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Nick Bovaird
Planning Officer
Planning and Regulatory Services
London Borough of Hackney
Hackney Service Centre
1 Hillman Street
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For the attention of Mr Gareth Barnett, Planning Officer

Dear Nick

Re: Planning Application Ref 2021/0680 - Redevelopment of existing self storage site to provide a mixed use scheme comprising blocks of 2-7 storeys and accommodating a self storage facility, office accommodation, 139 residential units, along with landscaping and other works.

I write in connection with the above planning application. I live in the immediate vicinity of the application site and after examining the information submitted I wish to object strongly to the development of the proposed Struts Yard development.

I have adapted my original complaint letter from the previous application ref: 2018/3517 for the development of the same site as referenced above. I have also attached the original letter with this, as I understand comments on this application were lost due to an I.T. issue. In the intervening period between my letters I have become a new father, and unfortunately I can't dedicate the same amount of time to reviewing the proposals against the relevant Planning Policy. This has been exacerbated by the updates to both the London Plan and Hackney Development Management Plan, which I frankly have not been able to review to an adequate level of detail. With this in mind, I hope you will forgive any errors made when comparing the proposals to Planning Policy, and instead focus on the main points of the objection, along with the impact the proposals will have on my property, as well as those of my neighbours.

It is clear to me that the proposed density and massing of the scheme represent the over development of the site, and this view is further strengthened when the scheme is compared with the requirements of the Mayor of London and the Local Authority's suite of design guidance documentation. The impact this over development has on the surrounding areas and the properties within them further contravenes local level policies regarding local ecology, heritage conservation and neighbouring properties.

Over Development

In my previous letter, the density of the proposals had been reviewed against the London Plan, 2016 – Policy 3.4 Optimising Housing Potential, where it was clear that the density was higher than the guidance figure, when the PTAL rating of the site was taken into consideration.

A review of the new London Plan 2021, shows that there are no longer prescribed density matrices outlined within it. However, it does state under Part D of 'Policy D4 Delivering good design' that "*The design of development proposals should be thoroughly scrutinised*" if they "*include a residential component that exceeds 350 units per hectare*".

The density of the proposals is as follows:

Stated Site Area: 0.52 Hectares

Number of Proposed Apartments: 139

139 Units on 0.52 Hectares = 267 Units per Hectare

Within the Hackney Local Plan 2033 the site is identified as a key strategic development Site (ref: SHX3), and development Option 2 states that the scheme should look to achieve 110 residential units across the whole site of 1.05ha, resulting in a density of 132 Units per Hectare. As such, it seems clear that the density of the site is far in excess of reasonable levels for the area.

The London Borough of Hackney – Hackney Local Plan 2033 - Policy LP13 - Affordable Housing & Policy LP14 – Dwelling Size Mix refer to the requirement for developments to include the suitable provision of affordable properties as well as the preferred dwelling mix in-terms of tenure and unit size to be provided by development proposals. Policy LP13 states that “*New development must maximise opportunities to supply genuinely affordable housing on-site. The Council will seek the maximum reasonable amount of affordable housing, subject to viability and site context.*” And that for schemes of 10 units or more “*A minimum 50% of housing delivered will be sought as on-site affordable housing*”. Policy LP14 provides information on the preferred dwelling mix, illustrating the proportions of properties of different sizes and mixture of tenures (Social Rent & London Affordable Rent, Intermediate and Market) required within the borough.

The preferred dwelling mix as outlined within Policy LP14 is as follows:

	1 Bed (2 persons)	2 Bed (3 or 4 persons)	3 of more Bed (5 persons plus)
Social Rent & Affordable Rent	30-34%	30-34%	33-36%
Intermediate	Lower % than 2 Bed	Higher % than 1 Bed	15-25%
Market	Lower % than 2 Bed	Higher % than 1 Bed	33%

A review of the development proposals shows the following dwelling mix:

Unit Type	Bedrooms	Unit Tenure	Amount	Total Development %
Studio	1	Private Rented	43	31
1 Bedroom	1	Private Rented	48	35
2 Bedroom	2	Private Rented	41	29
3 Bedroom	3	Private Rented	6	4
4 Bedroom	4	Private Rented	0	0.0
		Private Rented	139	~100%

If the Studios and 1 Bedroom properties are considered as 1 Bedroom properties, the proposals achieve the following dwelling mix:

1 Bedroom Properties	66%
2 Bedroom Properties	29%
3 Bedroom Properties	4%
4 Bedroom Properties	0.0%

Although the SPG gives high-level guidance on allowing deviations from Local Authority policies on the provision of affordable units and a mixture of dwelling types, it does not address the local need of the Borough. The Hackney Housing Strategy 2017-22 states that the Borough has “12,500 households waiting for a home on the Council’s housing register” and as previously mentioned, the Local Plan states there is a requirement for larger 2-3 bedroom homes.

From the above figures it is clear that local need for housing type and tenure is not being adequately considered nor provided for. Not only does the scheme provide no affordable provision, but it ignores the dwelling mixture requirements and saturates the site with 66% 1 Bedroom units, contributing to density levels that exceed the permitted amounts as outlined above.

Overshadowing

The London Borough of Hackney - Hackney Local Plan 2033 - Policy LP2 – Development & Amenity states that development proposals should *“enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from unacceptable overshadowing”*.

A review of the Daylight and Sunlight Assessment submitted as part of the Application illustrates in detail the quantified impact the proposed development will have on surrounding properties. The report precisely determines the detrimental effect the scheme will have on light levels within these properties, and the quality of life of those residing there.

In total, 10No groups of properties are included within the assessment, and although it is not stated in the report, this includes an estimated 77No properties. For each of these properties, the impacts of overshadowing and reduction in daylight levels has been calculated for all affected windows, totalling approx. 480-490No windows.

The Daylight and Sunlight Assessment, is based on the recommendations of ‘Site layout planning for daylight and sunlight: a guide to good practice, BRE 2011’. Within this document it states that *“daylight will be adversely affected by the development, if either; its windows achieve a Vertical Sky Component (VSC) below 27% and have their levels reduced to less than 0.8 times their former value, or the levels of No-Sky Line Contour (NSC) within rooms are reduced to less than 0.8 times their former values”*. The assessment provides data on both the VSC and NSC levels, of which VSC levels are calculated per window, whilst NSC levels are calculated per room. The layouts and room sizes of most of the properties within the assessment are not correctly allowed for, this is clear from the large proportion of rooms marked as ‘unknown’ within the analysis results. As such, it is difficult to draw a definitive conclusion from the information due to the inconsistencies in how it is presented in the report, and the and the impact to the VSC figures is a better marker for the impact of the proposals.

In all approx. 93No of the approx. 480-490No windows register a VSC proportion retained reading of 0.7 or below. This equates to approx. 19% of windows in surrounding properties being detrimentally affected beyond a level that has been described “adverse” within the BRE guidance. The overshadowing created by the proposed building has a profound impact on surrounding properties, with windows experiencing a VSC proportion retained of less than 0.7 in the following 7 of the 10No property groups assessed:

- 14-27 Eagle Wharf Road
- 28 Eagle Wharf Road
- 29 Eagle Wharf Road
- Eagle Wharf House
- 1-2 Union Wharf
- 3-7 Union Wharf
- 1-9 Waterfront Mews

Even ignoring the issues created by the unresolved NSC data that has been submitted as part of the application, the VSC data clearly shows that the proposal has an unacceptable impact on the daylight available to surrounding properties and overshadows said properties to an extent that is damaging to their residents.

It should be noted that although Rights to Light matters are not relevant to the Planning Determination process, should the development be granted permission, claims against the developer will be submitted by those parties affected. They, along with other neighbours are organized and motivated to object to this development through any avenue available.

The London Borough of Hackney - Hackney Local Plan 2033 - Policy LP2 – Development and Amenity – B. (i, ii and iii) state that *“Amenity considerations include the impacts of developments on: i. Visual privacy and overlooking; ii. Overshadowing and outlook; iii. Sunlight and daylight, and artificial light, levels”*.

Struts Lock, Regent’s Canal and the adjoining tow path on the northern bank are within an area designated as “Linear open space/green corridors” within the Hackney Open Space Assessment, June 2017. It is clear that the massing of the proposed development will have a significant effect on a large area of this open space and the scheme will cause a great deal of overshadowing on the local amenity space. However, a review of the documents provided for public consultation, concludes that the submission does not include any information on the impact to the important local amenity from overshadowing and reduced sunlight and daylight levels.

From the previously mentioned Daylight and Sunlight Assessment, it can be established that there will be a significant impact to the properties in close proximity or adjacent to the Lock. Due to the tow path and Lock’s location closer to the proposed development, it can be deduced that the effects of reduced daylight will be felt here to an even greater extent. The information submitted has not illustrated the impact the scheme will have on local amenity, nor has it detailed any attempts to mitigate this impact. Further information should be submitted to properly ascertain the overshadowing the development creates so that it can be correctly assessed against the requirements of Policy LP2.

Along with the overshadowing of public amenity, the scheme will have a detrimental impact on the privacy of numerous surrounding residents. The scheme will overlook the external roof terrace amenity of Union Wharf and Waterfront Mews, as well as the rear gardens of properties along Arlington Avenue.

If this application is to be decided by councillors, please take this as notice that I would like to speak at the meeting of the committee at which this application is expected to be decided. Please let us know as soon as possible the date of the meeting.

Yours sincerely

Glen Moorley