



Sturt's Yard, 48 – 48a Eagle Wharf Road

PLANNING STATEMENT

February 2021

DP9 Ltd.

DP9 Ltd
100 Pall Mall

London

SW1Y 5NQ
Tel: 020 7004 1700
Fax: 020 7004 1790

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EXECUTIVE SUMMARY

This Planning Statement has been prepared by DP9 Limited on behalf of Access Self-Storage in relation to the Site known 48 – 48a Eagle Wharf Road, London N1 7ED, also referred to as Sturt's Yard (the 'Site'). The submission seeks Full Planning Permission for the following:

“Redevelopment of existing self-storage site (Use Class B8) to provide a mixed use scheme comprising blocks of 2-7 storeys and accommodating a self-storage facility (Use Class B8) at lower basement, basement and ground floor level, office accommodation (Use Class E) at basement, ground and first floor level, 139 residential units (Use Class C3) at second to seventh floor and cafe (Use Class E) at ground and first floor level, along with landscaping and other associated works.”

The application principally comprises of the original application submission (Ref: 2018/3517) which was withdrawn in February 2021 following the London Borough of Hackney's cyber-hack which rendered the previous application documents and consultation feedback inaccessible. Together with subsequent changes made during the course of determination, the current application submission reflects upon LB Hackney's Local Plan 2033 which was adopted in July 2020 alongside updates to the draft New London Plan (Publication Version). In summary, this submission represents a continuation of the previously submitted scheme to be determined accordingly.

The proposals seek to regenerate the existing Site to deliver a new, purpose built self-storage facility together with new offices (including affordable workspace) and a mix of 139 Build to Rent units alongside a café. The scheme is a collective representation of the positive discussions which have been agreed with senior officers during the post submission period. Overall, the proposals are of a high-quality architectural design and are sympathetic of the surrounding context and Conservation Area.

1. INTRODUCTION

1.1 This Planning Statement has been prepared by DP9 Ltd ('DP9') on behalf of Access Self Storage Limited ('the Applicant') in support of a planning application for full planning permission in relation to the Site known as 48 – 48a Eagle Wharf Road, London, N1 7ED ('the Site'). The Site forms a broadly rectangular parcel of land to the immediate south of Regent's Canal. The Site is bound to the east by a two-storey warehouse building occupied by the Archive and Research Centre of the Museum of London Archaeological Service, and to the west by Holborn Studios, a film and photography studio and restaurant.

1.2 The Site comprises four two-storey warehouse buildings used entirely for Class B8 storage purposes. The Site currently offers limited employment creation, representing ineffective use of land, whilst the existing buildings fail to engage with the canalside or Eagle Wharf Road frontage. The Proposed Development seeks to demolish the existing buildings and redevelop the site to provide a mixed-use scheme comprising a new self-storage facility (Class B8), office accommodation (Class E), 141 residential units (Class C3) and a café (Class E). The description of development is set out below:

“Redevelopment of existing self-storage site (Use Class B8) to provide a mixed use scheme comprising blocks of 2-7 storeys and accommodating a self-storage facility (Use Class B8) at lower basement, basement and ground floor level, office accommodation (Use Class E) at basement, ground and first floor level, 139 residential units (Use Class C3) at second to seventh floor and cafe (Use Class E) at ground and first floor level, along with landscaping and other associated works.”

1.3 In addition, the Proposed Development will provide substantial improvements to the public realm and canal frontage.

1.4 The submission of the application follows discussions with a wide range of stakeholders and statutory consultees, including planning and design officers at the London Borough of Hackney (LBH), the Greater London Authority (GLA), the London Borough of Islington (LBI),

Historic England, the Hackney Society, Regent's Network, Canal & River Trust, ward councillors, local residents and other property owners and businesses and stakeholders.

1.5 This Statement should be read and considered in conjunction with the plans and drawings submitted as part of this planning application. In addition to this Statement, the following supporting documents have been submitted:

- Planning Application Form and Certificates, prepared by DP9;
- CIL Additional Information Form, prepared by DP9;
- Site Location Plan, prepared by Studio Egret West;
- Existing and Proposed Drawings, prepared by Studio Egret West;
- Design and Access Statement, prepared by Studio Egret West;
- Inclusive Design Statement, prepared by Buro Happold;
- Stage 1 Geo-Environmental Site Assessment, prepared by RSK (Appendix E of Structural Report, prepared by Alan Baxter Associates);
- Retail Impact Assessment, prepared by DP9 (Appendix 1 of this Statement);
- Draft Affordable Workspace Statement, prepared by DP9 (Appendix 2 of this Statement);
- Heritage Statement, prepared by Alan Baxter Associates;
- Transport Assessment (including draft Travel Plan and ATZ Assessment), prepared by Alan Baxter Associates;
- Construction Management Plan, prepared by Maclaren;
- Operational Waste Management Strategy, prepared by Waterman Group;
- Design Stage Site Waste Management Plan, prepared by Waterman Group;
- Townscape and Visual Impact Assessment, prepared by Peter Stewart Consultancy;
- Energy Statement, prepared by Foreman Roberts;
- Sustainability Report: BREEAM, prepared by Foreman Roberts;
- Digital Connectivity Note, prepared by Foreman Roberts;
- Daylight and Sunlight Assessment, prepared by EB7;
- Noise Impact Assessment, prepared by SRL Technical Services;

- Air Quality Statement, prepared by SRL Technical Services;
- Preliminary Ecological Assessment, prepared by PJC Consultancy;
- Statement of Community Involvement, prepared by Polity;
- Structural Engineering Notes in support of the Planning Application, prepared by Alan Baxter Associates;
- Flood Risk Assessment and SUDS Strategy, prepared by Alan Baxter Associates;
- Archaeological Desk Based Assessment, prepared by CgMs;
- Health Impact Assessment, prepared by Jon Dingle Ltd; and
- Financial Viability Assessment, prepared by DS2 LLP.

Structure of the Statement

1.6 This document provides an overview of the Site and the Proposed Development and sets out a justification for the development. The Planning Statement takes the following form:

- **Section 2** provides a description of the Site and surrounding area;
- **Section 3** sets out a summary of the Proposed Development;
- **Section 4** summarises the consultation process;
- **Section 5** summarises the relevant national, regional and local planning policy;
- **Section 6** assesses the Proposed Development against the provisions of the development plan and other planning policy and material considerations;
- **Section 7** sets out the Draft Section 106 Heads of Terms; and
- **Section 8** sets out the overall conclusions.

1.7 Overall, the Site represents a significant opportunity to deliver a scheme of the highest architectural quality which enhances the character and appearance of the surrounding Conservation Area, with increased employment offer and the delivery of a significant number of much-needed residential units towards the Borough's housing stock.

2. SITE AND SURROUNDING AREA

- 2.1 Situated in the London Borough of Hackney, the Site comprises a broadly rectangular 0.52ha parcel of land to the north of Eagle Wharf Road and to the south of Regent's Canal. The Site is bound to the east by a two-storey warehouse building occupied by the Archive and Research Centre of the Museum of London Archaeological Service. The Site is bound to the west by Holborn Studios, a film & photography studio and restaurant with an extant planning permission for wholesale re-development. There are three canal barge moorings along the length of the Site's canal edge.
- 2.2 The Site is currently occupied by the applicant, Access Self Storage Limited, as a self-storage facility (Class B8). The Site comprises four warehouse buildings, providing a total of 9,498 sqm GIA of Class B8 floorspace, in addition to 10 surface-level car parking spaces for employee and customer use.
- 2.3 The main warehouse building is a single-storey light metal frame warehouse building which also serves as a reception area and employee office. Constructed in 2002, the building is set back from the Eagle Wharf Road frontage and abuts the north boundary of the site along the Regent's Canal. To the south of the main building is a two-storey concrete warehouse dating from 1937. The main elevation of the building fronts onto Eagle Wharf Road, with a roller shutter providing an additional access to the warehouse. To the immediate east of the 1937 warehouse is a narrow 1960's brick building extending to two storeys in height. The building also fronts directly onto Eagle Wharf Road, with a roller shutter and entrance providing direct access to the building. To the rear of the brick building is a small Victorian warehouse. Dating from around 1860, the building comprises a gable ended, brick-built building with a wrought iron trussed roof (which is to be retained and repurposed in the proposed scheme).
- 2.4 The Site is situated within the Regent's Canal Conservation Area. None of the buildings on site are listed, nor are they considered to be of any architectural merit. Both the Victorian building and the 1937 warehouse are considered to be of little heritage significance, given that both buildings have been heavily altered and are generally poor state of disrepair.

Sturt's Lock to the immediate north of the Site is also designated as a Structure of Townscape Merit.

Accessibility

- 2.5 Vehicular and pedestrian access to the site is provided from a gated entrance from Eagle Wharf Road. There is currently no public access to the canal from Eagle Wharf Road via the Site.
- 2.6 The Site is located in an area having a PTAL of between 2 and 4 however, as outlined in the supporting Transport Statement, the location of the Site is considered to be more representative of PTAL 4.
- 2.7 Essex Road Station is situated 0.6 miles (12-minute walk) to the north, whilst Old Street Station is situated 0.6 miles (13-minute walk) to the south. New Road to the east is served by bus nos. 21, 76, 141 and 271.

Surrounding Area

- 2.8 The Site is located within a Primary Employment Area (PEA), a Core Growth Area as identified within the City Fringe Opportunity Area and one of LBH's Tall Building Opportunity Areas identified in the LB Hackney Core Strategy. Regent's Canal, which bounds the Site to the north, is identified as Site of Importance for Nature Conservation (SINC) and is designated as a Green Link, Green Corridor and Open Space by LBH.
- 2.9 The area along the canal is predominately mixed use in character, comprising a range of residential and commercial uses. The prevalent building height in the immediate surrounding area is between 2-6 storeys, however there are examples of buildings which extend beyond this height in the wider area, namely Gainsborough Studios to the east (12 storeys). The areas to the north and to the south of the Site are generally residential in character, with a mix of traditional terraces and modern, purpose-built apartment blocks.

Planning History

- 2.10 A review of the planning history of the Site indicates that there is no recent relevant planning history for the Site.
- 2.11 With regard to the wider context, planning permission was originally granted in November 2016 (Ref: 2015/2596) for the redevelopment of Holborn Studios, situated to the immediate west of the Site and later successfully challenged under Judicial Review. An identical application was submitted in October 2017 (Ref: 2017/3511), which was also subsequently approved and later successfully challenged under Judicial Review. As a consequence, the previously approved scheme parameters have not been included as part of a cumulative review or assessment in the supporting technical submission documents.

3. PROPOSED DEVELOPMENT

3.1. This section should be read in conjunction with the proposed application drawings, Design and Access Statement and Landscape Strategy which are submitted to accompany the application and describe the principal components of the Development.

3.2. The planning application seeks full planning permission for:

“Redevelopment of existing self-storage site (Use Class B8) to provide a mixed use scheme comprising blocks of 2-7 storeys and accommodating a self-storage facility (Use Class B8) at lower basement, basement and ground floor level, office accommodation (Use Class E) at basement, ground and first floor level, 139 residential units (Use Class C3) at second to seventh floor and cafe (Use Class E) at ground and first floor level, along with landscaping and other associated works.”

Summary of Works

3.3. As detailed above, the Proposed Development will play an important role at both strategic and local level. The development of the Site will deliver a significant quantum of new employment floorspace (Class E and B8), a substantial number of Build to Rent (BTR) residential units (Class C3), new café and significant public realm improvements in a high-quality development that will regenerate the Site, contribute invaluable towards the local employment and housing market, and deliver the objectives of the City Fringe Opportunity Area in a prominent canalside location. A summary of the proposed works has been outlined below:

- Demolition of the existing warehouse buildings and retention and
- repurposing of the iron roof trusses in the proposed central square;
- Replication of the 1937 concrete façade fronting Eagle Wharf Road;
- Erection of four blocks ranging from two to seven storeys, comprising 139 residential units, Class E office accommodation and a ground floor café fronting the canal;

- Creation of two service yards to the east and west of the proposed central Sturt's Yard, providing commercial and residential car parking and service access;
- Communal gardens on the roof of the replicated two-storey structure, and on the flat roof areas of the proposed blocks.
- Creation of a pedestrianised square at the centre of the site, and a pedestrian link from Eagle Wharf Road through to the Regents Canal, with new public realm, planting, seating and lighting.
- Biodiversity and ecological improvements across the site;
- Provision of 12 car parking spaces at ground floor level, including six blue badge spaces.

Layout and Design

- 3.4. The proposed buildings range from 2 to 7 stories, with the tallest components built up towards the centre of the Site. The built 'shoulders' reach 6 storeys on the canalside and 5 stories on Eagle Wharf Road. Two basement levels are occupied in the main by storage space, maintaining the existing use on the Site. A section of basement Level 1, Ground and first floor levels will comprise of commercial office space and a retail unit fronting the Canal edge (Use Class E). The upper floors will provide residential accommodation (139 units in total), all with views of the outdoor amenity space and the majority with views to Regent's Canal and Sturt's Lock.
- 3.5. The seven storey set-back components run north/south through the Site, with the lower six storey 'U' blocks facing outward east and west, in order to respond to the neighbouring built context. the taller elements are proposed to comprise of metallic facing material to heighten their architectural form in contrast to the masonry proposed on the surrounding blocks. In addition, the central blocks are fixed with steel space frames to express the verticality of the central north-south blocks.
- 3.6. The courtyard space that forms part of the public route through the Site is located where the historic loading dock was once found. It will feature re-purposed Victorian roof

trusswork sourced from the remaining warehouse on the Site, which will be maintained as a key historic feature on the Site. Ironwork details throughout the public realm will serve to remind users of the site's industrial past. Its landscape character will be naturalistic, reinforcing the existing character surrounding Sturt's Lock. Activating the public realm will be work yards, workspace, a café and residential facilities.

- 3.7. Workers share access to ground level yards in the west and east of the site for rest and socialising. Residents share an entrance lobby, lounge and various outdoor communal terraces in addition to their private balconies for play, rest and socialising. All spaces incorporate the exposed truss and ironwork detail seen elsewhere. All tenants have access to shared, secure and covered cycle space

Landscaping and Public Realm

- 3.8. The ground floor will be divided into a number of private and public outdoor spaces. At the centre of the scheme is Sturt's Yard, which will become the centre for the new development, providing access between the canal and Eagle Wharf Road. The Yard will be framed by the reclaimed trusses, with climbing plants located around the base of each of the truss leg in a plant bed. Large potted trees and plants will be used to retain a level of flexibility to the space, whilst a combination of movable furniture and permanent long tables will create a variety of social spaces. Textured cobbles are proposed for the surface material.
- 3.9. Two working yards will be located either side of Sturt's Yard. Both these spaces will accommodate private parking and access for delivery vehicles. A series of skylights are proposed within the eastern yard in order to allow light into office space below. Painted graphics will be used to animate these yards, contrasting with the concrete, steel and brick.
- 3.10. The canal edge surrounding Sturt's Lock is owned by The Canal & River Trust. Landscaping and tree replacement improvements to this canal edge will be secured under a s106 agreement with LBH and the Canal & River Trust. In order to make the canal fully

accessible, a number of existing trees and areas of planting will need to be removed. It is proposed to replicate the naturalistic, wild nature of planting, which is important to the character of Regents Canal. The public route along the canal edge would terminate at the north-eastern corner until the development to the east extends this public link.

- 3.11. It is proposed to enhance the ecological value of the canal side by introducing a number of native, fruiting species within planting to provide a species-rich food source, nesting opportunity and ground cover for birds, as well as attracting a variety of insects. It is also proposed to provide 14 bird bricks together with six bird boxes on each building, together with five bat boxes and five bat bricks. Lighting will be limited to downward facing wall mounted lights and will only be located where main pedestrian routes are located.
- 3.12. The proposed second floor will include three spaces accessible to residents, each with a different character based around how it will be used. At the centre is the social terrace, which will be covered by a reclaimed truss frame. Adjacent to Block D is the planting terrace, with a water terrace situated between Block A and B.
- 3.13. The proposed south-facing fifth-floor gardens will provide an additional space for residents, with views towards Eagle Wharf Road. Boundary planting will ensure privacy for private balconies.

Proposed Land Uses and Floor Areas

- 3.14. A total breakdown of proposed floorspace is provided in Table 1 below. An assessment of the proposed uses against planning policy is set out in Section 5.0 of this Statement.

Use	Proposed (GIA sqm)	Proposed (GEA sqm)
Residential (C3)	11,832	13,011
Office (Class E(g))	4,632	5,041
Self-Storage (B8)	7,364	8,016
Café (Class E(b))	297	326
Total	24,125	26,394

3.15. The proposed residential unit mix is outlined below:

	Studio	1 bed	2 bed	3 bed	Total
Number of units	43	48	41	7	139
%	31%	34%	29%	6%	100%

Car and Cycle Parking

3.16. It is proposed to provide 12 surface-level car parking spaces. The proposed car parking provision is as follows:

- Office/Self-Storage – 1 space;
- Residential – 5 accessible spaces;
- Self-Storage – 3 spaces; and
- Self-Storage – 3 spaces for LGVs.

3.17 It is proposed to provide a total of 396 cycle spaces across the Site, allocated at ground floor and basement Level 2. The proposed cycle parking provision is as follows:

Long-stay breakdown	Two-tiered space (95%)	Larger space	Total	
Residential Cycle Store: Ground floor	108	13	121	211
Residential Cycle Store: Basement 2	90	0	90	
Non-residential Cycle Store: Ground floor	15	6	21	121
Non-residential Cycle Store: Basement 2	100	0	100	
Total	313	19	332	332

- 3.17. A further 64 short stay cycle parking spaces will be provided for residential and non-residential uses.

Servicing

- 3.18. The proposed residential blocks will benefit from their own dedicated waste storage areas accessed directly from the stair/lift cores. All waste stores will have suitable sealed surfaces and water points located practically for maintenance and cleaning. Adequate space is provided in each store for residual and recyclable waste, in accordance with London Plan standards.
- 3.19. All residential waste bins will be collected by LBH once a week, when the residential waste will be transferred to temporary holding areas via wheeled Eurobins to ensure that they are within close proximity of the collection vehicles.
- 3.20. The proposed commercial spaces are expected to generate a range of wastes that will be collected by a private contractor, scheduled by agreement so as not to conflict with the Waste Management Plan. The commercial refuse store can be accessed directly via the Central Yard to ensure bulky refuse can be easily collected by commercial refuse collection vehicles.

Highways Proposals (s278 Works)

- 3.21. It is proposed to provide three points of vehicle access which will each require a new vehicle crossover of the footway along Eagle Wharf Road. The proposed works along the footway will reconcile the existing and proposed vehicle crossovers and include a making good of the footway to LBH's specification.
- 3.22. These works are outside of the redline boundary for the site and it is anticipated that these will form part of a s278 highway agreement following determination and consultation with LBH.

Sustainability

- 3.23. The proposed development incorporates use of green technologies such as photovoltaic panels for the residential element of the development. The installation of photovoltaic panels to supply heating and cooling for the nondomestic units will reduce the development's regulated CO2 emissions (refer to CHP). The development is expected to reduce regulated CO2 emissions by 52% when compared to a notional development built to current Part L Building Regulations (2013). It is proposed that the regulated CO2 emissions will be offset through a s106 contribution payment which is set out in the corresponding Heads of Terms in this Planning Statement. The development will meet BREEAM 'Excellent' for the Office spaces and BREEAM 'Very Good' for the self-storage component.
- 3.24. It is proposed to incorporate bio-diverse planting, ecological measures and a green roof within the development to further enhance the sustainability of the development. The proposed scheme will also include the use of energy efficient lighting, low flow water fittings to increase water efficiency, and recycling facilities for operational waste.
- 3.25. For further information, please refer to the BREEAM pre-assessment document included within the application.

4. PRE-APPLICATION CONSULTATION

- 4.1. This Section should be read in conjunction with the Statement of Community Involvement, prepared by Polity, which is submitted in support of the planning application.
- 4.2. The Proposed Development has been informed by pre-application discussions held including planning and design officers at the London Borough of Hackney (LBH), the Greater London Authority (GLA), the London Borough of Islington (LBI), Historic England, the Hackney Society, Regent's Network, Canal & River Trust, ward councillors, local residents and other property owners and businesses and stakeholders.
- 4.3. All matters associated with the Proposed Development were discussed at length at the pre-application stage, with early engagement helping to inform the overall scheme design.

Mayoral Referral

- 4.4. The application is referable to the Greater London Authority (GLA) as it exceeds the relevant thresholds set out in the Town and Country Planning (Mayor of London) Order 2008 (as amended). Accordingly, the GLA has been involved in formal pre-application discussions with the Applicant and the Council.

Pre-Application Discussions

- 4.5. Formal pre-application discussions have been held with the Council and the GLA on the evolving scheme since November 2016 in accordance with an agreed Planning Performance Agreement (PPA). The meetings have focused a plethora of topics, including the following:
- The principle of development and appropriate land uses;
 - Townscape and height;
 - Relationship to heritage assets;

- Architectural approach;
- Employment offer;
- Affordable workspace;
- Housing tenure, mix, layout, and residential quality;
- Affordable housing;
- Transport and accessibility;
- Public realm and landscaping, including the canalside setting;
- Environmental considerations (including Energy and Sustainability);
- Daylight, sunlight and overshadowing; and
- Viability and Section 106.

4.6. The emerging proposals for the Development were also presented to the Council's Design Review Panel in April 2017. The feedback from the pre-application discussions with the Council has been positive and the scheme has developed in response to these discussions.

Original Post-Submission Discussions

4.7. Following the submission of Planning Application Ref: 2018/3517, a number of meetings were held with officers to discuss the proposals between May 2019 – November 2019. As a consequence of these discussions, the following changes were made:

- A reduction in the overall height of the development from 8 and 9 storey blocks to 6 storeys along the canal frontage and up to 7 storeys towards Eagle Wharf Road;
- A slight increase in the building footprint and reduced internal courtyard width from 21m to 18m;
- A change in the overall mix of residential units;

- Alterations to the elevations, including patternation, relocation and resizing of the balconies, removal of the pitched roofs and omission of all yellow back painted infill panels;
- Increased glazing ratio along the Regents Canal elevation;
- The 20th Century trusswork on the roof of the two-storey component has been removed and replaced with a new steel frame and canvas-covered pergola (NB. the 19th Century trusswork is still proposed to be retained and repurposed within the central courtyard);
- Alterations to the material palette; and
- A switch from CHP to an Air Source Heat Pump energy strategy, in accordance with the new GLA requirement.

4.8. Following the resubmission, discussions with officers has remained on-going, with a number of minor changes incorporated, this has predominantly comprised of:

- Reconfiguration of smaller units to create family-sized dwellings;
- Provision of additional green roofs in the development; and
- Incorporation of additional bird and bat boxes.

4.9. In recognition of the emerging planning policy context during the previous course of determination until this current submission, additional assessments have been carried out in order to assess the proposals against the latest policy requirements, where appropriate.

Statutory Consultee Consultation

4.10. In addition to regular pre-application meetings with the Council and GLA prior to submission of the original application, contact was made with key statutory consultees in respect of various aspects of the Proposed Development, including:

- London Borough of Islington;
- Historic England;
- The Hackney Society;
- The Regent's Network;
- The Arlington Association;
- Local Ward Councillors;
- Executec (Holborn Studios);
- Canal & River Trust;
- The Angel Wharf Residents Association; and
- The City of London (Museum of London Archives).

Public Consultation

4.11. Public consultation is described in detail in the Statement of Community Involvement (SCI), prepared by Polity, that accompanies this planning application. In summary, an extensive process of consultation was undertaken to initiate a dialogue between the Applicant and the key stakeholders and local community in order to understand their objectives, aspirations and expectations, which have helped inform the evolution of the Development.

4.12. In advance of submission of the planning application, the project team held two public exhibitions on Thursday 13th July between 3pm and 7pm and on Saturday 22nd July between 10am and 1pm at Access Self Storage, 48 Eagle Wharf Road Hackney, N1 7ED.

4.13. In total, 66 people attended the exhibition, all of whom were offered a feedback form to complete. To date, 31 forms have been received, many of which were supportive of the proposals.

Key Themes from the Pre and Post-Consultation Process

- 4.14. Throughout the consultation process, the scheme has evolved as per the comments from the Council, statutory consultees and the public, which is reflected in the Design and Access Statement, which set out the key areas where the design has changed.
- 4.15. Overall there was support from the public consultation for the scheme design, the proposals for the pedestrian access to the canalside and the provision of office accommodation. Following the current submission of the planning application the Applicant remains committed to consulting and engaging with local residents, businesses and other stakeholders. The intention is to maintain the dialogue with those individuals and organisations who have expressed an interest in the scheme and to keep people up to date with the project.

5. PLANNING POLICY CONTEXT

Planning Policy Framework

5.1. The purpose of this Section is to identify the key national, regional and local planning policy and guidance relevant to the determination of the application for the development, and against which the proposals have been considered during design development. An analysis of the key policies and tests relating to the principle of the Development is therefore included in the relevant sections of this Statement.

National Planning Policy

5.2. National planning policy is set out in the form of the National Planning Policy Framework (NPPF), which was adopted on February 2019. The NPPF sets out the Government's economic, environmental and social planning policies. At the heart of the NPPF is a presumption in favour of sustainable development, with core planning principles including, amongst others, the requirement to "drive and support development." This means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or out of date, granting planning permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of development, or specific policies in the NPPF indicate otherwise.

The Development Plan

5.3. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) states that the determination of planning applications should be in accordance with the Development Plan unless material considerations indicate otherwise.

5.4. At the time of writing, the statutory development plan for the Site comprises the following:

- The Consolidated London Plan (March 2016);
- LBH Local Plan 2033 ('LP33') (July 2020)

- 5.5. The Development Plan policies referred to in this Planning Statement carry full weight in the decision-making process as they are consistent with the National Planning Policy Framework.
- 5.6. The Mayor is in the process of adopting the new London Plan – currently referred to as the Publication London Plan (PLP) - which is due to be adopted imminently following an Examination in Public between 2018 – 2020 and subsequent amendments made on directions from the Secretary of State for Housing, Communities and Local Government. For the purpose of this Planning Statement, these draft policies have been considered in full on the basis that they have material weight in the determination of the planning application.
- 5.7. Supplementary planning guidance and documents have been referenced and assessed where appropriate by individual consultants for the purposes of their reports. Notwithstanding, it is considered that the following SPDs remain relevant for the purposes of the Planning Statement and associated assessment:
- S106 Planning Contributions SPD (2020)
 - Sustainable Design and Construction SPD (2016)
 - Affordable Housing Interim Position Statement (2011)
 - Affordable Housing SPD (2005)
- 5.8. During the course of preparing this planning application submission, LB Hackney published their draft Child Friendly Places SPD for consultation. For the purposes of this submission a comprehensive assessment of the scheme has been carried out against the criteria set out in the draft SPD as agreed with officers and included as a chapter in the updated Design and Access Statement.
- 5.9. The GLA has produced a number of documents which provide more detailed strategic guidance on London Plan policies and are relevant to the Proposed Development. These include:

- Housing SPG (March 2016);
- Affordable Housing and Viability SPG (August 2017);
- City Fringe Opportunity Area Planning Framework (December 2015);
- Sustainable Design and Construction SPG (2014);
- The Mayor's Energy Strategy (February 2004);
- Sustainable Design and Construction SPG (May 2006); and
- Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012).

5.10. Where relevant within the supporting application documents these guidance notes have been referred to.

Site Designations

5.11. The site is identified as a Site Allocation (Ref: SHX3) in the Hackney Local Plan 2033 together with 46 Eagle Wharf Road to the west. The Site allocation supports the principle of redeveloping the Site to deliver mixed-use development including offices, storage and distribution together with residential. In addition to its allocation, the Site is also subject to the following policy designations:

- Wenlock Priority Office Area (POA);
- Regents Canal Conservation Area; and
- City Fringe OAPF (Core Growth Area).

5.12. In addition, the Site has a PTAL Rating of between 2-4 and is located in Flood Zone 1.

5.13. It is important to note that the Regents Canal, which bounds the Site to the north, is identified as Site of Importance for Nature Conservation (SINC) and is designated as a Green Link, Green Corridor and Open Space by LBH.

6. PLANNING POLICY ASSESSMENT

6.1. This section provides an overview of specific considerations in respect of the Proposed Development, which is assessed against the following issues:

- Land Use;
- Residential Standards;
- Affordable Housing;
- Residential Density;
- Design, Heritage and Townscape;
- Residential Amenity;
- Transport and Parking;
- Servicing Arrangements and Refuse Collection;
- Sustainability and Energy;
- Flooding and Drainage;
- Ecology and Biodiversity;
- Impact on Regent's Canal;
- Archaeology; and
- Contamination.

Land Uses: Provision of Employment Floorspace

6.2. Both the Local Plan (LP33) and the London Plan (PLP) support the provision of new office and employment floorspace within the City Fringe Opportunity Area. Of note, the City Fringe OAPF identifies the potential for economic growth in this location, particularly digital-creative sector uses which is also reflected in supporting text to PLP Policy E8.

6.3. In addition, LP33 Policy LP26 encourages the provision of all 'B' uses (including former B1 uses now identified under Use Class E) within Priority Office Area (POA) locations. In such locations, new developments should maximise the provision of employment floorspace. In addition, Policy LP27 states that space should be of high quality which is flexible and adaptable to suit a range of uses. In the Wenlock POA Policy LP27 states that 60% of the

floorspace should be provided as B1 (now Use Class E) subject to viability. We would also note former Development Management Policy DM17 which required the majority of floorspace in Priority Employment Areas (now referred to as Priority Office Areas) to deliver the majority of floorspace as commercial use.

6.4. The GLA City Fringe Opportunity Area Planning Framework (OAPF) further encourages a mix of supporting uses such as leisure, retail and commercial floorspace, particularly within Tech City. Strategic Policy 2.D within the OAPF supports proposals for new employment uses that are designed to house a range of business sizes from start-ups to anchor tenants along the canalside.

Assessment

6.5. As set out above, the Site is located within the Wenlock Priority Office Area (POA). The LP33 outlines that new office floorspace will be directed to designated POAs throughout the Borough. The proposals comprise of an employment-led mixed use development including a new self-storage facility (Use Class B8) together with office accommodation (Use Class E). These uses will deliver a significant uplift of jobs on the Site, creating a total of circa 369 jobs (gross).

6.6. Of note, the proposed office floorspace has been designed to provide high-quality modern, flexible and efficient accommodation for future office occupiers, including hot desks, incubator and micro studies. The space has been purposefully designed to encourage and meet the modern day working of the more creative industries and accord with the requirements of LP26 to encourage a range of spaces to meet future occupiers.

6.7. The proposed quantum and mix of uses across the Site has been reviewed based on scheme viability to ensure that the maximum possible quantum of employment floorspace is provided and have been subject to extensive viability discussions during the determination of Planning Application Ref: 2018/3517. Overall, the proposed development is considered to accord with policies set out above and will make a notable contribution towards the strategic aspirations of the Local Plan and strengthen the role of the POA locally.

Land Use: Principle of Retail Use

- 6.8. With regard to retail, the site is considered out-of-centre and therefore both a sequential and impact assessment will be required. At national level, the NPPF sets out the Government's commitment to securing economic growth in order to create jobs. The planning system should encourage and not act as an impediment to sustainable growth, and local authorities should plan proactively to meet the development needs of business. Planning policies should be positive and promote competitive town centre environments and set out policies for the management and growth of centres, including allocating a range of sites to meet needs for retail, leisure and other uses in full.
- 6.9. NPPF Paragraph 86 states that Local Planning Authorities (LPAs) should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date Local Plan. Paragraph 89 states that when assessing applications for development involving main town centre uses outside of town centres, which are not in accordance with an up to date Local Plan, LPAs should require an impact assessment if the Proposed Development is over a proportionate, locally-set floorspace threshold (200sqm GIA, as stipulated by Policy LP32).
- 6.10. The National Planning Policy Guidance ("NPPG") further advises that the impact test should be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. When setting locally appropriate thresholds, the NPPG states it will be important to consider, inter alia, the scale of the proposals relative to town centres, and the existing viability and vitality of existing town centres and whether they are vulnerable.
- 6.11. PLP Policy E9 states that a successful, competitive and diverse retail sector which promotes sustainable access to goods and services should be supported in line with the wider objectives of the Plan. To this end, development proposals and development plans should supportive convenience retail in all town centres and provide a policy framework to enhance local and neighbourhood shopping facilities and prevent the loss of retail. As part of this approach, areas which are under-served by local convenience should be

identified and the provision of additional facilities to serve existing or new residential communities should be supported in-line with PLP Policy SD7. Out-of-centre retail should be managed through encouraging comprehensive redevelopment for a diverse mix of uses.

- 6.12. PLP Policy SD7 states that Boroughs should take a town centres first approach with the exception of existing viable office locations in outer London. Where proposals for retail are proposed outside of town centres, Boroughs should apply a sequential test and require an impact assessment where the proposals are not in accordance with the Development Plan.
- 6.13. Locally, Policy LP27 states that the provision of retail uses will be permitted in POAs where the proposals form part of an employment-led mixed-use scheme, which are appropriate to the characteristics of the site and its function. Paragraph 9.5 of LP33 state that proposals for new, or extension to existing edge or out-of-centre, retail, entertainment or leisure development in excess of 200 sqm gross floorspace will be required to submit a sequential test and an impact assessment demonstrating that there would be no adverse impact on the vitality and viability of all the designated town centres as a whole. The Council will refuse planning permission where there is evidence that the proposals are likely to have significant adverse impacts on the vitality and viability of all the designated town centres as a whole.

Assessment

- 6.14. In consideration of the above, the proposed provision of a café is considered to be an appropriate ancillary use part of the proposals which is appropriate to the characteristics and function of the proposed development and its location. Overall, it is considered to accord with the aspirations set out in PLP Policy SD7 to serve new residential communities and likewise, support the proposed employment-led mixed-use development in the POA as set out in Policy LP27.
- 6.15. Notwithstanding, as an 'out-of-centre' location, a sequential and impact test has been carried out in relation to the retail component of the Proposed Development in

accordance with the requirements set out in PLP Policy SD7 and LP33 Paragraph 9.5. As noted within the supporting Retail Assessment prepared by DP9 Ltd (Appendix 1), the proposed café unit space at ground and first floor level is intended to reinforce the attractiveness of the canalside location, whilst complementing the primary office and residential development that will form part of the proposed scheme.

- 6.16. In terms of sequential assessment, our analysis demonstrates that no sites are available, suitable or viable for the Proposed Development within Hoxton Street Local Shopping Centre, which is the closest centre to the site (1.2km to the east). Accordingly, the Applicant has satisfied the requirement to carry out a sequential site assessment per the requirements of paragraph 86 of the NPPF, PLP Policy SD7 and LP33 supporting Paragraph 9.5.
- 6.17. A health check has also been undertaken, which finds Hoxton Street Local Shopping Centre to be vital and viable, against which very low or negligible trading impacts are expected as a result of the Proposed Development. Given the scale of the Proposed Development and the significant levels of identified floorspace need, there will be no impact on the centre's vitality or viability, nor on proposed and/or committed public or private investment in the centre. Instead, the Proposed Development will add to the vitality and viability of Regent's Canal, by reinforcing and strengthening its offer, and by increasing its attractiveness and footfall along this part of the canal and Eagle Wharf Road.
- 6.18. The Proposed Development therefore passes the impact test and complies with paragraph 89 of the NPPF and the relevant Development Plan policies as set out above.

Principle of Residential Use

- 6.19. Paragraph 59 of the NPPF sets out the Government's objective of "*significantly boosting the supply of homes*". Paragraph 118 (d) states that decisions should promote and support the development of underutilised land and buildings, especially if this would help to meet identified needs for housing.

6.20. At regional level, the London Plan seeks to increase the number of homes across the capital, with a borough target of 13,280 new dwellings over the plan period (until 2028/29), equivalent to 1,328 dwellings per annum. PLP Policy GG2 states that those involved in planning and development must enable the development of brownfield land, particularly in Opportunity Areas. This is similarly reiterated in PLP Policy H1 and PLP Paragraphs 1.4.5, 2.1.8.

6.21. Build to Rent (BtR) housing is supported by the Government and the Mayor. PLP Paragraph 4.11.1 states that boroughs should take a positive approach to BtR development to enable schemes to better contribute towards the delivery of new homes. These are considered to make a positive contribution towards meeting housing supply and are considered to be beneficial in a number of ways, namely:

- “Attract investment into London’s Housing Market that otherwise would not exist;
- “Accelerate delivery on individual sites as they are less prone to ‘absorption constraints’ on build-out rates;
- “Deliver more readily across the housing market cycle as they are less impacted by house price downturns;
- “Provide a more consistent and at-scale demand for off-site manufacture;
- “Offer longer-term tenancies and more certainty over long-term availability;
- “Ensure a commitment to, and investment in, place-making through single ownership; and
- “Provide better management standards and better-quality homes than much of the mainstream private rented sector.”

6.22. Locally, the delivery of 26,250 additional homes is identified as a strategic objective of the Local Plan 2033. This is also reflected in LP33 Policy LP12, which states that self-contained residential units are the priority land uses in the Borough and is the type of land use in the greatest need.

6.23. In POAs, LP33 Policy LP27 states that residential uses will be permitted where the proposals form part of employment-led mixed-use development. In addition, the principle of delivering residential floorspace at this location is similarly reflected in the Site Allocation. In addition, LP33 Policy LP15 states that BtR developments will be supported subject to other plan policies and the criteria prescribed namely:

- i. The homes are held as Build to Rent under a covenant for at least 15 years;
- ii. All units are self-contained and let separately;
- iii. The development is in unified ownership and unified management;
- iv. The development has professional and on-site management; and
- v. *Longer tenancies of three years or more are offered with defined in-tenancy rent reviews.*

Assessment

6.24. The principle of delivering residential development as part of an employment-led mixed-use development is considered to be in accordance with the strategic objectives and policies of the Local Plan 2033 together with the aspirations set out in the London Plan. The split of land uses within the Proposed Development is 51% employment: 49% residential.

6.25. The accommodation is located in four blocks which have been well designed to provide a high-quality residential living environment and accords with planning policy for the following reasons:

- The scheme helps to meet the LB of Hackney's local housing needs through the delivery of 139 much-needed self-contained residential units;
- It results in an underutilised brownfield site being redeveloped to make most effective use of the Site in line with the NPPF (para 118);
- It provides a mix of unit sizes, taking into account local needs and accords with the principles of the London Plan and Local Plan 2033;

- It is demonstrated below that the proposed residential units are of the highest quality, with access to private and communal amenity space, car and cycle parking, and excellent levels of residential amenity in an attractive canalside location.

6.26. In summary, the Site is located within an accessible area that is characterised by a mix of commercial and residential uses. The provision of 139 residential BTR units will contribute towards meeting the Borough's housing needs and will facilitate a significant quantum of employment floorspace to be provided, thereby ensuring that a viable mix of uses can be delivered on the Site. The proposed residential floorspace will make a tangible contribution towards meeting LB Hackney's housing targets and accords with the requirements of the Site's POA designation, in accordance with LP27.

Residential Standards

6.27. PLP Policy D6 states That housing developments should be of high-quality design and provide adequately sized rooms which meet the needs of Londoners without differentiating between tenures. In addition, they should maximise the provision of dual aspect units.

6.28. All new residential developments should meet dwelling space standards set out in Table 3.1 and have adequately sized rooms with convenient and efficient layouts. The minimum space standards are outlined below:

Dwelling Type	GIA (sqm)
1p flat	37
1b2p flat	50
2b3p flat	61
2b4p flat	70
3b4p flat	74
3b5p flat	86
3b6p flat	95

6.29. Additional requirements are set out in further detail in Policy D6 together with supporting guidance in Mayor's Housing SPG (2012) and London Housing Design Guide (2010) in relation to design standards for new residential development in London. All units have been designed to meet and exceed these standards, as demonstrated in the supporting Accommodation Schedule, prepared by SEW Architects.

6.30. At local level, LP33 Policy LP14 seeks provision of new family accommodation (3 bed or larger) as well as seeking to provide a mix of housing to meet the identified needs of different types of households within the Borough and to create cohesive, tenure diverse communities. This identifies the need for a higher percentage of 2bed units over 1 bed (2 person) units, as they offer greater flexibility of accommodation, with 3 or more bedrooms constituting 33% of the overall mix, as outlined below:

Tenure	1 Bed	2 Beds	3+ Beds
Market	Lower % than 2 beds	Higher % than 1 beds	33%

6.31. Policy LP14(c) states that variations to the unit mix will be considered by the Council subject to inter alia the type of housing proposed, tenures, site location and area's characteristics, design constraints as well as the overall scheme viability.

6.32. PLP Policy D7 states at least 10% of new housing should be designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users as per Building Regulations Part M4(3). This is similarly reflected in LP33 Policies LP17 and LP21.

6.33. LP33 Policy LP11 states that services and infrastructure should be provided for future occupiers to ensure they well connected to digital infrastructure and provide speeds in excess of 30Mbps as a minimum.

Assessment

6.34. The Proposed Development seeks to provide 139 BtR units, comprising 43 (31%) studio units, 48 (34%) 1 bed units, 41 (29%) 2 bed units and 7 (6%) 3 bed units as set out below:

	Studio	1 bed	2 bed	3 bed	Total
Number of units	43	48	41	7	139
%	31%	34%	29%	6%	100%

6.35. Whilst there is no specific identified residential mix within local planning policy or guidance for BtR scheme, Paragraph 3.3.11 of the Mayor's Housing SPG (2016) states specifically that: *“Local policies requiring a range of unit sizes could be applied flexibly to build to rent schemes in these locations to reflect demand and the distinct viability challenges faced by build to rent. Potential yields and investment risk can be affected by increases in the number of large units within a scheme.”*

6.36. 37% of the units proposed comprise two or more bedrooms to reflect local demand and investment advice on the BTR model. This accords with regional and local planning policy, which advocates a flexible approach to residential unit mix through the delivery of high-quality homes for private sector rent.

6.37. The proposed mix has been subject to extensive discussions with officers and has been tested as part of the Financial Viability Assessment. Overall, the proposed mix is considered to represent a good balance of unit sizes throughout the development and reflects the need to deliver a range of dwelling sizes. All units meet or exceed the space standards set out within the London Plan and Core Strategy, as set out in the accompanying Design and Access Statement, prepared by SEW Architects. In addition, 10% of the proposed units have been designed to be easily adaptable to meet the needs of wheelchair users in accordance with M4(3), distributed throughout the Proposed Development with all meeting the M4(2) standards.

6.38. Through the development of the proposals since the previous submission (Ref: 2018/3517) the scheme will deliver 50% dual aspect units, an increase of 12% on the original scheme design following on-going consultation with officers. All units will be designed to deliver connection speeds of 30Mbps in accordance with the policy requirements.

Affordable Workspace

6.39. PLP Policy E1 states that development proposals for new offices should take into consideration to need for a range of suitable workspace including low cost and affordable workspace. The provision of affordable workspace (at rents below the market rate) is set out in further detail in PLP Policy E3.

6.40. 6.39. In the Wenlock POA, LP33 Policy LP29 states that the Council will seek 10% of new employment floorspace within major to be provided as affordable workspace at a 40% discount, subject to scheme viability. The space should be secured via a Legal Agreement, managed by a workspace provider.

6.41. The Proposed Development will also provide 463 sqm of affordable workspace, equating to 10% of the total office floorspace provision. This space will be offered to a range of occupiers on an affordable basis at below market rents at a 20% discount which will be secured in the accompanying s106 agreement. The provision of affordable workspace has been subject to extensive viability testing and is considered to represent the maximum reasonable which can be delivered on-site.

Affordable Housing

6.42. Paragraph 62 within the NPPF states where LPAs have identified that affordable housing is needed, they ought to set policies for meeting this need on-site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified, and the agreed approach contributes to the objective of creating mixed and balanced communities.

- 6.43. The Publication London Plan sets a strategic objective of delivering 50 percent genuinely affordable new homes over the lifetime of the Plan. As set out in PLP Policy H4, the Mayor will apply a threshold approach to application which trigger affordable housing requirements in accordance with the Affordable Housing and Viability SPG (2017). PLP Policy H5 states that a minimum threshold level of 35% affordable housing will be required on all new qualifying developments. Where proposals meet or exceed the minimum requirements, they will be eligible to follow the Fast Track Route. Alternatively, where the minimum requirements are not met, proposals will be subject to the GLA's Viability Tested Route.
- 6.44. Paragraph 4.4.33 of the GLA Housing SPG emphasises the importance of viability appraisals in assessing the ability of developments to deliver affordable housing including *“recognising that the requirements for contributions to schools, environmental improvements, transport or social infrastructure, may limit the number and mix of affordable homes.”* Further detail on viability assessments for BtR schemes is set out in the Affordable Housing and Viability SPG.
- 6.45. At a local level, LP33 Policy LP13 states that new developments must maximise opportunities to supply genuinely affordable housing and with the maximum reasonable amount sought subject to viability and site context. Proposals comprising 10 or more units will be expected to deliver 50% affordable housing on-site. Where proposals do not meet this threshold, a detailed viability assessment will be required and will be subject to early and late stage review mechanisms. Off-site and payments in-lieu will only be considered in exceptional circumstances.

Assessment

- 6.46. As set out in the policies outlined above, the provision of affordable housing is governed by financial viability, taking into account the individual circumstances of the Site. A Financial Viability Assessment (FVA) prepared by DS2 LLP as part of the original application is enclosed as part of this submission and for the purposes of this application remains valid. As per the review of the FVA by the Council's assessors, it has been concluded that the scheme cannot viably support any affordable housing.

Design, Heritage and Townscape

Design

6.47. Paragraphs 124 and 127 within the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, creates better places in which to live and work and helps make development acceptable to communities. Planning policies and decisions should ensure developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

6.48. The London Plan sets out a number of key policies relevant to the design of buildings:

- Policy D3 encourages the optimisation of sites through a design-led approach;
- Policy D4 sets out the principles in relation to delivering good design;
- Policy D5 relates to an inclusive environment and states that the Mayor will require all new development in London to achieve the highest standards of accessible and inclusive design and supports the principles of inclusive design;
- Policy D7 sets out the requirements to deliver accessible housing through the provision of 10% wheelchair adaptable units under M4(3) and ensuring that all dwellings are accessible and adaptable under M4(2);
- Policy D8 seeks an improvement to public realm, encouraging the use of landscaping treatment, street furniture and way finding;
- Policy D11 states that development should include measures to design out crime and contribute to a sense of security;

6.49. At local level, LP33 Policy LP1 states all developments must demonstrate compliance with inter alia the following criteria:

- Respond to the local character and context and be compatible with the existing townscape including urban grain and plot division;

- Incorporate well designed and integrated landscape design which enhance biodiversity and maximise opportunities for greening;
- Improve public realm and frontages onto the street;
- Be of sustainable design and construction;
- Be adaptable, robust and flexible;
- Use attractive, durable high-quality materials which complement local character;
- Be secure and designed to minimise crime and antisocial behaviour.

Assessment

6.50. The Proposed Development provides an extremely high-quality scheme which will significantly enhance the appearance of the Site and surrounding area. The proposals have been the result of a design-led process undertaken in accordance with the design principles set out in national, regional and local policy guidance. The Proposed Development has also been developed in response to the detailed feedback received from all interested stakeholders during the pre-application process and post-submission discussions with officers as set out in the Design and Access Statement.

6.51. The Site occupies a brownfield site in a prominent canalside location and as such, the redevelopment opportunities that it presents have been optimised, whilst at the same time being carefully considered in the context of townscape and environmental considerations, including the Site's location within the Conservation Area and proximity to several statutory listed and locally listed buildings. The Proposed Development will improve the townscape of the Site and the surrounding area by replacing the existing buildings with well-designed, high quality new buildings that have been designed to respond appropriately taking into account the Site's location, capacity for development and the character of the surrounding area. This will principally be delivered through the proposed palette of high-quality materials which have been carefully selected by the project architect to ensure that the Proposed Development fits in well in urban design terms with its surrounding context.

- 6.52. In addition to the appearance of the buildings, the proposed scale has been designed to deliver significant urban design benefits and to contribute positively to the character and appearance of the surrounding area. The height of the proposed buildings varies across the Site to respond to the surrounding context, stepping down in height towards Eagle Wharf Road, before stepping-up towards the canal to create greater architectural interest and mark the siting of Sturt's Lock.
- 6.53. In layout terms, buildings within the Site have been configured to deliver a number of urban design benefits whilst also ensuring the provision of a quality residential environment for future residents. The proposed layout will also enable a comprehensive package of public realm improvements to be delivered, including a pedestrian route through to the improved canalside via new pedestrian central yard. The general approach towards landscaping on the Site has been to enhance the setting of the Site and its contribution to the local area through the delivery of high quality and distinctive landscaped design. The proposed concept seeks to combine ecological principles with a high-quality external environment, providing a strong sense of place. Further discussion of the design evolution process and the Proposed Development is set out in the Design and Access Statement.
- 6.54. The scheme has also been fully assessed as part of the Heritage Statement prepared by Alan Baxter Associates submitted as part of the Application. In particular, it is noted that this includes an assessment of the potential impact of the Proposed Development on the setting of the Regent's Canal Conservation Area, the locally listed buildings at No. 50 Eagle Wharf Road and Copley Street, and the Grade II-listed buildings in Arlington Square. This is discussed further in the next section below, however, it should be noted that the proposed scheme has been carefully designed to ensure that the impact on the relevant designated and non-designated heritage assets is minimised.
- 6.55. In summary, the Proposed Development has been thoughtfully designed and will represent a significant improvement on the appearance of the existing site. The scheme thereby accords with the Development Plan.

Heritage and Townscape

- 6.54. The NPPF establishes national level policy on the conservation and preservation of the historic environment. Paragraph 189 requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 192 further states that the desirability of new development should make a positive contribution to both local character and distinctiveness.
- 6.55. Paragraph 193 provides that when considering the impact of a Proposed Development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It emphasises that the weight given to an asset's conservation should be proportionate to its significance, and that clear and convincing justification will be required for loss and harm to heritage assets.
- 6.56. The legislation governing listed buildings and conservation areas is the Planning (Listed Building and Conservation Areas) Act 1990. Section 66 (1) of the Act requires decision makers to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' when determining applications which affect a listed building or its setting. Section 72(1) of the Act requires decision makers with respect to any buildings or other land in a conservation area to pay 'special attention...to the desirability of preserving or enhancing the character or appearance of that area'.
- 6.57. Paragraph 196 also states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 6.58. Finally, under paragraph 200 of the NPPF, when considering the impact of a Proposed Development on the significance of a designated heritage asset, LPAs should look for opportunities for new development in Conservation Areas and the setting of heritage

assets to enhance or better reveal their significance and proposals that preserve or better reveal the significance of heritage assets should be treated favourably.

6.59. The London Plan promotes development of the highest architectural quality. Policy D3 sets out design-led approach for developments to optimise the potential of sites and be designed in consideration of the local context including potential impact on listed buildings and conservation areas, providing a development that enhances the public realm, uses a palette of materials that complements the local architectural character, is inclusive and is flexible to allow for different activities.

6.60. LP33 Policy LP1 states developments should be compatible with local views and preserve protected views and likewise, enhance the significance of the historic environment and the setting of heritage assets.

Assessment

6.61. A Townscape Visual Impact Assessment has been prepared by Peter Stewart Consultancy and Cityscape which includes 13 viewpoints to illustrate the effect of the Proposed Development on townscape and views. Overall, the views analysis demonstrates that the proposals will engage positively with its context, enhancing the quality of these views and acting as positive marker of Sturt's Lock. The report concludes that the Proposed Development would form a high quality and characterful piece of architecture, would be appropriately scaled, and would either enhance or have a neutral effect on the local and wider views and townscape in which it would be visible. It would create a welcoming environment that strengthens links to the canalside and encourages social interaction.

6.62. Furthermore, the supporting Heritage Statement, prepared by Alan Baxter Associates, concludes that the scheme will enhance the setting of the adjacent locally-listed lock and, by the use of thoughtful design and high-quality detailing, will enhance the Regent's Canal Conservation Area providing high density development on site with no negative impact to the adjacent locally listed structures at No. 50 Eagle Wharf Road or Copley Street. The height and high-quality architecture will emphasise Sturt's Lock as a focal point on the

canal, achieving the many benefits of the development whilst remaining sensitive to the site's industrial and canalside heritage. The development will improve the existing site's relationship to the canal, reinstating its historical orientation, facing the canal, and reconnecting the site visually with the towpath, the waterside and the lock, consequently reconnecting the canal with Eagle Wharf Road.

6.63. Notwithstanding, the report acknowledges that the introduction of any visible form above an unbroken linear roof line of the southern terrace from Arlington Square would detract from its setting by causing some minor disruption to its uniformity. This is considered to be at the lower end of less than substantial harm when assessing the designated heritage assets. On this basis, any impacts causing less than substantial harm must be carefully balanced against the planning benefits of the scheme, in accordance with Paragraph 196 of the NPPF.

6.64. It is our view that the harm is outweighed by the following significant public benefits of the proposed development:

- Increased employment floorspace on-site providing a mix of flexible workspaces including hot desks, incubator and micro studies which are designed to encourage and meet the modern day working of the more creative industries;
- Provision of affordable workspace on site to provide 10% of the total office accommodation, whilst rehousing the existing storage facilities on site;
- Provision of 139 BTR units which will contribute towards the Council's housing targets;
- Improved public realm through the provision of a central landscaped area as public amenity space and a new pedestrian route through to the canal side;
- Improved landscaping that will enhance the appearance of the canal edge;

- New commercial uses that will enhance the vitality and viability of the area and contribute to animating the street-scene;
- Removing the existing building of poor architectural quality and providing a well pro-portioned development of high-quality architecture;
- Enhancing the setting of locally listed Sturt's Lock, improving both access to and appreciation of this heritage asset; and
- Retaining existing features at the site, including the reinstatement of pitched roofs and historic break out spaces between the north and south blocks through the re-purposed 1939 Victorian wrought iron trusses to create the new canal side public courtyard.

6.65. In summary, the Proposed Development will have a beneficial effect on the townscape of surrounding areas and the views in which it is most prominent, together with enhancing the character and appearance of the Regents Canal Conservation Area and the neighbouring locally listed buildings. Whilst it is considered that the proposals will result in less than substantial harm to the setting of the Arlington Square Conservation Area and Grade II-listed terrace, the degree of this harm is considered to be at the lower end of less than substantial and is outweighed by the public benefits of the in line with paragraph 196 of the NPPF. For these reasons, the Proposed Development is considered to be in accordance with national and local policies and guidance in respect of design, heritage and conservation.

Air Quality

6.66. Paragraph 170 within the NPPF seeks to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

- 6.67. Paragraph 181 further states that development proposals should contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMA).
- 6.68. PLP Policy SI1 states that in order to tackle poor air quality, proposals should be at least air quality neutral. As part of this, proposals should use design solutions to prevent or minimise increased exposure to existing air pollution. In order to assess the impacts of development proposals, Air Quality Assessments should be provided as part of the application submission.
- 6.69. At local level, LP33 Policy LP58 states that developments must not exceed air quality neutral standards as a minimum.. Or, how impacts on air quality will be minimised as far as is practicably possible.

Assessment

- 6.70. An Air Quality Assessment, prepared by SRL Technical Services, accompanies the Application. The report demonstrates that the impact of traffic emissions generated by the Proposed Development once operational will be negligible. Additionally, air quality for future residents and users of the Proposed Development has been considered and found to be suitable. The emissions from the energy generating plant proposed for the Site will comply with the thresholds set out in Supplementary Planning Guidance (SPG) issued by the Mayor of London and, therefore, plant emissions are unlikely to have a significant impact on local air quality. The air quality neutrality of the Proposed Development has been assessed and has been found to be air quality neutral.
- 6.71. The Site is therefore considered to be air quality neutral and suitable for employment and other mixed uses, given that there is the potential to reduce exposure through controlled ventilation, in accordance with local PLP Policy SI1 and LP33 Policy LP58.

Noise

- 6.72. Paragraph 180 within the NPPF states that planning decisions should aim to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new development.
- 6.73. Paragraph 170 states that development should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 6.74. At regional level, PLP Policy D14 requires new noise sensitive development to be separated from major noise sources wherever practicable through the use of distance, screening, or internal layout in preference to sole reliance on sound insulation; and promoting new technologies and improved practices to reduce noise at source.
- 6.75. At local level, LP33 Policy LP58 within the DMLP states development proposals should carry out a noise assessment to determine any adverse effects and demonstrate how they will be appropriately mitigated where required. All residential developments should minimise the potential for any adverse noise impacts between dwellings through housing layout, design and material.

Assessment

- 6.76. The accompanying Noise Assessment, prepared by SRL Technical Services, was undertaken to establish the existing background noise climate and plant noise emissions criteria in line with the requirements of the policies set out above. The report recommends a number of measures to mitigate any potential noise impacts both during construction and operational phases of the proposed development.
- 6.77. During operation, road traffic noise levels are not expected to significantly increase on Eagle Wharf Road. As such, the recommended glazing and ventilation specifications are considered capable of attenuating external noise break-in to within guideline criteria. The

residential apartments will be shielded from the proposed self-storage facility, as the storage is at the basement levels. Therefore, the residents are not expected to be impacted by noise from the self-storage facility. Between the office and the residential units above, sound insulation will be carefully designed to mitigate against possible noise disturbance to residents. Additionally, the proposed plant will be located at ground and basement floor levels. Plant will be housed internally which will reduce noise emissions to atmosphere and will meet the relevant standards for daytime and night-time dB levels.

6.78. With regards to the noise generated from outdoor amenity spaces, including the proposed of terraces and gardens, it is expected to fall within the desired guidance levels. The development can, therefore, be designed to achieve acceptable standards for future and residents, in accordance with national standards.

Daylight, Sunlight and Overshadowing

6.79. Paragraph 127 within the NPPF stipulates that planning policies and decisions should always seek to secure a good standard of amenity for existing and future users of places. Furthermore, national guidelines for daylight and sunlight issues are contained with BRE guidelines, regional and local policy refer to these guidelines as the accepted standard.

6.80. PLP Policy D6(d) states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst minimising overshadowing.

6.81. At local level, LP33 Policy LP2 states that new developments must be appropriate to its location and should be designed to ensure that there are no significant adverse impacts on the amenity of occupiers and neighbours. Amenity considerations include the impact on overshadowing, sunlight and daylight.

Assessment

- 6.82. A Daylight and Sunlight Assessment has been undertaken by EB7 which accompanies this Application. The report demonstrates that the overall effects of the development's impact upon the neighbouring properties is considered to be consistent with the intentions of the BRE guidance and relevant planning policy in terms of daylight and sunlight. The Proposal has been designed to be sensitive to its neighbours with regard to natural light by pulling away and stepping down in massing where necessary.
- 6.83. As would be expected for a scheme in a dense urban environment there will be some noticeable impacts to neighbouring residential properties. Generally, these windows have very high existing VSC values due to little obstruction caused by the existing building on the site, such that any development of a reasonable scale would result in a noticeable change, however the absolute VSC levels retained are common for an inner urban location. Furthermore, where deviations occur, the effects are isolated and are considered to be consistent with levels expected in an urban location in line with the BRE guidance.
- 6.84. The assessment of sunlight to neighbouring windows has also shown the vast majority of rooms retain sunlight levels in line with the BRE criteria. The assessment of sunlight amenity (overshadowing) within the neighbouring amenity spaces including Regent's Canal have shown full compliance with the BRE criteria.
- 6.85. The overall effects of the developments impact upon the neighbouring properties is therefore considered to be consistent with the intentions of the BRE guidance and relevant planning policy in terms of daylight and sunlight and are considered to be consistent with other nearby developments previously approved by LB Hackney. As such, the Proposed Development is considered to comply with the above policies on the basis that the proposals do not cause unacceptable harm to the amenity of the surrounding buildings.

Privacy and Overlooking

6.86. In addition to PLP Policy D3, LP33 Policy LP2 notes that amenity considerations should be accorded with, specifically in relation to:

- Visual privacy and overlooking;
- Overshadowing and outlook;
- Sunlight and daylight, and artificial light, levels;
- Vibration, noise, fumes and odour, and other forms of pollution;
- Microclimate conditions;
- Safety of highway users.
- Assessment

6.87. In accordance with London Plan and Local Plan policies, the proposed scheme has been designed to minimise proximity and overlooking to adjoining developments, acknowledging future developments on neighbouring sites, by maintaining adequate distances between existing and proposed habitable windows. Adequate distances will be maintained between the proposed scheme and the properties situated to the north of Regents Canal, ensuring there is no impact on the amenity of the neighbouring residential properties as a result of overlooking or loss of privacy.

6.88. Within the proposed scheme, the use of raised planters and boundary planting will provide additional privacy between the proposed private and communal amenity spaces, whilst the proposed layout will ensure that overlooking between the proposed units is minimised. It is therefore considered that the scheme is acceptable in amenity terms.

Transport and Parking

6.89. Paragraph 102 of the NPPF states that development should take opportunities to promote walking, cycling and public transport use as part of the earliest stages of development proposals.

6.90. The Publication London Plan promotes car-free development and sustainable transport modes as part of meeting the Mayor's strategic target of 80% of all trips made by foot, cycle or public transport. Development should make the effective use of land, reflecting its connectivity and accessibility by existing and future transport routes. For the purpose of this assessment, the PLP sets out the following supporting policies:

- Policy GG2 states that proposals must plan for good sustainable transport modes with a strategic target of 80% of journeys using such modes;
- Policy T2 requires developments to demonstrate how they will deliver improvements that support the ten healthy streets indicators and reduce the dominance of vehicles, whilst also being permeable by foot and cycle.
- Policy T4 sets out the requirement for transport assessments to embed the Healthy Streets Approach in new developments;
- Policy T5 seeks secure cycle parking at least in accordance with the minimum standards set out in Table 10.2 of the Publication London Plan;
- Policy T6 sets out the maximum car parking requirements for new developments as well as the requirements for Blue Badge parking;
- Policy T7 provides the framework expectations for delivery and servicing of new developments.

6.91. At local level, LP33 Policy LP42 requires new development to promote sustainable transport modes in the borough, prioritizing walking and cycling. In particular, proposals will be permitted where they improve the pedestrian environment and contribute towards achieving a world class public realm linking the site to infrastructure, facilities and amenities. In addition, proposals will also be expected to contribute towards creating a safe and accessible environment for cyclists, providing a suitable level of cycle parking in accordance with Hackney's cycle parking standards.

6.92. In addition, LP33 Policy LP43 states that new development will be permitted where development reduces the need to travel and which integrates land use and transport to encourage mixed use development which support compact growth and regeneration.

Similarly, where proposals minimise car trips and enables new residents to make journeys by active modes and public transport will be encouraged.

- 6.93. Policy LP44 sets out further requirements of major developments including contributions towards improvements to the bus network and supporting sustainable transport initiatives through the promotion of cycle hire facilities, electrical vehicle charging points (ECVPs) and pocket parks. On-street car parking will be supported when delivered in conjunction with an overall reduction in car parking.
- 6.94. Policy LP45 states that LB Hackney will require all new developments to be car free unless in circumstances where parking is being provided for disabled users or is essential to the operational or servicing needs of the development, justified through a Transport Assessment. All major residential schemes will be required to provide a fifth of all off-street parking spaces as ECVPs.

Assessment

- 6.95. A Transport Statement has been prepared by Alan Baxter Associates, which concludes that the transport and movement impacts of the development will be insignificant and that the development will provide improved Access Self Storage facilities that will improve the quality of the environment on Eagle Wharf Road. This includes an Active Travel Zone (ATZ) assessment within which a Healthy Streets Check has been carried out.
- 6.96. Based on the trip generation analysis, approximately 89% of travel to and from the site would be undertaken using sustainable transport modes. Impact analysis of the scheme's anticipated non-vehicle trips demonstrates that the development would not have a significant impact on local pedestrian environment and public transport services.
- 6.97. As set out in the Transport Statement, the site is in an area of PTAL range 2 to 4, but within close proximity to public transport and local amenities. In consideration of the car-free approach adopted by the Mayor and LB Hackney, the proposals have been developed to be car free, except for disabled parking (6 spaces) and operational parking (6 spaces) to suit the requirements of the B8 storage use. The development is proposed

to be under a permit-free agreement which will prevent new residents of Sturt's Yard parking on-street. 6 disabled parking spaces (1 for office use, 5 for residential use) will be provided at ground floor level, in accordance with development plan. All will be fitted with EVCPs including eight Active Charging points and four Passive charging points.

6.98. In accordance with the Healthy Streets Check, proposed off-site improvement works are proposed to improve the pedestrian environment, the full details of which are included within the corresponding Transport Assessment.

6.99. In terms of cycle provision, the Proposed Development will include a 332 long and 64 short stay cycle parking spaces to serve the development (396 in total), including provision for larger bike storage.

6.100. In summary, the Site's excellent levels of accessibility to a wide range of public transport, along with the proposed provision of on-site cycle storage and parking facilities, will contribute to actively discouraging car ownership. The Transport Statement prepared by Alan Baxter Associates demonstrates that the Proposed Development is in accordance with national, regional and local planning policy.

Servicing Arrangements and Refuse Collection

6.101. PLP Policy D3 states that developments should facilitate efficient servicing and deliveries and minimise the impact on the environment, public realm and vulnerable road users. In addition, PLP Policy T7 states that development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible.

6.102. LP33 Policy LP45 states that proposals must incorporate designated spaces for deliveries within the boundary of the development and where appropriate, provide delivery and servicing plans which encourage for the provision of low emissions, consolidation and last mile delivery modes.

Assessment

- 6.103. It is proposed that deliveries for the office and storage uses (including bulk storage) will take place within the Site with service access provided from gated entrances to the proposed Western Yard together with supplementary on-street servicing. Deliveries and servicing relating to residential and café uses are proposed to take place from the northern kerbside, in front of the Site, which allows for loading. This will include refuse collections in accordance with the existing arrangement.
- 6.104. The total trip generation from the B8 use is anticipated to be lower than the existing arrangement owing to the reduction in B8 floorspace upon the existing arrangement. The total trips generated from the office and residential components of the development has been based upon the originally proposed scheme submitted under application Ref: 2018/3517, the scope of which was reduced during determination. Overall, it is considered that the proposed trip generation indicates a relatively low number of vehicular trips comparative to those by sustainable transport modes and in practice, is likely to be lower owing to the car-free nature of the development.
- 6.105. Overall, the Transport Statement demonstrates that the Proposed Development has been designed to minimise the use of the private car and provide adequate levels of servicing, in line with the above policies.

Sustainability and Energy

- 6.106. As noted previously, the NPPF establishes a presumption in favour of sustainable development. Paragraph 148 encourages proposals which support renewable and low carbon energy and associated infrastructure. Paragraph 153 states that, in determining planning applications, local planning authorities should expect new development to:
- comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated that it is not feasible or viable; and

- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

6.107. The Publication London Plan sets out that major development should be designed to be net zero-carbon in accordance with the energy hierarchy set out in Policy SI2. Proposals should include a detailed energy strategy to demonstrate how the zero carbon target will be met within this framework, with a minimum on-site reduction of 35% over Part L. Any shortfall should be met either through a payment in-lieu or off-site provision.

6.108. LP33 Policy LP55 states that all new residential development should meet a zero carbon emissions target in line with the London Plan energy hierarchy together with the Sustainability and Built Environment SPD. All non-residential development must achieve BREEAM Excellent and achieve the maximum number of water credits and built to be zero-carbon. Where it can be robustly demonstrated that it is not possible to reduce CO2 emissions by the specified levels, carbon off-setting payments will be accepted.

6.109. In addition, Policy LP56 outlines that developments should also maximise opportunities to incorporate decentralised energy to support reductions in energy use and emissions, with new major developments connecting to an existing network unless it is technically unfeasible or economically unviable.

Assessment

6.110. The application is supported by a BREEAM Sustainability Report and an Energy Statement, both prepared by Foreman Roberts.

6.111. The BREEAM Report states that, due to the nature of the self-storage areas being primarily warehouse like storage areas, the extent which some sustainability features could be incorporated is somewhat limited. Therefore, based on the current design assumptions, it is anticipated that this element of the scheme would achieve a score of 61.21%, a BREEAM Very Good rating. This is considered an appropriate score for this type of facility due to the relatively small scale of the applicable areas.

- 6.112. A BREEAM Excellent rating is however sought for the office areas, on the basis that there are greater opportunities to incorporate sustainability features and practices appropriate to the use of the building. The pre-assessment for these areas demonstrates that this is achievable, with a score of 71.45% achieved at this stage of the design, a BREEAM Excellent rating.
- 6.113. As detailed in the Energy Statement, the building and building envelope have been designed to reduce energy demand. The thermal performance of the building envelope has been maximised with a strong focus being placed on the optimisation of the glazed façade, use of balconies as shading, and the optimisation of U-values. In addition, energy use is efficient due to the incorporation of features in the building services systems.
- 6.114. The utilisation of this approach results in an improvement in the Building Regulations Part L (2013) Target Emission Rate of 12.2% at the Energy Efficiency Stage (be Lean) of the Energy Hierarchy.
- 6.115. Investigation has been made to the availability of existing or proposed district heat networks, with the result that although there is an existing network in the vicinity, it is over 300m away, therefore the feasibility of being able to connect to it is questionable. However, further discussions will be had with the operator, Vital Energy, and additionally, space will be allowed within the energy centre for heat exchangers should this, or any other local system become available to connect to at some point in the future.
- 6.116. To meet the challenge of providing affordable low-carbon heat energy a low carbon community heating scheme is proposed. This will be served from a single main energy centre utilising air-to-water air source heat pumps (ASHPs), which will serve all residential dwellings. The utilisation of air-source technology has been incorporated into the Be Clean stage of the energy hierarchy and results in a further 37% reduction in CO₂ emissions. In addition, through the provision of 62 Photovoltaic (PVs) in the development, the Be Green stage of the energy hierarchy would generate an additional 3% reduction in CO₂ emission.

The proposals will therefore result in a combined CO2 emissions reduction of 52.2%, in excess of the minimum on-site set out in the London Plan.

- 6.117. In order to meet the zero-carbon target set out in the development plan, a financial contribution is proposed to off-set the remain regulated CO2 emissions, in accordance with the requirements set out in policy. On this basis the proposals are considered to fully comply with the development plan.

Flooding and Drainage

- 6.118. PLP Policy SI 12 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is assessed. This should include, where possible, space for water and should be set-back from existing watercourses. Policy SI 13 adds that proposals should aim to achieve greenfield run-off rates and ensure that surface water is managed as close to its source as possible, with a preference for green over grey features in accordance with the drainage hierarchy. In addition, Policy G5 states that proposals should include nature-based sustainable drainage.
- 6.119. LP33 Policy LP53 requires all major development to submit a Sustainable Urban Drainage Strategy taking into account climate change allowances. Similarly, proposals should achieve greenfield runoff rates by attenuating rainwater on-site, utilising SUDS in accordance with the London Plan Drainage Hierarchy.

Assessment

- 6.120. The site lies within Flood Zone 1 which the EA defines as land having less than 1:1000 annual probability of river or sea flooding (<0.1%). Whilst it is understood that surface water flooding is not a significant risk to the site, the site is within an area of increased potential for elevated ground water.
- 6.121. As such, the application is supported by a Flood Risk Assessment and SUDs Strategy, prepared by Alan Baxter Associates. The report concludes that, based on published flood maps, no significant flood risks have been identified on the site. In order to mitigate the

theoretical risk of surface water ingress into the proposed buildings on site, the report recommends threshold levels are raised above the level of Eagle Wharf Road and the external hardstanding areas on the development.

- 6.122. Additionally, a SuDS strategy incorporating a large area of green roof and volume of attenuation storage is proposed to reduce the surface water run off rate from the proposed development. Calculations set out in the accompanying report indicate that the proposed arrangement will reduce the surface water run-off from the site by around 90% compared to existing.
- 6.123. Although there will be a small increase in the foul discharge rate, this is more than offset by the significant reduction in surface water discharge from the site into the Thames Water combined sewer network, which will help to reduce any associated flood risks.
- 6.124. Overall, the proposed scheme is considered to be in accordance with the Development Plan policies.

Ecology and Biodiversity

- 6.125. PLP Policy GG2 states that major developments should protect and enhance the City's open spaces including designated nature conservation sites and promote urban greening aimed at securing biodiversity net gains. This is similarly reflected in Policy G6, which states that development proposals should management impacts on biodiversity and aim to secure biodiversity net gain.
- 6.126. LP33 Policy LP47 states that all development should protect and where possible enhance biodiversity leading to a net gain. This should include opportunities to maximise/create new existing natural environments, nature conservation areas, habitats and other biodiversity features into the wider green infrastructure network. As part of this approach, biodiversity surveys should be provided as part of new proposals. All schemes with eaves height of 5 metres or above are required to provide nesting boxes for birds and/or bats as appropriate to help preserve endangered urban biodiversity. Schemes, which are adjacent to SINCs must not have a detrimental impact on biodiversity or nature conservation value of the site.

Assessment

- 6.127. The Site comprises four warehouse buildings and is predominantly laid with hard standing and pavements. The quality of plant communities and habitats present is low. However, the Site is situated adjacent to the Regent's Canal, which is designated as a SINCC and contains several trees on a small area of green space. As such, the application is supported by a Preliminary Ecological Assessment (PEA), prepared by PJC.
- 6.128. Through the implementation of the recommendations made in the supporting Preliminary Ecological Assessment, the Development will increase the species variety and coverage across the site through the creation of a range of new habitats and wildlife zones.
- 6.129. The new public realm, including soft landscaping proposed as part of the completed Development will provide numerous ecological benefits. 14 bird bricks are proposed to be installed together with six bird boxes in each building. In addition, a total of five bat bricks and five bat boxes will also be incorporated into the development, in accordance with the recommendations of the PEA.
- 6.130. During construction care will be taken not to disturb or harm nesting birds, and other protected species, with measures secured by way of the CEMP.
- 6.131. Whilst the scheme will result in the removal of trees on the adjacent land, which is in the ownership of the Canal & River Trust, the proposed tree replacement scheme has the potential to increase the tree coverage across the site by over 5%.
- 6.132. In conclusion, the development will comply with relevant planning policies, by incorporating measures to conserve and enhance the natural environment appropriate to the Development's location.

Impact on Regent's Canal

- 6.133. Given the Site's location adjacent to Regent's Canal, London Plan and Local Plan policies relating to the canal network are of relevance. PLP Policy SI17 states that development proposals along London's canal network should respect their local character, environment and biodiversity and should contribute towards their accessibility and waterway uses.
- 6.134. LP33 Policy LP52 states that the natural habitat and setting of the waterways and their riparian areas will be protected and enhanced. Where appropriate, public access, continuous green links, towpaths and heritage value along the waterfront should be maintained, improved and extended for the purposes of nature conservation, leisure, recreation, education and economic activity.
- 6.135. 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, and the proposal reuses brownfield land, and the design makes a positive contribution to the character and appearance of the waterfront area and setting.

Assessment

- 6.136. At present, the Site does not provide access onto the canal from Eagle Wharf Road, and the existing buildings fail to engage with the canalside location. The proposed scheme will provide a series of enhancements to the public realm, significantly improving the character and appearance of Regent's Canal. The proposals will be designed to allow a future connection to the canal-edge which will be subject to agreement with the relevant landowners and interested parties.
- 6.137. The provision of a café fronting onto the canal will help improve the vitality of the area, whilst the wider scheme will mark a significant improvement on the existing site.

Furthermore, as set out in the supporting Ecology Report, the canal and surrounding area will benefit from a series of biodiversity and ecology improvements.

- 6.138. The scheme will also enhance the setting of the adjacent locally-listed lock and, by the use of thoughtful design and high quality detailing, will enhance the Regent's Canal Conservation Area providing high density development on site with no negative impact to the adjacent locally listed structures at No. 50 Eagle Wharf Road or Copley Street.
- 6.139. The scale and massing of the proposed development is informed by site constraints and site opportunities with the siting at Sturt's Lock, and will not result in an unacceptable level of overshadowing along the canal, in line with BRE guidance and relevant planning policy in terms of daylight and sunlight.
- 6.140. It is therefore considered that the proposed scheme will make a positive contribution to the area, in accordance with PLP Policy SI17 and LP33 Policy LP52.

Archaeology

- 6.141. PLP Policy HC1(d) states that new development should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. In addition, proposals should make provision for the protection of archaeological resources, landscapes and significant memorials.
- 6.142. Locally, LP33 Policy LP6 states that developments must protect, enhance and promote archaeological heritage and the interpretation and presentation of archaeological heritage to the public will be encouraged.

Assessment

- 6.143. An Archaeological Desk-based Assessment of the Site has been undertaken by CgMs. The report confirms that the Site does not lie within the vicinity of a World Heritage

- 6.144. Site, Scheduled Monument, Historic Battlefield or Historic Wreck, or within an Archaeological Priority Area as defined by the local planning authority. The site can be considered likely to have a generally low archaeological potential for all past periods of human activity. Past post depositional impacts are considered likely to have been severe as a result of several phases of redevelopment. The report concludes that, in view of the available information, no further archaeological mitigation measures are considered necessary in this particular instance.

Land Contamination

- 6.145. The NPPF encourages development which prevents unacceptable risks from pollution and land instability. Of relevance to the Site, paragraph 178 of the NPPF seeks to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 6.146. At local level, LP33 Policy LP58 (H) states that development proposed on contaminated or potentially contaminated land should be provided in accordance with the latest guidance together with remediation proposals where required.

Assessment

- 6.147. A supporting Geo-Environmental Site Assessment has therefore been undertaken by RSK which indicates that relevant pollutant linkages are absent and therefore the site is suitable for the proposed uses.
- 6.148. Based on the findings of the desk study, a generally low level of soil/groundwater contamination risk is considered to exist at the Site and therefore no further mitigation measures are required, in accordance with LP33 Policy LP58.

7. DRAFT SECTION 106 HEADS OF TERMS

7.1. This section sets out a summary of the draft Heads of Terms for the Development and identifies where financial contributions could be made and where works 'in kind' are proposed in lieu of payment. The draft Heads of Terms have been considered in relation to Hackney's Section 106 Planning Contributions SPD (2020).

7.2. It is envisaged that discussions relating to the following draft heads of terms and the Section 106 Agreement will continue with LBH during the determination of the planning application.

- **Affordable Housing:** Affordable housing provision will be discussed further with the Council. The application is supported by a Financial Viability Assessment.
- **Affordable workspace:** 10% of total office floorspace at a 20% discount as set out in the Financial Viability Assessment;
- **BTR Management Plan:** in-kind provision;
- **Car free development (restriction on permits):** in-kind provision;
- **Carbon offset payment:** financial contribution;
- **Employment and Training contribution:** financial contribution;
- **Employment and Skills Plan (including Apprenticeships and Procurement Plan):** in-kind provision;
- **Healthy Streets Contribution:** financial contribution;
- **Highways improvement works:** in-kind provision;
- **Travel Plan:** in-kind provision;
- **Travel Plan Monitoring fee:** financial contribution;
- **Tree Replacement Works:** in-kind provision (to be agreed with the Canal and Rivers Trust);
- **S106 Monitoring fee:** financial contribution.

8. CONCLUSION

- 8.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires proposals to be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 8.2. This Statement assesses the Development against the Development Plan and other relevant national, regional and local planning policy, including the aspirations and targets for the City Fringe Opportunity Area.
- 8.3. The principle of the Development accords with adopted and emerging planning policy and guidance. National policy, the London Plan, the Core Strategy and the City Fringe OAPF all seek to ensure that development achieves the highest possible intensity of use compatible with the local context in order to deliver a scale of development which makes the most effective and efficient use of land.
- 8.4. The Development will deliver an employment-led mixed use development with a sustainable mix of uses that complement and enhance the area's existing offer, contributing to regional and local planning targets for jobs and homes; delivering public realm improvements and exemplary design; whilst maximising the development potential of a brownfield site allocated for development in the Local Plan 2033.
- 8.5. The proposals play an important role in delivering the aspirations of the Council for the Priority Office Area and the City Fringe Opportunity Area by delivering a significant quantum of new flexible office floorspace, a substantial number of Private Rented Sector residential units, and a café, whilst retaining the Site's existing primary use as a self-storage facility (Class B8).
- 8.6. The proposals have been subject to a comprehensive consultation exercise involving regular pre-application meetings officers from the Council, and key consultees such as the GLA, and local residents and amenity groups. The issues raised by these groups have been considered and incorporated in the development of the final proposals, where practicable.

8.7. The Development has been subject to detailed assessment against national, regional and local planning policy and guidance and has been found to be in general accordance with the Development Plan and other material considerations.

8.8. In particular, it will deliver the following policy objectives and public benefits:

- Increased employment offer on-site including substantial creation of office floorspace in the POA, including a mix of flexible workspaces including hot desks, incubator and micro studies which are designed to encourage and meet the modern day working of the more creative industries;
- Increased provision of affordable work space on site to provide 10% of the total office accommodation offer, whilst re-housing the existing storage facility on site;
- Provision of 139 residential units which will contribute towards the Council's housing targets and accord with the mixed-use requirements of the site's POA designation, in being auxiliary to the main employment function at the site;
- Improved public realm through the provision of a central landscaped area as public amenity space and a new pedestrian route through it to the canal side;
- Improved landscaping and tree planting that will enhance the appearance of the canal edge;
- New commercial uses that will enhance the vitality and viability of the area and contribute to animating the street scene;
- Removing the existing building of poor architectural quality and providing a well proportioned development of high-quality architecture;
- Enhancing the setting of locally listed Sturt's Lock, improving both access to and appreciation of this heritage asset; and
- Retaining existing features at the site, including the reinstatement of pitched roofs and historic break out spaces between the north and south blocks through the re-purposed 1939 Victorian wrought iron trusses to create the new canal side public courtyard.

- 8.9. Overall, the Development would deliver an exemplary development which would have many regenerative and economic benefits for the Site and immediately surrounding area in line with NPPF, London Plan and the Council's planning objectives.
- 8.10. For the reasons outlined above, the principle of the Development is consistent with the broad objectives of planning policy and in accordance with the Government's overarching objectives for sustainable growth.
- 8.11. The proposed Development is considered to be acceptable and, therefore, should be granted planning permission.

APPENDIX 1 – RETAIL IMPACT ASSESSMENT

STURT'S YARD – RETAIL ASSESSMENT

This Retail Assessment appendix has been prepared to satisfy Local Plan 2033 Policy SD7. Policy SD7 requires that proposals for new Out of Centre retail floorspace (formerly Class A1 – A5) *“in excess of 200 sq.m gross will be required to submit a sequential test and an impact assessment demonstrating that there will be no adverse impact on the vitality and viability of ... town centres”*. The proposed redevelopment of Sturt's Lock, whilst primarily delivering residential accommodation (139 units) and office floorspace (4632 sqm GIA), also includes a small café (297 sq.m GIA) on this Out of Centre site. As such, there is a requirement to submit a sequential test and impact assessment.

Although only a small component of the overall floorspace being proposed, the retail element of the proposed development is an integral part of the wider development which is forecast to principally serve and support the significant uplift in population deriving from the proposed scheme's future residents and office workers.

By way of context, the site is located circa 1.2km west of Hoxton Street (a designated Local Shopping Centre ('LSC')), the closest defined centre to the site. On the basis that other centres in LB Hackney's retail centres hierarchy are further afield, Hoxton Street LSC is the only centre which is in close enough proximity to need to be considered as part of this retail assessment. This Appendix now demonstrates the appropriateness of the proposals in line with the requirements of DM7, namely the need to satisfy the sequential and impact tests.

Sequential Test

Paragraph 86 of the National Planning Policy framework ('NPPF'), like Policy SD7, requires proposals for new retail development in Out of Centre locations to undertake a sequential approach to site selection. This states that in applying the sequential approach, retail uses should first be located within Town Centre locations (Hoxton Street LSC in this instance) and then in Edge of Centre locations that are well connected to the Centre and then in Out of Centre locations.

As stated, the proposed café is an integral component of the Sturt's Lock proposals and as it will only come forward as part of the wider development, we do not consider it necessary to consider the potential to accommodate this floorspace as a separate entity in nearby Centres (Hoxton Street LSC). National Planning Practice Guidance ('NPPG') states that *"the application of the [sequential] test should be proportionate and appropriate given the proposal"* (Paragraph: 010 Reference ID: 2b-01020140306), recognising that some proposed uses will have *"particular market and locational requirements which mean that they may only be accommodated in specific locations"* (Paragraph: 011 Reference ID: 2b011-20140306). As such, the proposals are considered to satisfy the requirements of paragraph 86 of the NPPF and Policy DM7.

Retail Impact Test

The NPPF impact test (paragraph 89) and Policy DM7 require proposed retail floorspace to be assessed with regard to the impact on existing, committed and planned public and private investment and the impact of the proposal on Town Centres vitality and viability (in this instance on Hoxton Street LSC). Whilst the NPPF establishes a 2,500 sqm gross threshold, below which an impact assessment is not required, there is provision for local authorities to set their own, lower threshold. Policy SD7 identifies a 200 sqm gross threshold and on this basis an assessment of retail impact on Hoxton Street LSC is required and is included within this Appendix.

Importantly, NPPG is clear that *"the impact test should be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible"* (Paragraph: 017, Reference ID: 2b-017-20190722). As such, it is considered that a proportionate approach should be taken, appropriate to the location; the wider development being proposed; the retail context; and the restricted Class A3 café proposed.

The café floorspace proposed is designed to primarily serve future residents and office workers associated with the wider proposals. We estimate that new residents

will generate an additional circa £0.51m¹ of expenditure per annum with office works generating in the region of £0.55m² of additional expenditure (a total of approximately £1.06m). We have estimated that the proposed café unit will generate a turnover of approximately £1.54m³ per annum, meaning that it is therefore reasonable to assume that only a very small level of trade (circa £0.048m) could be drawn from elsewhere. Even if this were to be drawn entirely from Hoxton Street LSC, representing a 'worst-case' scenario, this would equate to an impact of less than 0.3%⁴.

Considering the health of Hoxton Street LSC and its ability to withstand what is only a negligible level of impact, health check surveys of Hoxton Street LSC (both LB Hackney evidence base work or our own) find it to be both vital and viable, performing well against key 'health check' indicators, including high levels of footfall, limited vacancies and a good range of retail and service operators.

The above assessment utilises consistent London Borough / Experian data sources and an estimate for Hoxton Street LSC (given the lack of available data) and is considered robust and proportionate, and if anything overstates any potential impact given the significant growth in available retail spend over recent years, a trend that is expected to continue over the plan period. It is concluded that given the negligible level of trade diversion, the proposals would not result in significantly adverse impacts on Hoxton Street LSC. In addition, and as part of this assessment, we can conclude that the proposed café (as part of the wider Sturt's Lock development) will not prejudice existing, committed or planning public and/or private investment. On this basis, the Proposed Development complies with NPPF paragraph 89 and Policy SD7.

¹ Based on a conservative estimate of 300 people (139 units), with per capita expenditure on food and beverage retailing of £1,700.

² Based on there being 322 new office workers, derived from an office area of 3,588 sqm NIA and an employment density of 11 sqm NIA per worker.

³ Based on the 297 sqm GIA unit and a trading density of £5,200 per sqm.

⁴ Based on a total turnover for Hoxton Street LSC of approximately £15m.

Summary

The proposed café unit is an important and integrated part of the proposals, which are intended to meet a locationally specific need/demand. It is not considered appropriate or reasonable to accommodate this floorspace as a separate entity in nearby Centres and as such there are no sequentially preferable / suitable sites or units available within Hoxton Street LSC.

Based on the identified local need associated with the wider development and the expenditure available from the increased residential and office populations, the proposals will not have any significant impact on the vitality and viability of Hoxton Street LSC and by extension other centres further afield. Furthermore, Hoxton Street LSC is evidently performing strongly and is considered to be a healthy centre. There is no planned or committed investment in Hoxton Street LSC which could or would be affected by the proposals.

On this basis, compliance with the sequential and retail impact tests as outlined in Policy SD7 and the NPPF has been demonstrated.

DP4274

**APPENDIX 2 – DRAFT AFFORDABLE WORKSPACE
STATEMENT**

Access Self Storage – Draft Affordable Workspace Statement

February 2021

Capacity

- 463sqm of will be offered as Affordable Workspace. This equates to 3.7% of the total employment floorspace.
- The employment area is predominantly made up of self-storage space (7,364sqm) with offices (4,632sqm) and café (297sqm) floorspace.
- The affordable workspace equates to 10% of the total office floorspace provision.
- If we assume that an individual occupier requires 12sqm of office space, then we would house 38 individuals on site within the affordable workspace.

Design Specification of the Proposed Workspace

The proposed affordable workspace is designated solely to Class E(g) use. The space has been designed to appeal to a multitude of different types of start-up businesses and SMEs. The space will be principally used as offices but will be flexible to occupier's requirements.

Initially, there is one type of design specification and this is summarised below:

- Climate controlled office space
- Minimum floor to ceiling heights of 2.7m
- Fast Broadband Connections
- Private phone systems available (at an extra cost)
- Shared kitchen and toilet facilities
- Extended/Flexible hours of access
- Secure entry phone system

- Secure cycle parking
- Storage packages available (subject to extra costs)
- Full access to the onsite amenities and cafe
- All-inclusive bills package available

Target Occupiers

The space will be very much designed to provide a friendly and hospitable environment for people wishing to reside on their own or mix/co work with other like-minded individuals and companies. It has been designed with flexibility and adaptability in mind to make sure it can be tailored to occupational needs and appeal to a multitude of different and diverse businesses.

We suggest initially that lettings should be on a location basis, occupants living in the London Borough of Hackney will have priority. Once the entire space is fully let, any future space that becomes available will always be offered on this basis, namely to the local borough's residents first. If space remains unoccupied after a preliminary 3 month period, then it can be offered to those living in other London Boroughs who may have a need for this type of accommodation.

Occupants will have to join the affordable workspace as an associate member and will be placed on a waiting list should the space be oversubscribed.

We have ambitions for the space to appeal to:

- SME and start up tenants whose businesses work with local communities and commerce.
- Service providers who cannot afford Mid-Town, City and City Fringe rents, rates and outgoings
- Niche business who seek adaptable and flexible office accommodation

- New or recently formed occupiers who seek small offices, studios or workspace which provide short or longer terms lease agreements
- Rehouse, where possible, occupiers of the current storage and office facilities
- Sectors in occupation close by include Media, Life Sciences, Technology, Medical Services, Construction, Hospitality and these could provide platforms for occupiers trying to break into these industries or provide local support services.

Management and Lease Arrangements

- Access Self Storage will be the registered Affordable Work Space Provider.
- The management of this site will be housed on site with head office support.
- Dedicated help services and facilities supports will be available via the in-house management team.
- Permitted hours will be from 7am to 7pm.
- Principal rent will be assessed at a discount of 20% to open market value. Based upon the JLL valuation, documented within our viability assessment, the market rent is £40 per sqft for office space and 80% equivalent to £32 per sqft.
- Leases/Licences will be offered on initial 3-month terms with one months' written notice required by the occupiers should they wish to terminate the arrangement.
- Longer term contracts will be available (6 months plus) if required, with break notices extended to at least 3 months written notice being required.
- Space will be subject to rent reviews if occupied for more than a 3 year period. These will be RPI linked unless agreed otherwise.
- Any leases will be held outside of the security of tenure provisions denoted in the Landlord and Tenant Act 1954.