

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 spertae 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

