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Case officer: Victor Grayson
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Issue Date: 20/03/2013
LBI ref: P2013/0797/OBS
(Please quote in all correspondence)
LBH refs: 2012/3923 and 2013/0032

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

This Council has considered the application and wish to OBJECT to the proposal for the reasons set out below.

TYPE OF APPLICATION: Full planning application

LOCATION: 49-50 Eagle Wharf Road, London, N1 7ED

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

PLAN NOS: Letter from LB Hackney dated 07 February 2013 (received 06 March 2013).

COMMENTS FROM LB ISLINGTON:

The proposed development raises significant concerns in relation to design and conservation, namely:

- The loss of the existing canalside buildings would harm the character, appearance and setting of the canal as observed and enjoyed by residents of Islington and people using the towpath on the Islington side of the water. The loss of the chimney and the 3-storey, unpainted brick building that stands parallel to the canal is of particular concern – although they have been extended and altered, and although their historic interest has been played down in the submitted Planning Statement and Heritage Statement, these buildings provide valuable reminders of the industrial past of the site and the canal, and make a positive contribution to the character and appearance of the conservation area. The chimney also assists wayfinding and enhances legibility for users of the canal and towpath, and should not be lost – there are many examples of

apparently-redundant landmark chimneys being retained in successful redevelopment and conversion schemes, for example the Croydon B power station chimneys (Valley Park), the Truman Brewery chimney (Brick Lane) and the Smithfield Chimney (Dublin).

- The proposed building would present too tall an elevation to the canal, and would appear visually overwhelming when viewed from the towpath and buildings on the Islington side of the water.
- The submitted Heritage Statement does not illustrate or adequately assess the impact of the development upon the Arlington Square Conservation Area and its setting. Additional analysis and sections should be submitted, illustrating the impact of the development upon the setting of and views from this conservation area within Islington – officers are concerned that the proposed 6-storey building would be visible over the rooflines of terraces within the conservation area, and would be prominent and obtrusive in these views.
- The design of the proposed building is inappropriate for this canalside location. In particular, the cantilevered frames projecting from the upper storeys would give the building's canal elevation a top-heavy appearance, would draw the eye to the top of the building, and would emphasise the building's excessive height.
- The applicant has not proposed the removal of the unsightly party wall (abutting the canal) between the application site and the adjacent development on the corner of Shepherdess Walk and Eagle Wharf Road.

With regard to neighbour amenity:

- Should planning permission be granted, the use of the proposed restaurant's canalside outdoor area should be limited to avoid late night disturbance to Islington residents opposite.
- At paragraph 11.3.5 of the Heritage Statement, the proposed canalside environment is described as "semi-public". Unclear, ambiguous space (which is neither clearly public and surveilled, nor clearly private and secure) tends to be vulnerable to anti-social behaviour and misuse, and the status and use of this outdoor space should be clarified.
- The submitted Daylight, Sunlight and Overshadowing Report identifies reduced levels of natural light to properties in Waterfront Mews and Arlington Avenue, below those recommended in the relevant Building Research Establishment guidance. Given the width of the canal, there is no reason why a reasonably-scaled development on the south bank should create harmful impacts in terms of natural light. The applicant's own findings further confirm that the proposed building is too tall for this location.

The council's Nature Conservation Manager has provided the following comments:

- The submitted Ecological & BREEAM Assessment Report focuses on the ecological value of the development site, and not on the neighbouring Site of Importance for Nature Conservation (SINC). The Regent's Canal SINC is of Metropolitan importance, and to be able to make a judgement on the impacts of the development, a further study of the flora and fauna would be needed. Officers have been present on several bat walks of the Regent's Canal and are aware that there are bats present that use the canal for foraging.
- That said, the main issue in this case would be the effect on foraging bat species, and as the Canal & River Trust have alluded to, and the submitted report suggests, bat foraging and flight paths would be affected by large amounts of reflective glazing and overlighting of the canal. These impacts can be avoided with the correct conditions.
- In terms of the enhancement of the ecological value of the development and the neighbouring canal, officers would like to see more detail as to how the applicant could enhance biodiversity, for example through the creation of nesting sites for birds, and habitat creation for invertebrates.

The submission contains the following errors:

- At paragraph 7.1.13 of the Heritage Statement, the applicant incorrectly states that the Arlington Square Conservation Area is “some distance from the site” and has “no direct visual connection with it”. This is incorrect – the conservation area is directly opposite the application site (please see attached conservation area map).
- At paragraph 4.6 of the Planning Statement, the applicant has listed policies from the superseded (2008 version) of the London Plan.

Officers understand that residents of Islington were not directly consulted by LB Hackney when the application was received. The responsibility for sending consultation letters to neighbouring residents falls on the Local Planning Authority that receives the application, therefore the necessary letters should now be sent to ensure all affected residents have an opportunity to comment on the proposals. Occupants of Waterfront Mews, the nearest parts of Union Wharf, the nearest (phase 1) building of the Packington Estate redevelopment, and the terrace at 47 to 83 Arlington Avenue should be consulted.

Officers understand that Islington councillors, and some of those Islington residents that know about the application, have provided comments to LB Hackney.

Yours faithfully



Karen Sullivan
Service Director and Proper Officer
Planning and Development

Arlington Square (CA4)



Map Scale 1:3750