

16th November 2023

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UGLY BROWN BUILDING DEVELOPMENT SITE, 2-6 ST PANCRAS WAY, KINGS CROSS, LONDON, NW1 0PB

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPLICATION UNDER SECTION 73 FOR VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 2021/2671/P.

Dear Sir/ Madam,

On behalf of our client, Reef Estates Limited (the 'Applicant'), please find enclosed an application under Section 73 of the Town and Country Planning Act 1990 to vary condition 2 attached to planning permission 2021/2671/P, granted on the 7th November 2022 for the following development:

'Demolition of existing building, and redevelopment to provide a mixed use development comprising a 9 storey building (Plot B) with two basement levels, for use as Class E and Drinking Establishment (Sui Generis), a two-storey Pavilion (Plot C4) for Class E and Drinking Establishment (Sui Generis), along with associated cycle parking, servicing, hard and soft landscaping, public realm, and other ancillary works, alongside amendments to Plot C within planning permission 2017/5497/P, namely increase of affordable housing provision in Plot C2.'

Condition 2, as permitted, reads as follows:

'The development hereby permitted shall be carried out in accordance with the following approved plans-Site Location Plan; 1603_P_001 Rev H; 1603_P_098 Rev J; 1603_P_099 Rev P; 1603_P_100 Rev Q; 1603_P_101 Rev M; 1603_P_102 Rev L; 1603_P_103 Rev L; 1603_P_104 Rev K; 1603_P_105 Rev M; 1603_P_106 Rev M; 1603_P_107 Rev L; 1603_P_108 Rev P; 1603_P_RP Rev K; 1603_P_131 Rev E; 1603_P_132 Rev E; 1603_P_231 Rev F; 1603_P_240 Rev H; 1603_P_302 Rev F; 1603_P_304 Rev F; 1603_P_321 Rev J; 1603_P_322 Rev J; 1603_P_323 Rev J; 1603_P_324 Rev K; 1603_P_350 Rev J; 1603_P_451 Rev D; 1603_P_457 Rev A; 1603_P_458 Rev A; 1603_P_459 Rev A; 1603_P_460 Rev A; 1603(SC)001 Rev P; 1603_XP_001; 1603_P_130 Rev D; 1603_P_134 Rev D; 1603_P_135 Rev D; 1603_P_136 Rev D; 1603_P_137 Rev E; 1603_P_138 Rev E; 1603_P_139 Rev D; 1603_P_140 Rev D; 1603_P_141 Rev D; Planning Statement May 2021; Flood Risk Assessment and SUDS Strategy Rev C 2018; BREEAM Assessment P01 December 2020; Fire Strategy Plot B dated May 2021; Energy Statement P01 Dated April 2021; Basement Impact Assessment Version F Dated 11th May 2021; Transport Assessment Addendum Dated May 2021; Retaining Wall Assessment dated 19th May 2020; Arboricultural Impact Assessment dated March 2018; Townscape, Visual and Built Heritage Assessment Addendum dated May 2021; Health Impact Assessment April 2021; Regeneration Statement dated April 2021; Air Quality Assessment

May 2021; Outline Construction Management Plan May 2021; Noise Assessment Report May 2021; Daylight and Sunlight Addendum Dated April 2021; Wind Microclimate Statement of Conformity dated April 2021; Design and Access Statement Rev A'.

This Application seeks to vary Condition 2 to read as follows:

'The development hereby permitted shall be carried out in accordance with the following approved plans: TRI-PWA-C2-ZZ-DR-A-0201; TRI-PWA-C2-ZZ-DR-A-0202; TRI-PWA-C2-ZZ-DR-A-0203; TRI-PWA-C2-ZZ-DR-A-0204; TRI-PWA-PL-00-DR-A-01100; TRI-PWA-PL-00-DR-A-01100M; TRI-PWA-PL-01-DR-A-01101; TRI-PWA-PL-02-DR-A-01102; TRI-PWA-PL-03-DR-A-01103; TRI-PWA-PL-04-DR-A-01104; TRI-PWA-PL-05-DR-A-01105; TRI-PWA-PL-06-DR-A-01106; TRI-PWA-PL-07-DR-A-01107; TRI-PWA-PL-08-DR-A-01108; TRI-PWA-PL-09-DR-A-01109; TRI-PWA-PL-10-DR-A-01110.'

Proposals

The proposed variation of Condition 2 attached to the planning permission is sought in order to formalise the following changes:

- Increased building heights and / or plant enclosures, including lab extract flues, to buildings B, C1, C2, C3 required for Life Science use.
- Revision to residential unit numbers and mix to incorporate a second escape stair to C2.
- Affordable workspace enhancements at basement and ground floor, including a new ground floor mezzanine level.
- Ground floor landscaping updates to integrate the canal bridge landing design.
- Updates to C4 to rationalise the roof and lift overrun arrangement
- Minor design enhancements to the buildings resulting from detailed spatial coordination of the consented scheme.

Design Changes

The change from offices to laboratory space as set out in permission 2021/2671/P, and changes to the Energy Strategy, have necessitated the proposed increase in building height and plant screen due to the need to accommodate additional plant. The Design and Access Statement demonstrates that the increase to the plant screen has been reduced to the minimum extent possible to accommodate the plant, with the visual impact reduced through the increase in the parapet height and the introduction of vertical fins. The Townscape and Visual Impact Assessment submitted alongside the application demonstrates that the buildings continue to sit comfortably within their setting in the Conservation Area and wider townscape.

Change to Residential Mix

Since the 2021 planning permission, the C2 building design has undergone a process of intensive and rigorous review, informed by an aspiration for higher building performance targets, improved energy efficiency standards and updated fire strategy requirements and regulations. Most pertinently, changes to Building Regulations – Approved Document Part L, and the Code of Practice on Fire Safety in the design, management and use of residential buildings (2021) means that a number of alterations are required to the approved housing layouts to achieve compliance. These alterations include, updates to the core, the integration of an additional stair to allow separate stair use for resident egress and fire-fighting access, and updates to the unit layouts to accommodate the additional stair and the revised fire strategy.

The integration of the additional stair and spatial requirements into the design has reduced the number of dwellings from total 73 to 69, with an overall reduction in three habitable rooms. As shown in the Design and Access Statement, the number of studios has decreased from 10 to 8, 1-bedroom units from 29 to 26, and three

-bedroom units from 7 to 6. The number of 2-bedroom units has increased from 27 to 32. Whilst the introduction of the second staircase means that a loss of residential units is inevitable, the Applicant team have been careful to ensure that the overall mix continues to comply with policy, namely Local Plan Policy H4 which requires 50% of the housing provision to be affordable when calculated by habitable room. The proposed changes will see the loss of three affordable units and one private unit, which ultimately means the affordable ratio will move from 50.8% to 50%, thus continuing to comply with policy.

In accordance with London Plan Policy D7 Accessible Housing, at least 10% (10.1%) of dwellings are designed to meet AD M4(3). All other dwellings are designed to meet AD M4(2).

In conjunction with the changes to the residential mix, elevational updates are proposed to C2, which are necessary to address changes to the internal mix and layouts resulting from the integration of the second stair, excessive solar gain and to maximize views outward.

Pre-application Engagement

The Applicant team met with Camden Planning and Design Officers on the 2nd February and 13th July 2023 to discuss the emerging proposals. The proposals were generally well received by Officers, but a key concern raised across the two meetings was the height of the plant screen, which was felt to be excessive and unjustified by the space needed by the requisite plant, resulting in potential detriment to the conservation area.

In response to these concerns, the plant screen has been reduced to the minimum extent required by the plant, and the parapet height has been increased to ensure that the plant screen sits comfortably and proportionately on top of the building and alongside the other buildings within the development.

Application Content

This application has been submitted via the Planning Portal and is accompanied by the following documents. Any Addendums should be read alongside documents approved under planning permission 2021/2671/P.

- Planning Application Form (including Certificate B)
- CIL Additional Questions Form
- Proposed Drawings
- DAS Addendum
- Landscape Drawings/Strategy
- Daylight and Sunlight Report Addendum
- Townscape, Visual & Built Heritage Assessment Addendum
- Energy Statement Addendum
- Air Quality Addendum
- Noise Assessment Addendum

The Application Fee has been paid via the Planning Portal.

We trust that the enclosed information is sufficient for the application to be registered and validated. Should you wish to discuss any aspect of the submission then please do not hesitate to contact Mike Moon or David Morris of this office.

Yours faithfully,

DP9 Ltd

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