum standards are set out in Table 6.2, which states that sites within urban areas with a PTAL of 2 – 4 should provide up to 1.5 spaces per unit where the density of development is between 45 – 145 units per hectare, and up to one space per unit where the density of development is between 70 – 170 units per hectare. Notes to the table explicitly state that all developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit.

- 5.106 The development is proposed as largely car free, with a total of 3 car parking spaces are proposed on site for use by blue badge holders. In light of the accessible nature of the Site, the provision of limited car parking fully accords with the relevant development plan policies and importantly will encourage the use of more sustainable modes of transport.

Cycling and Walking

- 5.107 Policy 6.9 of the London Plan outlines the Mayor's strategy for increasing cycling within the capital. The identified target is for cycling to account for at least 5% of modal share by 2026. The policy outlines that development should contribute to the increase of cycling through the provision of cycle parking facilities and on-site changing facilities. Policy 6.10 of the London Plan aims to bring about a significant increase in walking, by improving the quality of the pedestrian and street environment.
- 5.108 Table 6.3 within the London Plan sets out the Mayor's minimum cycle parking standards. For residential dwellings, the requirement is for 1 space per studio/1 bed dwelling and 2 spaces for all other dwellings, plus 1 space per 40 units as short stay spaces.
- 5.109 Cycle parking for a total of 176 cycles is provided within the site. Using the 2015 FALP London Plan standards 1 cycle parking space would be required per 1 bed unit and 2 spaces per 2 bed + unit, giving a parking standard of 100 cycle parking spaces for the residential units, with an additional 2 visitor spaces required. A total of 103 residential cycle parking spaces are provided for in two secure stores within the building.
- 5.110 Cycle storage for the restaurant and office units will be allowed for to meet the latest FALP cycle parking standards with a total of 73 employee, customer and visitor spaces provided for within the Site.
- 5.111 The creation of pedestrian flow through the Site has been central to the development of the scheme design, with the creation of a route through to the Regents Canal.

Sustainability and Energy

- 5.112 Section 10 of the NPPF contains the Government's policy on climate change. Paragraph 96 states that:

"in determining planning applications, local planning authorities should expect new development to:

- *Comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the application, having regard to the type of development involved and its design, that this is not feasible or viable; and*
- *Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”.*

5.113 The Mayor seeks to achieve an overall reduction in London’s carbon dioxide emissions of 60% (below 1990 levels) by 2025 (Policy 5.1 Climate Change Mitigation). All Boroughs are to develop policies to promote the reduction of carbon dioxide emissions and to help achieve the Mayor’s strategic carbon dioxide emissions target.

5.114 Policy 5.2 of the London Plan (Minimising Carbon Dioxide Emissions) states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- **Be Lean:** use less energy – This involves the use of passive and energy efficiency design measures to reduce the energy requirement and subsequent carbon footprint of the site. These provide a footprint which delivers compliance with Building Regulations Part L (2010) and the Baseline Energy and Carbon emission figures for the development.
- **Be Clean:** supply energy efficiently – The use of a central energy centre has been considered to serve the development, to provide the primary heating and cooling requirements for the development.
- **Be Green:** use renewable energy – The use of renewable energy has been investigated in the context of the site and the overall usage pattern of energy throughout the development.

5.115 London Plan Policy 5.3 (Sustainable Design and Construction) states that development proposals should demonstrate that sustainable design standards are integral. This should include:

- Minimising carbon dioxide emissions across the site, including the building and services (such as heating and cooling systems)
- Avoiding internal overheating and contributing to the urban heat island effect.
- Promoting and protecting biodiversity and green infrastructure.

- 5.116 Policy 5.5 (Decentralised Energy Networks) states that the Mayor expects 25% of the heat and power used in London to be generated through the use of localised decentralised energy systems by 2025. In order to do this, the Mayor 'prioritises the development of decentralised heating and cooling networks at the development and area wide levels, including larger scale heat transmission networks'. Policy 5.6 (Decentralised Energy in Development Proposals) states that development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems, and where a new CHP system is appropriate also examine opportunities to extend the system beyond the site boundary to adjacent sites. Part B of the Policy requires that major development proposals select energy systems in accordance with the following hierarchy:
- Connection to existing heating or cooling networks
 - Site wide CHP network
 - Communal heating and cooling
- 5.117 Policy 5.7 (Renewable Energy) further states that major development should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.
- 5.118 The Application is accompanied by an Energy Statement prepared by XCO2 Energy. The ES demonstrates that in line with the London Plan's three step energy hierarchy, the regulated CO2 emissions for this development have been reduced by 49.5% once energy efficiency measures, district heat network connection and renewable technologies have been taken into account.
- 5.119 In terms of sustainability, the accompanying Sustainability Assessment, also prepared by XCO2, notes that the proposals meet the sustainability targets set by the Mayor and the Council.
- 5.120 The commercial areas of the scheme achieve 72.4 credits for the Retail and 73.2 credits for the Office building categories, exceeding the BREEAM 'Excellent' target of 70 credits.

6.0 PLANNING OBLIGATIONS / CIL

6.1 An Independent Viability Assessment has been undertaken for the scheme and accompanies this Application.

6.2 Within this assessment, consideration is given to the Mayoral CIL requirements which formally came into effect on 1 April 2012. Under this the rate for the London Borough of Hackney is set at £35 per sqm, giving rise to a potential CIL liability in the region of £437,412.90.

6.3 Consideration is also given to the LB Hackney CIL requirements which formally came into effect on 1 April 2015. Under this the rate for residential development on the Site is set at £190 per sqm, giving rise to a potential CIL liability in the region of £1,172,734.

Affordable Employment Space

6.4 As set out in detail within the preceding sections of this Statement, it is proposed that the scheme will provide approximately 340 sqm (GIA) of affordable commercial space. This equates to 10% of the total provision across the Site, responding to the policy objectives of LBH as contained within emerging policy DM16 of the DM LP (July 2013).

Affordable Housing

6.5 As above, the scheme proposals include the delivery of 14 intermediate residential units on site, equating to 21.8% of the total residential units provided.

7.0 PLANNING BENEFITS

7.1 Having regard to the assessment undertaken within this Statement, we consider the planning benefits arising from this scheme can be summarised as follows:

- The scheme will deliver the mixed use redevelopment of an underutilised previously developed site within a key location in the London Borough of Hackney;
- The scheme will bring about an increase in the net commercial space provided on site;
- As well as this quantitative increase, the proposed commercial floorspace will be developed to a high standard and modern specification, delivering a major qualitative enhancement. This will increase the likelihood of the accommodation being let, enhancing the viability and vitality of the PEA;
- In accordance with the Council's primary development objectives within the PEA, the proposals will make provision for the delivery of approximately 340sqm of affordable commercial space, equating to 10% of the total commercial floorspace provided;
- The commercial floorspace provided on site includes space for film/photographic studios, specifically designed to meet the requirements of Holborn Studios, thereby allowing for the retention of a key local business on site;
- The delivery of 64 high quality residential units is consistent with strategic objectives at all tiers of planning policy, seeking to promote residential development within accessible locations;
- The delivery of 14 affordable units (21.8% of the total provision on site), including 5 family sized units; and
- The scheme makes the best use of a constrained and underutilised site in a way that gives rise to no demonstrable adverse impacts on the residential amenity of existing or future residents.

8.0 SUMMARY AND CONCLUSIONS

8.1 This Application proposes the partial demolition of the existing buildings on the Site, the retention of the key buildings and structures of heritage merit and the redevelopment of the remainder of the Site to deliver:

- 4,218 sqm (GIA) of commercial floorspace (Use Class B1);
- 127 sqm (GIA) of café floorspace (Use Class A3);
- 64 residential units, including 14 intermediate units, comprising a mix of unit sizes;
- Landscaped communal courtyards; and
- A new pedestrian route through to the Regents Canal.

8.2 This Statement has provided an assessment of the proposals against the Statutory Development Plan, as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004.

8.3 The proposals have been formulated in accordance with the adopted London Plan (2015), as well as adopted and emerging regional and local policies.

8.4 The proposed development is considered to accord with the relevant policies of the adopted and emerging development plan, as well as being consistent with national planning policy.

8.5 The proposals have been developed within the context of pre-application discussions with officers at the London Borough of Hackney. As a result, scheme changes have been incorporated to respond to comments received.

8.6 The proposals will deliver an appropriate mix of uses and provide a high quality development that is well related to the surrounding environment and which responds to policy objectives for the location, specifically in terms of the provision of high quality affordable commercial floorspace.

8.7 The existing commercial floorspace on the Site is of poor quality and is underutilised. The proposed scheme provides 4,218 sqm (GIA) of modern, high quality commercial floorspace, of which 10% is to be provided as affordable business space. This accords with the requirements of planning policy at all tiers and importantly will safeguard the future of the Site for employment generating uses.

- 8.8 An element of the new commercial space has been specifically designed to meet the requirements of Holborn Studios, enabling the retention of an important local business on the Site.
- 8.9 The delivery of new housing is a key policy requirement at all levels and the proposed development will provide high quality housing of a range of unit sizes.
- 8.10 Of the housing provided, 21.8% is to be delivered as intermediate units, including 5 family sized units.
- 8.11 The decision has been taken to deliver primarily smaller units in order to optimise the development potential of the Site.
- 8.12 The protection of residential amenity has been an important consideration which has influenced the design development of the Application proposals.
- 8.13 An assessment of the significance of the heritage assets on the Site has been undertaken. Those considered to be of the greatest importance are retained as part of the proposed redevelopment of the Site. The accompanying Heritage Statement also concludes that
- 8.14 In conclusion, the proposed development is considered to be in accordance with relevant national and regional planning policy guidance, as well as the Council's adopted and emerging Development Plan policies.

Appendix 1

LBH Pre-Application Response

Dated 30 October 2014

Planning Service Pre-Application Report

Site Address:

49 – 50 Eagle Wharf Road

London

Meeting Date: 30 October 2014**Hackney Reference:** HK\2014\ENQ\002527**Planning Officer:** Russell Smith**Applicant Name and Address:**

Montagu Evans LLP, 5 Bolton Street, London W1J 8BA

Proposal:

The pre-application proposals relate to the redevelopment of land at 49-50 Eagle Wharf Road. The proposals involves partial demolition of buildings on site with retention of one 3 storey building and an industrial chimney, along side redevelopment to provide a mixed use scheme comprising of 5 – 7 storey blocks to provide:

- 80 residential dwellings;
- 4352 sqm of Class B1 floorspace;
- Landscaped communal courtyards;
- A new pedestrian route through to the Regents Canal;

Pre-Application Advice**Key Relevant Policies:****London Plan (LP) 2011**

- Policy 3.3 – Housing Supply
- Policy 3.4 – Optimising Housing Potential
- Policy 3.5 – Quality and Design of Housing Developments
- Policy 3.6 – Children's and Young Peoples Play and Recreational Facilities
- Policy 3.8 – Housing Choice
- Policy 3.11 – Affordable Housing Targets
- Policy 3.12 – Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 – Affordable Housing Thresholds
- Policy 4.1 – Developing London's Economy
- Policy 5.1 – Climate Change Mitigation
- Policy 5.2 – Minimising Carbon Dioxide Emissions
- Policy 5.3 – Sustainable Design and Construction
- Policy 5.11 – Green roofs and development site environs
- Policy 5.13 – Sustainable Drainage
- Policy 6.1 – Strategic Approach

- Policy 6.3 – Assessing Effects of Development on Transport Capacity
- Policy 6.9 – Cycling
- Policy 6.13 – Parking
- Policy 7.1 – Building London’s Neighbourhoods and Communities
- Policy 7.2 – An Inclusive Environment
- Policy 7.4 – Local Character
- Policy 7.6 – Architecture
- Policy 7.8 – Heritage Assets and Archaeology
- Policy 7.19 – Biodiversity and Access to Nature
- Policy 7.24 Blue Ribbon Network 241
- Policy 7.25 Increasing the use of the Blue Ribbon Network for passengers and tourism 241
- Policy 7.26 Increasing the use of the Blue Ribbon Network for freight transport 243
- Policy 7.27 Blue Ribbon Network: supporting infrastructure and recreational use 244
- Policy 7.28 Restoration of the Blue Ribbon Network
- Policy 8.2 – Planning Obligations
- Policy 8.3 – Community Infrastructure Levy

Hackney Core Strategy (CS) (2010)

- Policy 6 – Transport and Land Use
- Policy 16 – Employment Opportunities
- Policy 17 – Economic Development
- Policy 18 – Promoting Employment Land
- Policy 19 – Housing Growth
- Policy 20 – Affordable Housing
- Policy 22 – Housing Density
- Policy 24 – Design
- Policy 25 – Historic Environment
- Policy 26 – Open Space Network
- Policy 27 – Biodiversity
- Policy 28 – Water and Waterways
- Policy 29 – Resource Efficiency and Reducing Carbon Dioxide Emissions
- Policy 30 – Low Carbon Energy, Renewable Technologies and District Heating
- Policy 33 – Promoting Sustainable Transport

Emerging Development Management Local Plan (DMLP) Policies

- Proposed Policy DM1 – High Quality Design
- Proposed Policy DM2 – Development and Amenity
- Proposed Policy DM7 – New Retail Development
- Proposed Policy DM8 – Small and Independent Shops
- Proposed Policy DM14 – Retention of Employment Land and Floorspace
- Proposed Policy DM15 – New Business Floorspace
- Proposed Policy DM19 – General Approach to New Housing Development
- Proposed Policy DM21 – Affordable Housing Delivery
- Proposed Policy DM22 – Homes of Different Sizes
- Proposed Policy DM28 – Managing Heritage Assets
- Proposed Policy DM31 – Open Space and Living Roofs
- Proposed Policy DM37 – Performance Targets for Major Residential Development
- Proposed Policy DM45 – Movement Hierarchy
- Proposed Policy DM46 – Development and Transport
- Proposed Policy DM47 – Walking and Cycling
- Proposed Policy DM48 – Parking, Car Free and Car Capped Development

Retained UDP Policies

- Policy EQ40 – Noise Control

Supplementary Planning Guidance

- Hackney Interim Supplementary Planning Guidance
- London Plan Housing SPG

Relevant Planning History

SOUTH/479/98/FP - Change of use of existing staff restaurant to a public restaurant (A3 use). Granted. 11/01/1999

SOUTH/570/97/FP - Provision of facilities and pontoons to facilitate the provision of 15 residential & commercial boat moorings. 01/04/1999

2012/3923 - Demolition of existing buildings and the erection of a mixed use building to provide 5,139sqm of Class B1 floor space, 371sqm Class A3 (restaurant) floor space and 82 residential units together with associated car parking spaces, delivery bay, cycle parking and associated amenity space and landscaping. Undetermined

Site Context

The site is situated on the northern side of Eagle Wharf Road and on the southern side of the Regents Canal, which forms the border with London Borough of Islington. The site is located within the Regents Canal Conservation Area and the regents canal is designated a Site of Interest for Nature and Conservation (SINC). The site is located within a Priority Employment Area as defined by Hackney's Core Strategy 2010 and an area exempt from permitted change of use from office to residential.

The existing site is currently occupied by commercial buildings that in part are used for film locations and photographic studios. The complex of buildings has recently been locally listed and includes a historic industrial chimney. *The Commissary*, a bar and restaurant with a large conservatory overlooking the canal and extensive outdoor seating is part of Holborn Studios and is noted in the Regents Canal Conservation Area Appraisal as being an attractive and sensitive conversion of an industrial building. There are currently 3no. canal boat moorings along the length of the site.

To the east is a 3 storey height self storage warehouse with associated car parking. To the west is a recent mixed use development which is 4 storeys in height with a setback 5th storey along its main Eagle Wharf Road elevation. Where this development addresses the corner with Shepherdess Walk it steps up to 5 storeys and along its canal frontage steps presents 2 blocks one of 6 storeys with a setback 7th storey and one of 5 storeys with a setback 6th storey. On the southern side of Eagle Wharf Road are rows of 3 storey terraced dwellings.

Principle of Land Use

The site is currently in employment use and is located within a Priority Employment Area (PEA). This PEA has been granted National exemption from the Government's Office to Residential change of use permitted development right 2013. The Public Transport Accessibility Level of the site is 2 although it is 3 within the immediate vicinity and it is considered that this higher figure is broadly representative.

CS 17 relates to the designation of PEA's and states that Business (B1), Hotels (C1) and Non-residential (D1) Institutions will be the preferred uses, although for C1 and D1 uses the site should have a PTAL of 5 or above. New A Class and residential uses may be acceptable where auxiliary to business use and not likely to impact the vitality and viability of existing retail centres. CS 18 relates to existing employment land and floorspace, which it seeks to protect. Redevelopment of employment sites may be acceptable where it results in a significant improvement to the employment floorspace offer on site. The CS employment policies

are expanded upon in the DMLP. With regards to the redevelopment of employment sites DM14 states that consideration should firstly be given to the commercial opportunities and potential of the existing land and floorspace. DM17 states that residential uses are acceptable in PEA's as part of an employment led scheme that is appropriate to the characteristics and function of the site and the PEA.

The proposals are for a mixed use development to provide approximately 11,702 sqm (GIA) of floorspace comprising approximately 7350sqm of (GIA) of residential floorspace, 4.352 sqm (GIA) of commercial / retail floorspace. These figures are subject to change as the design develops to respond to local site context and policy requirements. The current proposals indicate commercial uses primarily at ground and basement level. Residential accommodation is provided on the upper levels and comprises 80 residential units including 29 x 1 bed units (36%), 40 x 2 bed units (50%) and 11 x 3 bed units (14%).

Based on the above mentioned policies any redevelopment of the site should be employment led with any additional uses such as residential helping to facilitate the development and provision of employment floorspace. It must be emphasised that a PEA is an employment designation in the first instance, and as such employment (B class uses) should be the dominant use, which is not the case with the current proposals. The applicant must demonstrate through marketing and viability evidence that the development proposals provide the maximum economically feasible amount of employment land and floorspace possible for the site. It must also be demonstrated that the redevelopment of the site will result in a significant improvement to the employment offer of the site. Further information should be provided relating to the existing use and occupation of the building, which should also include existing floorplans, floorspace figures and a qualitative appraisal of the employment floorspace.

Subject to the above considerations there is in principle no objection to the provision of business floorspace and residential accommodation as part of a mixed use redevelopment of the site. DM15 relates to new business floorspace requires 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. The design of the business floorspace should be informed by a marketing strategy that identifies the needs of likely end users. In accordance with DM 16 the council will also seek 10% of the new floorspace to be affordable workspace, subject to viability. It is considered that the existing use of the site as a film location and photographic studios has valuable cultural associations and has made an important contribution to the regeneration of the area. You are strongly encouraged to consider the needs of the existing use in the design and construction of the proposed redevelopment in order to facilitate the retention of that use.

Having regard to new residential accommodation CS19 and CS20 seek a mix of dwellings and tenures in line with the needs identified in the council's Housing Needs Survey and draft DMLP policy DM22 sets out a preferred dwelling mix with a third of all dwellings to be for families across all tenures. Variations to this size mix will be considered, however, dependent on site and area location and characteristics, and scheme viability, if required or agreed by the Council. The proposals comprises the following break down of residential units: 29 x 1 bed units (36%), 40 x 2 bed units (50%) and 11 x 3 bed units (14%). Details of tenure have not been provided at this stage. The site is located within close proximity to Shoreditch Park and its size and canal side location offer the opportunity for ground level amenity and play space. As such the site is considered especially suitable for family accommodation and therefore the proposed amount of family accommodation should be increased to meet the preferred mix.

Policy 20 of the Core Strategy sets out the borough wide target for affordable housing at 50% of new units in developments of 10 units or more subject to site characteristics, location and overall scheme viability with 60% of the affordable housing being social rented and 40% intermediate. As the scheme will provide more than 10 units of residential accommodation, CS20 is considered to apply. Details of affordable housing have not been provided at this stage. It is recommended that discussions around scheme viability are started prior to submission of any application. It is also recommended that you approach registered housing providers prior to submission of any application.

The application site currently includes a café use and it is proposed that the redevelopment of the site seeks to incorporate such a use. As discussed above A class uses may be acceptable where auxiliary to the to business use and not likely to impact the vitality and viability of existing retail centres. There is no objection

in principle to the inclusion of a café use as it is likely to compliment business uses and help activate courtyards. DM7 requires a sequential assessment for new out of centre retail uses outside of centres that exceed 200sqm.

Design

The site adjoins the Regents Canal conservation area and was added to the Council's Local Heritage List in January 2014 because of its heritage significance. The site had previously been a Building of Townscape Merit. Immediately to the west of the site is the Angel Wharf development, which is 4 storeys with a setback 5th storey on Eagle Wharf Road and has elements up to 6 and 7 storeys on the corner and next to the canal. There is a two storey warehouse building east of the site and residential buildings of between two and six storeys to the south.

The current proposals seek to retain and re-use heritage buildings on the site, which is considered a positive step and supported in principle. However, the acceptability of demolition of any part of this locally listed site should be supported by a full heritage survey, which assesses the significance of each building. It is likely that the heritage significance of the site will result in the Local Authority seeking retention of a larger part than is proposed. Proposals to demolish any parts of the site should be clearly marked on a plan. Reference should be made to the Regents Canal conservation area appraisal and the impact on the conservation area in any future heritage assessment. Consideration will also be given to the impact of any extension and alteration, including insertion of balconies, to buildings that are to be retained.

Notwithstanding the above, the proposed layout, pedestrian links, visual connections and access to the canal appear to improve on an earlier scheme which is currently undetermined but considered unacceptable (2013/0032). It is considered that the size of the site provides the opportunity to vary the character and use of buildings across the site. It is recommended that consideration be given to the creation of separate commercial and residential blocks. This could provide a number of benefits including the provision of more efficient floorplates by minimising cores and allowing for ground floor private amenity space. There is a degree of concern with regards to the relationship between the new 5 storey block and the retained canal side building.

The proposed height and massing strategy is considered unacceptable and further townscape analysis work should be carried out, particularly with reference to the buildings on Eagle Wharf Road and the relationship with the residential buildings to the south. The proposed Eagle Wharf Road building appears monolithic and too tall compared to neighbouring buildings. There is a lack of breaks in the massing, which should be broken up and articulated further as well as being reduced in height. The proximity of the building to the chimney is also of concern as it dilutes the landmark status of the chimney in views along the canal from both directions. Revisions should be supported by long sections/elevations and CGIs. Based on our current understanding of the site context the Eagle Wharf Road blocks should be reduced in line with the height of the adjacent development to the west.

Notwithstanding the concerns regarding height and massing, the principle of brick faced buildings is considered acceptable and the choice of brick will be important to ensure that it is contextual. A window study should be carried out to show how the buildings relate to other buildings in the locality as well as to the retained buildings.

In terms of layouts, there is insufficient detail on the internal residential floorplans. It is acknowledged that efforts have been made to minimise the number of single aspect units, although site characteristics make the complete elimination of any single aspect units difficult. In particular the approach to the eastern boundary of the site is necessitated by the need to not prejudice the adjacent sites development potential of the site. The provision of basement commercial space is questioned in terms of the quality of the floorspace and also the impact that lightwells have upon the ground floor.

Amenity Impacts

Consideration will be given to the impact of the proposed development upon the residential amenity of nearby occupiers in terms of loss of light, privacy and outlook. It is noted that the building along the western

boundary is as existing in order to minimise impacts upon the residential dwellings to the west. A daylight/sunlight report in line with BRE guidance must also be submitted as part of a full submission which demonstrates that the proposal will not have an unacceptable impact upon the amenity of neighbouring properties by reason of loss of light.

Biodiversity

The adjacent Regents Canal is a site of importance for nature conservation (SINCs, which is an area designated for their importance for wildlife. In London there are three grades of SINC and the Regents Canal is a Site of Metropolitan importance, the highest grade, important at a London wide scale. London's canals support a wide range of aquatic flora, amongst which are found a number of locally uncommon species. These include narrow-leaved water plantain (*Alisma lanceolatum*), rigid hornwort (*Ceratophyllum demersum*) and shining pondweed (*Potamogeton lucens*), all species of clean, clear waters. Many waterside plants, including several London rarities, also grow on the brickwork and banks of the canal. The canals also support an important invertebrate fauna (including several species of dragon/damselflies), a diverse fish community, and breeding waterfowl. London's network of canals fulfill an important function in allowing nature into heavily built-up environments. The towpath and associated areas of waste ground, especially in East London, support a number of uncommon species of disturbed ground. The whole of the Grand Union Canal system in London, including the Regent's and Hertford Union Canals, is included in this single Metropolitan site.

CS 27 states that the Council will protect, conserve and enhance nature conservation areas. A biodiversity survey of the site must be carried out, with actions to enhance the biodiversity value, mitigate or compensate for any harm to habitats and / or species. CS 28 seeks to protect and enhance waterways and their riparian areas. Development alongside the waterways and their riparian areas may be permitted where there is no conflict with nature conservation and biodiversity interest that cannot be addressed through mitigation or compensatory measures.

Transport/Servicing/Access:

The site has been assessed using the TfL Planning Information Database. Whilst the site itself has a PTAL of just 2 the majority of Eagle Wharf Road has a PTAL of 3, whilst the nearby Shepherdess Walk has a PTAL of 4. Based on this assessment the site can be considered to have a PTAL of 3 for the purposes of assessment. The site is located within a Controlled Parking Zone (CPZ).

DM46 seeks to reduce the need to travel and to achieve sustainable development and requires developments to make suitable provision for encouraging the use of public transport, walking and cycling. The Council will require Transport Assessments/Statements and Travel Plans in accordance with TfL's *Transport assessment best practice - guidance document* (2010). DM 47 provides further guidance on promoting walking and cycling. DM48 promotes car free housing in most locations within the Borough. It is considered that the site is suitable for car free housing, although consideration should be given to appropriate provision of disabled parking spaces and commercial parking and / or servicing.

Sustainability/Environmental Considerations:

The proposed residential units would be expected to achieve Code for Sustainable Homes Level 4 and any new commercial floorspace would be expected to meet BREEAM "excellent". A statement setting out how this will be achieved as well as a detailed energy strategy should be submitted as part of a full application. In addition, you are advised that the development would be required to achieve a 35% reduction in CO2 against part L of the building regulations. Should you require further advice in this regard please contact the council's Sustainability Officer at Oliver.Homersley@hackney.gov.uk. Full details of any proposed green roofs would be secured by condition in the event of a full application being granted.

Access and Inclusivity

The new residential units should be designed to 'lifetime homes' standards and 10% of new units should be designed to 'Habinteg' wheelchair housing design guide standards. A statement setting out how both will be achieved should be included as part of a full application.

Mayoral Community Infrastructure Levy

You are advised that the proposed development will be liable for the London Mayoral Community Infrastructure Levy (CIL). The levy will be charged based on the amount of additional floorspace a new development will produce and will be charged at a rate of £35psqm. More information can be found at: <http://www.hackney.gov.uk/London-Mayoral-Community-Infrastructure-Levy.htm>.

Summary

The broad principle of a mixed use redevelopment of the site is acceptable. However, balance of uses is not currently acceptable and should be revised to provide a greater proportion of employment use. Additionally the proposed housing mix is not considered acceptable and should be revised to provide a greater proportion of family accommodation. Whilst the retention of some buildings on site is supported further heritage analysis is required to demonstrate whether the extent of demolition proposed is acceptable. The general arrangement of the site around two courtyards is viewed positively as the height and massing along the canal edge. However, the height and massing along Eagle Wharf Road is considered unacceptable and should be reduced in line with the adjacent development.

Planning Obligations under section 106 of the Town and Country Planning Act 1990

Following our preliminary assessment of your proposal, if you submit a planning application, which addresses the outstanding issues detailed in this report satisfactorily, officers would only consider recommending the application for approval subject to completion of a Section 106 agreement covering the followings head(s) of terms.

Payments of the Council's legal and other professional costs in:

- 1. preparing and completing the agreement; and
- 2. monitoring and enforcing its compliance.

Affordable Housing

Open Space Contributions

Car Free Development

Section 278 Agreement

Service Management Plan

Libraries

Education

Local employment (e.g. construction jobs recruitment, training and employment contribution)

Supporting Statement and other information required for a valid application (see also attached Applications Guide to Submitting a Valid Application)

To submit a valid planning application you will need to provide all the following information and plans set out in the Council's validation checklist. In addition, you should submit the following statements, showing how far your proposal meets Hackney's policies and guidance.

Design and Access Statement (detailing the design principles of the proposals and how this has been derived from an appreciation of site context and townscape analysis)	<input checked="" type="checkbox"/>
Daylight/Sunlight Assessment	<input checked="" type="checkbox"/>
Floor Space Schedule (including full break down of residential and commercial mix)	<input checked="" type="checkbox"/>
Townscape and Visual Impact Assessment	<input checked="" type="checkbox"/>
Heritage Impact Assessment	<input checked="" type="checkbox"/>
Photographs/photomontages	<input checked="" type="checkbox"/>
Planning Statement	<input checked="" type="checkbox"/>
Service Management Plan (including waste storage/removal)	<input checked="" type="checkbox"/>
Sustainability Statement (including BREEAM/CSH Pre-assessment)	<input checked="" type="checkbox"/>
Affordable Housing Statement	<input checked="" type="checkbox"/>
Financial Viability Assessment	<input checked="" type="checkbox"/>
Ecological Survey	<input checked="" type="checkbox"/>
Transport Statement	<input checked="" type="checkbox"/>
Marketing Evidence	<input checked="" type="checkbox"/>

Consultation

It would be helpful as part of your submission if you could set out what public consultation you have carried out, what comments have been received and how your proposal has been amended in response to such comments

Further guidance for the submission of a major application

You are advised to have regard to the following attachments in this report with regard to the submission of your application:


- Appendix A – Section 106 Agreement Template**
- Appendix B – Plan Requirements for Planning Applications**

For information on submitting your application online please see our website www.hackney.gov.uk/planning-applications

DRAWING SCHEDULE- *To be attached to all documentation associated with the application form.*

This document represents the Council's initial view of your proposals based on the information available to us at this stage. It should not be interpreted as formal confirmation that your application will be acceptable nor can it be held to prejudice formal determination of any planning application we receive from you on this proposal.

If you have any queries in relation to the above matters do not hesitate to contact me.

Signature: 

Date of Report: 24/10/2014

Name: Russell Smith

Designation: Senior Planning Officer

