

Address:	Building T1 King's Cross Central York Way London N1C		5
Application Number:	2013/0405/P	Officer: Neil McDonald	
Ward:	St Pancras & Somers Town		
Date Received:	21/01/2013		
<p>Proposal: Reserved matters in connection with the erection of a ten to fifteen storey building within development Zone T1 for uses comprising a 418 space multi-storey car park, a multi-use games area (MUGA), residential development totalling 129 units (95 private ownership, 22 affordable rent and 12 shared ownership), retail/café/bar uses (Classes A1-A4) together with associated ground floor terrace area and incorporating existing energy centre constructed under 2009/0415/P; and submission of associated details in compliance with conditions 6, 7, 9, 10, 12, 14, 16-24, 26, 27, 28, 31, 33-36, 39, 42, 42A, 43-46, 48, 49, 50, 50A, 51, 60, 61 and 64-67 of outline planning permission granted 22/12/2006 (ref 2004/2307) for a comprehensive, mixed-use development of former railway lands within the King's Cross Opportunity Area.</p>			
<p>Drawing Numbers:</p> <p>Architectural drawings: (prefix 0708-P-)001 R02; 002 R02; 003 R02; 004 R02; 005 R02; 006 R02; 007 R02; 008 R02; 009 R02; 010 R02; 011 R02; 012 R02; 013 R02; 014 R02; 015 R02; 016 R02; 017 R02; 018 R02; 101 R02; 102 R02; 103 R02; 104 R02; 201 R02; 202 R02; 203 R02; 204 R02; 205 R02; 206 R02; 207 R02; 208 R02; 209 R02; 210 R02; 211 R02; 212 R02; 213 R02; 214 R02; 501 R02.</p> <p>Landscape & Infrastructure drawings: TOWN279.5(08)5011 R04; TOWN279.5.1(08)6001 R01; TOWN279.5.1(08)6002 R01.</p> <p>For information: (prefix 0708-P-)105 R02.</p> <p>Supporting Documents: Urban Design Report dated January 2013; Details of Proposed Residential Accommodation dated January 2013 including revised plans for 3 affordable units (0708-P-402, 407 & 412); Compliance Report dated January 2013; Access Statement dated January 2013; Environmental Sustainability Plan dated January 2013; Daylight & Sunlight Report dated January 2013; Earthworks & Remediation Plan dated January 2013.</p>			
<p>RECOMMENDATION SUMMARY: Approve reserved matters subject to conditions and approve conditional details.</p>			
Applicant:		Agent:	

King's Cross Central General Partner Ltd C/O Agent	Argent (King's Cross) Ltd 5 Albany Courtyard Piccadilly London W1J 0HF
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ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace (GEA)
Existing		<i>Energy Centre</i>	<i>1,853 m²</i>
Proposed	C3	<i>Open Market Residential Intermediate (shared ownership) Social Rented Affordable TOTAL RESIDENTIAL</i>	<i>12,603 m² 1,308 m² 2,119 m² 16,030 m²</i>
	A1-A4	<i>Shop, Restaurant, Take Away or Drinking Establishment (flexible)</i>	<i>479 m²</i>
	D2	<i>MUGA (multi use games area)</i>	<i>946 m²</i>
	Plant	<i>General</i>	<i>3,364 m²</i>
	Sui-generis	<i>Multi-storey car park</i>	<i>13,022 m²</i>
	Other	<i>Shared circulation</i>	<i>142 m²</i>
Total (including energy centre and plant)			35,836 m²
Total for monitoring purposes (excluding energy centre and plant)			30,619 m²

Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Proposed	<i>Open Market</i>	<i>34</i>	<i>44</i>	<i>17</i>						
	<i>Intermediate</i>	<i>6</i>	<i>6</i>							
	<i>Affordable rent</i>	<i>8</i>	<i>12</i>	<i>2</i>						

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	--	--
Proposed	418	26

OFFICERS' REPORT

Reason for Referral to Committee: This application is being referred under part i) details of the siting, design and external appearance of more than 10 new dwellings; and (ii) details of the siting, design and external appearance of more than 1000sqm of non-residential floorspace of the King's Cross Delegation Agreement agreed by the Development Control Committee on 26 July 2007.

The application is a 'major development' as defined by the Department of Communities and Local Government and falls within the terms of agreement within the Kings Cross PPA. The application therefore needs to be determined within 12 weeks from the date of submission which expires on 15 April 2013.

EXECUTIVE SUMMARY

This report considers a reserved matters application submitted in respect of the King's Cross Central Outline Permission for development sub-zone T1.

The implemented Outline permission for the Kings Cross Central masterplan area has already gained approval for matters relating to means of access, siting and landscaping. Although matters of detailed design and external appearance were both reserved for subsequent approval, the principles upon which the detailed development would come forward was well established within the Urban Design Statement, Revised Development Specification and Parameter Plan documents that were approved under the Outline permission. These principles include subdivision of the masterplan site into a series of Development Zones (A-V) and sub-zone plots, fixing the type/quantum of land uses proposed within each Development Zone, and indicating building layouts, plot access points and scale parameters for the lower/upper limits for height, width and length of buildings within plots. This Reserved Matters application therefore, is the final stage in a two stage planning application process for securing full permission for the development of this particular part of the Kings Cross Central regeneration –namely building T1.

These reserved matters also follow on from an earlier approval for sub-plot T1 granted in 2009, which has now been partially implemented in the form of the site-wide Energy Centre (now completed). These resubmitted details therefore provide an updated scheme for completing the second phase of the T1 development ('Phase 1' being the now completed Energy Centre) that addresses various matters which have arisen since the previous approval.

Accordingly, this report will consider:

- Amended housing mix for plot T1 which has been necessitated by the changing funding regime for a affordable housing to have arisen since 2009: The current proposals now include an affordable housing provision comprising 22 Affordable Rent units and 12 Shared Ownership units in place of the 34 General Needs Social Rented units which were previously proposed;
- Revisions to the Multi-Use Games Area (MUGA) component of the scheme to improve the entrance/reception area and create a more formalised area for 'spectators' as well as facilities for changing and storage which had not been

- included previously;
- Other changes to the building layout and configuration of the uses to achieve an improved relationship between the respective uses and their interface with the public realm;
- Revised external design, materials and finishes to enable the building to respond more successfully to its emerging context, which now includes the recently approved building P1 as well as the soon to be submitted relocated Gas Holder No. 8;
- Whether the proposed development is in all relevant respects in full compliance with the Outline Permission's s106 legal agreement, conditions, guidelines and parameters, including those that relate to detailed design and external appearance;
- Whether the details submitted for approval of the relevant Outline Conditions comply with the specific requirements of those conditions.

1. **SITE**

- 1.1 Plot T1 forms the southern most sub-zone of Development Zone T at the far north-west of the Kings Cross Central site where it abuts the CTRL 'Eurostar' highspeed rail line. It is approximately 0.46ha in area. The plot is bound to the west by the railway and to the south by the Regents Canal at the point just prior to its tunnel entrance under the railway. To the east is Development Zone P and to the north Plot T2. The southern part of the zone is adjacent to but not within the Regents Canal Conservation Area. The Kings Cross Conservation Area is also a short distance to the south encompassing the CTRL rail tracks to the south of the point where it crosses the Regents Canal. To the south-east, Plot T1 abuts Zone N which is to accommodate the reassembled grade II listed Gas Holders.
- 1.2 The plot was formerly part of the Kings Cross Goods Yard which has since been extensively levelled following works on the adjacent high speed railway lines and construction of Thameslink 2000 which runs beneath. The front portion of Plot T1's southern tip sits directly over the new Thameslink 2000 tunnel. The Regents Canal to the south is at this point constructed as a basin. Its towpath is currently inaccessible from Plot T1 which is elevated 3 metres above, behind a brick retaining wall. To the south of this basin is Camley Street Nature Reserve.
- 1.3 The site presently accommodates the newly constructed Kings Cross Central site-wide energy centre which has come forward in partial implementation of an earlier grant of Reserved Matters for the development of plot T1 approved on 24 April 2009 (2009/0415/P) (see planning history). The energy centre is now operational and serves the Kings Cross Development with Combined Heat and Power, however building T1 itself was always intended as a subsequent phase and remains un-built.
- 1.4 Access to T1 will be via the newly proposed roads of Handyside Street and Canal Reach. These will be delivered along with plot P1, P2 and the relocated Gas Holder No. 8 as part of Phase 2 and including the remainder of Zone T will eventually define the northern and western boundaries of the site.

- 1.5 In terms of policy designation, a Planning Brief was adopted on 14 January 2004 for the Kings Cross Central site as a whole and this informed the grant of Outline planning permission. Under Core Strategy policy CS1 the site forms part of the King's Cross Growth Area and is also covered by saved UDP policy LU1 'Proposal Site 26' (the King's Cross Railway Lands). The UDP 'proposals sites' will soon be superseded by the LDF's Site Allocations Document which includes Kings Cross Central as 'Site 1'.
- 1.6 Plot T1 is significant from a strategic perspective in that it includes the main electrical substation for the development as a whole, which is now constructed. A further key function as designated by the Outline Permission is the use of this plot for a multi-storey car park. This forms part of the revised proposals now submitted.

2. THE PROPOSAL

- 2.1 As stated above there has already been the grant of reserved matters approval for a building on plot T1 under planning reference 2009/0415/P. This has been partially implemented in the form of the site-wide energy centre and associated utility infrastructure as a first phase to the development of this subzone. The proposals now submitted are intended as a revised "Phase 2" for the remainder of the building which comprises the residential units, retail/food and drink uses, multi-use games area (MUGA), and multi-storey car park (MSCP).
- 2.2 The revised building P1 proposes a building of form and massing very similar to that previously approved. It also maintains the same range of uses, albeit with an increased number of residential units and different residential mix to the previous grant of reserved matters. However, the revised scheme takes the opportunity to review the detailed design of the building both externally and in how its various Phase 2 components are arranged. The main components of the revised scheme entail the following:
- The building continues to take the form of a 10-storey block, stepping up to 15 storeys towards its northern end where it is to adjoin building plot T2. (It should be noted that the 2009 description of development wrongly noted the building height as "9 to 14 storeys" and this has been amended in the 2013 description).
 - The building is arranged around the energy centre (not now included as part of the application due to it having been built), and a multi-storey car park (MSCP) providing 418 spaces (increased from 417) on six levels. Also on the ground floor would be a covered multi-use games area (MUGA) of 32m x 20m as previously approved although now intended to be re-orientated to align lengthways within the building. This enables an enclosed entrance lobby and viewing area to be added and access to be taken directly from Canal Reach, rather than entered via the 'birds beak' of the building as previously.
 - Wrapping around and over these core spaces would be the other uses comprising residential (16,030 sqm) and Class A1–A4 retail/food and drink uses (479sqm –ground floor only). The residential component will total 129 units of which 95 are for private ownership, 22 affordable rent and 12 intermediate (shared ownership) affordable units.

- The building design would continue to be characterised by a distinctive “birds-beak” form to its southern tip addressing the canal basin and forming the backdrop setting to relocated Gas Holder No. 8.
- Above 8th floor level, the residential would be oriented around a landscaped roof garden extending most of the length of the building.
- The reserved matters do not include proposals for the external public realm around the building as this has already been approved under the previous T1 submission.

2.3 A comparison between the scheme approved in 2009 and the current reserved matters is set out in the table below:

Table: Differences between 2009 approved scheme and current T1 proposals

	2009 Approved Scheme	2013 Proposals for T1
Residential	102 homes 14,950sqm GEA	129 homes 16,030sqm GEA
Affordable housing	34 General needs social rented (GNSR) (3,670sqm GEA) plus potentially up to 20 of the market units provided instead as Shared Equity (2,370sqm GEA)	22 Affordable Rented (2,119 sqm GEA) and 12 Shared Ownership (1,308sqm GEA) in lieu of the 34 GNSR.
Market housing	68 units (11,289sqm GEA)	95 units (12,603sqm GEA)
Other uses	Classes A1-A4 totalling 587sqm GEA	Classes A1-A4 totalling 479sqm GEA
Multi-storey car park (MSCP)	417 spaces Including 25 accessible	418 spaces Including 26 accessible
MUGA	32m x 20m plus changing facilities	32m x 20m plus entrance lobby, equipment store and changing facilities
Green/brown roofs	1,404sqm of sedum planting (excl. podium garden)	2,589 sqm of wildflower planting and brown roof (excl. podium garden)
Renewable energy	Wind turbines	PVs
No. Cycle spaces	194 spaces in building	142 spaces in building
Building height	+79.00m AOD – flues +76.00m AOD – tower +58.00m AOD – remainder excluding wind turbines	+79.00m AOD – flues +75.70m AOD – tower +57.70m AOD – remainder, excluding PVs

Energy Centre	Included in proposals	Not included (already exists)
Utilities infrastructure	Proposed within Handyside Street and Canal Reach	Not proposed – already approved under 2009 scheme
Public realm	Included in proposals (Handyside Street and Canal Reach)	Not included – already approved under 2009 scheme

Approvals of details

- 2.4 In addition to the reserved matters, the application also considers the details required by the relevant conditions attached to the outline permission. The Compliance Report, accompanying the application, addresses these relevant conditions, which are summarised below:

Condition number	Relevant matters
6	Reserved matters to include specified details when adjacent to listed buildings
7	Condition to prevent more than one building approved under reserved matters being implemented if appropriate to preserve the setting of a listed building
9	Approval of Reserved Matters – Trees
10	Approval of Reserved Matters – Landscaping Programme
12	Approval of Reserved Matters – steps and ramps
14	Phasing of approvals
16	Urban Design Report
17	Environmental Sustainability Plan
18	Earthworks and Remediation Plan
19	Access Statement
20	Illustrative Build Out Plan –overview and coordination with other KXC RM approvals.
21	Construction Timetable
22	Servicing Strategy
23	Highways Plan
24	Housing Delivery Plan
26	Structures and buildings
27	Details of floorspace figures, floorplans and layout of the uses
28	Details of refuse storage and collection
31	Development shall be carried out within the defined parameters
33	Limit of 713,090 sqm floorspace for the entirety of the King's Cross Central site
34	Limit of 468,480 sqm floorspace for development north of the canal
35	Uses and maximum floor areas permitted
36	Permitted uses as distributed between Development Zones

39	Minimum area of residential development (137,00sqm) and maximum number of units (1,700)
42	Residential floorspace by tenure type
42A	Residential mix
43	Residential daylight and sunlight assessment
44	D2 floorspace
45	Drainage infrastructure – Limit on peak discharge to existing combined sewers
46	At least 15% of the buildings shall have green and/or brown roofs
48	Requirement for necessary pipework to connect to the district heating/combined heat and power systems
49	Maximum car parking standards
50	Multi-storey car park Management Plan
50A	Additional condition added as non-material amendment (2012/0669/P) to provide details of the use of car parking spaces excluding the multi-storey car park
51	Cycle parking to be provided in accordance with 2006 UDP standards
60	Noise impact of any plant
61	Ground borne noise from tunnels
64	Annual limit on spoil extraction
65	Annual limit on lorry movements associated with spoil extraction
66	Annual limit on lorry movements for importing infrastructure materials
67	Annual limit on lorry movements for importing construction materials

Revision[s]

- 2.5 Amended floor plans have been submitted for affordable unit types AT-A02/2B-4P, AT-A07/2B-4P and AT-A12/1B-2P to reflect changes to the floorspace made prior to submission but not reflected on the individual unit plans in the submitted 'Detail of Residential Accommodation' pack.

3. RELEVANT HISTORY

- 3.1 On 22nd December 2006 conditional outline planning permission (Ref. 2004/2307/P) was granted for:

“Outline application for a comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area, as set out in the Revised Development Specification. The development comprises business and employment uses within the B1 use class; residential uses (including student accommodation), serviced apartments and hotels; shopping, food and drink and financial and professional services within the A1, A2, A3, A4 and A5 use classes; the full range of community, health, education, cultural, assembly and leisure facilities, within the D1 and D2 use classes; night clubs; multi storey and other car

parking; re-erection of the linked triplet of gas holder guide frames to enclose new residential and other development, on the site of the Western Goods Shed; re-erection of the guide frame for gas holder no 8, alongside the re-erected triplet, to enclose new play facilities and open space; relocation of an existing district gas governor; works of alteration to other existing buildings and structures, to facilitate their refurbishment for specified uses; new streets and other means of access and circulation; landscaping including open space; new bridge crossings and other works along the Regent's Canal; the re-profiling of site levels; and other supporting infrastructure works and facilities."

- 3.2 The key document containing the approved outline proposal is the 'Main Site Revised Development Specification' and accompanying 'Revised Parameter Plans'. The approved development specification document included 6 annexes:
- Annex A Supporting Infrastructure Works and Facilities;
 - Annex B Floorspace Schedule for Development Zones;
 - Annex C Specification for Access and Circulation Routes;
 - Revised Annex D Landscape Proposals Plans;
 - Annex E Specification of Works to Retained Historic Buildings and Structures; and
 - Annex F Summary of Scheme Revisions and Refinements.
- 3.3 The outline planning permission was subject to 68 conditions which covered reserved matters and other details and also a S106 legal agreement securing 40 heads of terms. The following conditions have already either been discharged in their entirety or compliance has been demonstrated:
- Condition 1 - commencement of development.
 - Condition 2 - submission of first reserved matters within 5 years.
 - Condition 13 - approval of reserved matters for at least 25,000sqm GEA of built accommodation prior to development commencing in Zones A, B, F, J, P, Q, R, S or T;
 - Condition 14(a) - approval of reserved matters for at least 70,000sqm GEA of built accommodation within 3 years of the permission.
 - Condition 14(b) - approval of reserved matters of not less than a further 70,000sqm GEA of built accommodation within 6 years of the permission, bringing the total to not less than 140,000sqm GEA of built accommodation.
 - Condition 14(c) - approval of reserved matters of not less than a further 70,000sqm GEA of built accommodation within 9 years of the permission, bringing the total to not less than 210,000sqm GEA of built accommodation.
 - Condition 50 – details of a car park management plan for the MSCP
 - Condition 59 - baseline noise monitoring - discharged site-wide by LBC letter 12/06/07.
 - Condition 68 - survey for unexploded WW2 bombs - discharged by LBC letter 12/06/07.
- 3.4 In accompaniment to the Outline Planning Permission, were various heritage consents (4 listed building consents and 4 conservation area consents) including consent (2004/2315/L) for dismantling of Gas Holder No 8 to facilitate subsequent re-erection within zone N and adjacent to site T1. Details including method statement for its relocation were approved in 2008.

Plot T1

- 3.5 Reserved matters have previously been granted for the development of Plot T1 as described in the previous sections of this report. Re-stated here for completeness, the approval was dated 24 April 2009 (planning reference 2009/0415/P) and related to:

Reserved matters in connection with the erection of a nine to fourteen storey building within development Zone T1 for uses comprising a new energy centre and electrical substation, a 417 space multi-storey car park, a multi-use games area (MUGA), residential development totalling 102 units (48 private ownership, 34 social rented and up to 20 intermediate affordable), retail/café/bar uses (Classes A1-A4) together with new areas of adjacent public realm; and submission of associated details in compliance with conditions 3, 9, 10, 16, 17, 19, 20, 21, 22, 24-31, 33-36, 39, 42, 42A, 43-46, 48, 49, 51, 60, 61 and 63-67 of Outline Permission reference 2004/2307/P, dated 22nd December 2006 (for a comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area).*

(* It should be noted that the 2009 description of development wrongly noted the building height as "9 to 14 storeys" and this has been amended in the 2013 description)

Build-out and phasing

- 3.6 Information submitted by the applicant in connection with conditions 14 (phasing of approvals) and 20 (Illustrative Build-out Plan) confirm that Since Outline Planning Permission was granted, reserved matters submissions have been approved for the Eastern Goods Yard (zones G and L), Zone J, sub-zones T1, R2, R4, R5 (North), B1, B2, B3, B4, B6, Great Northern Hotel, E1 (Stanley Building), K (Regeneration House) and plot P1. Approvals of details in respect of infrastructure and enabling works have been granted for various components of a new public realm, either as part of the above reserved matters submissions or, in other cases such as Kings Boulevard, Pancras Road and Station Square, have comprised reserved matters submissions in their own right. In addition, full planning permission including a S106 agreement has been granted for student housing on Plot T6.
- 3.7 Amendment applications to the original grants of reserved matters have been subsequently approved in respect of the Eastern Goods Yard, Buildings B2 and B4 and the Great Northern Hotel.
- 3.8 Information submitted by the applicant in connection with condition 21 (Construction Timetable) confirms that Phase 1 is now largely completed: UAL took occupation of the restored and converted Granary Building in September 2011 and Granary Square opened in June 2012. Building R4 (Rubicon) was completed in July 2012 and is now substantially occupied. R5 (Saxon Court) was also recently completed and now ready for occupation. Construction is progressing for residential block J and the student block T6 and both scheduled for completion later this year.

South of the Regents Canal the buildings of B Zone are under construction and the Boulevard has been completed with an interim surface covering to serve as the principle north-south access route for the emerging development.

- 3.9 Building T1 comes forward as part of Phase 2 along with plots P1, P2 and the relocated Gas Holder No. 8. Elsewhere to the north of the canal Zones K, H, subzones T5 and R1, and the refurbishment of the Western and Eastern Coal Drops of Zone M will also follow as part of Phase 2; along with plot B5 and Zone A to the south of Regents Canal.
- 3.10 Pre-application discussions are on-going regarding other development zones including Zone A which is intended to be built out in its entirety for a new European office headquarters for Google; T5 which is intended to provide student housing for the Aga Khan Foundation; and Gas Holder No. 8 Flux Park.

4. **CONSULTATIONS**

Statutory Consultees

- 4.1 **English Heritage** – Have confirmed that the application should be determined by the Council in accordance with national and local policy guidance.
- 4.2 **Thames Water** – No reply to date
- 4.3 **London Underground Limited** – No objection
- 4.4 **Canal and Rivers Trust** – Have no objection in principle but want to be satisfied that the access steps leading from the development to the canal towpath will be designed to avoid conflicts with pedestrians and cyclists, particularly given that the bridge abutment reduces visibility. *[Officer response: The canal towpath is outside of the submission boundary for T1 and therefore beyond the scope of this application. It is shown on the plans for information/context only. This area of the scheme will be covered by the Gas Holder 8 submission which is expected to be submitted in the next couple of months and includes a significant section of the towpath to the south of the gasholder and plot T1].*
- 4.5 **Network Rail** - No reply to date.

Non-Statutory Consultees

- 4.6 **Regents Canal Conservation Area Advisory Committee** – No reply to date
- 4.7 **Kings Cross CAAC** – No reply to date
- 4.8 **Kings Cross Development Forum** – No reply to date
- 4.9 **Met Police Crime Prevention Design Advisor** – Have confirmed that they are liaising with the developer regarding relevant Secured by Design requirements.

Adjoining Occupiers

- 4.10 There are no residential or other occupiers in the immediate vicinity of the site for written notifications to be sent, however a site notice was displayed from 30/01/2013 to 20/02/13 and a press notice advertising the application was published in the Ham & High newspaper on 07/02/13. No responses have been received.

5. **POLICIES**

- 5.1 The December 2006 outline planning approval forms the basis for determining the reserved matters approvals for the various development zones that make up Kings Cross Central.
- 5.2 The outline approval was itself based on an assessment of national, regional and local policies existing at the time. Where these policies change, their influence can only over-ride on matters which have not already been set down in principle by the outline permission.
- 5.3 In the case of the current reserved matters submission and details for approval, the LDF policies considered to be of particular relevance are set out below. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations:

LDF Core Strategy and Development Policies adopted 8th November 2010

CS1 - Distribution of growth

CS2 - Growth areas

CS5 - Managing the impact of growth and development

CS6 - Providing quality homes

CS7 – promoting Camden's Centres and shops

CS9 - Achieving a successful Central London

CS10 - Supporting community facilities and services

CS11 - Promoting sustainable and efficient travel

CS13 - Tackling climate change through promoting higher environmental standards

CS14 - Promoting high quality places and conserving our heritage

CS15 - Protecting and improving our parks and open spaces and encouraging biodiversity

CS16 - Improving Camden's health and well-being

CS17 - Making Camden a safer place

CS18 - Dealing with waste and encouraging recycling

CS19 - Delivering and monitoring the Core Strategy

DP1 - Mixed use development

DP2 - Making full use of Camden's capacity for housing

DP3 - Contributions to the supply of affordable housing

DP4 – Minimising loss of affordable housing

DP5 - Homes of different sizes

DP6 - Lifetime homes and wheelchair housing

DP12 – supporting centres and managing the impact of food, drink and entertainment uses

DP15 - Community and leisure uses

DP16 - Transport implications of development

DP17 - Walking, cycling and public transport
 DP18 - Parking standards and limiting the availability of car parking
 DP19 - Managing the impact of parking
 DP20 - Movement of goods and materials
 DP21 - Development connecting to the highway network
 DP22 - Promoting sustainable design and construction
 DP23 - Water
 DP24 - Securing high quality design
 DP25 - Conserving Camden's heritage
 DP26 - Managing the impact of development on occupiers and neighbours
 DP28 - Noise and vibration
 DP29 - Improving access
 DP30 - Shopfronts
 DP31 - Provision of, and improvements to, public open space and outdoor sport and recreation facilities.
 DP32 - Air quality and Camden's clear zone

5.4 **Supplementary Planning Policies**

Camden Planning Guidance (CPG) 2011

Regents Canal Conservation Area Appraisal and Management Strategy 2008

5.5 **London Plan July 2011**

5.6 **National Planning Policy Framework**

On 27th March 2012 the Government published the National Planning Policy Framework (NPPF). The policies contained in the NPPF are material considerations which should be taken into account (from 27th March 2012) in determining planning applications. The NPPF replaces a number of national planning policy documents (listed at Annex 3 of the NPPF).

6. **ASSESSMENT**

6.1 The executive summary paragraph, at the outset of this report, explains how this Reserved Matters application must be assessed.

6.2 The matters to be considered relate principally to the changes that are being sought from the approved scheme and the particular issues that these raise. In that regard the key points are:

- Variation to the affordable housing mix and compliance with the existing Kings Cross Section 106 Legal Agreement
- Continued compliance of the amended proposals with the parameters and development specification defined in the outline permission
- Residential provision in terms of standards, amenity and overall quality
- The design of the MUGA in terms of its useability, amenity and overall quality
- External design
- Transport and servicing

- Access and community safety
- Sustainability
- Environmental issues including noise, earthworks and remediation

Affordable housing mix

- 6.3 The Section 106 provides for the delivery of 750 affordable units across the site to be provided in line with a 'Baseline Mix' of 250 units for intermediate affordable housing and 500 as social rent. This is to be read in the context of Condition 39 of the Outline Permission which sets a maximum parameter of 1,700 on the number of units (affordable and market) to be provided overall and delivery of a minimum of 137,200 sqm gross external floorspace.
- 6.4 On the King's Cross development site overall, reserved matters approvals have so far made some changes to the affordable housing numbers, reducing 750 units to 699. This has been mainly as a result of requests from the Council reflecting changes in demand for housing, although in the recent case of P1 this has been due to secure a new school within the proposals which had not been provided for under the Outline Permission. Apart from the case of P1, these changes have not required a formal variation to the Kings Cross Section 106 Agreement as the overall affordable housing floorspace would remain the same.
- 6.5 In the case of building T1, the changes to the housing mix now proposed have been brought about by reduced funding availability for Argent's partner Registered Provider, One Housing Group.
- 6.6 The 2009 Reserved Matters approval had included 34 general needs social rented (GNSR) units comprising:
 14 x 1-bed units
 18 x 2-bed units, and
 2 x 3-bed units;
 There was also the option for there to be up to 20 of the 68 market units to be provided instead as 'developer intermediate units' which would meet the terms for intermediate units set down by the S106 but would be confirmed by the developer at the time of disposal.
- 6.7 It was the intention at the 2009 reserved matters stage to transfer the 34 GNSR units to One Housing Group. However the Homes and Communities Agency (HCA) subsequently 'clawed back' the grant allocated in respect of T1 (October 2010) as a result of the change in funding arrangements being introduced by the new coalition Government for its newly introduced category of 'Affordable Rent'.
- 6.8 Following extensive discussions with OHG, the Council and the HCA about alternative arrangements in the absence of grant, an adjusted Affordable Housing provision was agreed, pursuant to Part 2, Section NN of the Section 106 Agreement (clauses 2.3 and 20.2). The new mix thus agreed instead of the 34 GNSR units for T1 comprises the following:
 8 x 1-bed Affordable Rent units @ 48sqm NIA
 12 x 2-bed Affordable Rent units @ 68sqm NIA
 2 x 3-bed Affordable Rent units @ 84sqm NIA

6 x 1-bed Shared Ownership units @ 46sqm NIA
6 x 2-bed Shared Ownership units @ 68sqm NIA

6.9 For clarity Table 1 below sets out the cumulative changes to the Section 106 baseline mix which have been agreed to date.

Table 1: Changes to site wide affordable housing unit provision to date and additional effect of proposed T1 unit mix:

	Social rented units	Intermediate units	Totals
Site-wide baseline	500	250	750
Approved Building R4	99 equivalent <i>Actual 78 SR plus 15 supported</i>	33 equivalent <i>Actual 24 'rent to buy'</i>	132 <i>Actual 117</i>
Approved R5 North	130 equivalent <i>Actual 63 SR plus 40 extra care</i>	40	170 <i>Actual 143</i>
Approved Building P1*	60 equivalent (in the form of extra schools floorspace and 52 DSF intermediate units) <i>Actual 0 (zero)</i>	25 DSF units <i>Actual 77</i>	85 <i>Actual 77</i>
Net difference to baseline to date	-93	+43	-50
Actual adjusted site-wide total to date	407	293	700
Proposed Building T1	34 equivalent (in the form of 22 Affordable Rent and 12 Shared Ownership) <i>Actual 22 Affordable Rent</i>	0 equivalent <i>Actual 12</i>	34 <i>Actual 34</i>
Net difference to baseline taking into account T1 proposals	-12 (22 SR become 22 Affordable Rent)	+12	<i>No overall change in No. of affordable units</i>
Actual adjusted site-wide total with T1	395 (including 22 Affordable Rent)	305	700

*Required a Deed of Variation to the Section 106

6.10 As explained above the 34 affordable units would be split between Affordable Rent (22 units) and Shared Ownership (12 units). Both tenures are proposed as a replacement for and in lieu of, General Needs Social Rented floorspace and will therefore count as such for the purposes of monitoring compliance with the various conditions (39, 42 and 42A) of the Outline Permission.

6.11 The Shared Ownership units would be consistent with the terms and provisions of the S106 Agreement dated 22nd December 2006, which provides for Shared Ownership affordable housing in any event. The Affordable Rent units are a new S106 component, which has been provided for as a variation to the Baseline Mix

for T1 in accordance with Section NN, para 2.3 of the 2006 Kings Cross Section 106 Agreement.

- 6.12 In terms of affordability of the units concerned, the arrangement negotiated with One Housing Group and the HCA has sought to find a solution which sets net rents as closely as possible to Camden target rents (as was achieved for the Council's own redevelopment project at Maiden Lane) rather than 80% of market rent which is the Government's qualifying criteria for the Affordable Rent product. Having regard to the particular circumstances in Camden which make 80% of market rents prohibitively expensive to the vast majority of families eligible for affordable housing, the priority has been to concentrate upon fewer lower rent units rather than to achieve maximum provision within the normal criteria. The agreed arrangement has therefore been to secure 'affordable rent' units set at net rent levels which are very similar to those at Maiden Lane, while making up the shortfall in grant subsidy (approx £5.27 million) by substituting the balance of units with shared ownership units. The Affordable Rent units will therefore be set at initial rent levels of £165 for the 1b2p size units, £205 for the 2b4p units and £225 for the 3b5p units.
- 6.13 The affordable mix as proposed to be varied is therefore in compliance with the Kings Cross Section 106 agreement and its signed Deed of Variation that accompanied the P1 Reserved Matters approved in December 2012. The issues therefore, that remain to be addressed in relation to the proposed housing relate to its acceptability in terms of design standards and quality of accommodation, and whether it complies with the relevant parameters as set out in the Outline permission. These matters are addressed below.

Compliance with the Parameters of the outline permission

- 6.14 This section considers compliance with the parameters and related Outline conditions insofar as they are relevant to development sub-zone T1. The applicant has provided a detailed commentary addressing each relevant outline condition in the form of a 'Compliance Report' accompanying the submission, which has aided the assessment of this application as set out below.
- 6.15 Conditions 31-36 of the outline planning permission set a requirement for subsequent reserved matters applications to comply with the various parameters set out as a series of drawings and tables included as annexes to the 'Outline Planning Revised Development Specification' document. These set the context for a whole range of issues including appropriate land use(s), floorspace, landscape issues, access and circulation, heights and levels. The T1 revised reserved matters have been prepared with reference to the relevant parameters as prescribed by conditions 31 and 33-36. Condition 32 is not relevant to T1 as it relates to retained structures such as listed buildings. In respect of condition 31, it should be noted that the proposals do not include any principle public realm, or basements and the main utilities (i.e. electricity sub-station and Energy Centre) have already been constructed. Therefore parts (a) public realm, (c) Regents Canal, (k) basement zones, (m) utilities and (n) gas holders; do not apply.

- 6.16 The revised Reserved Matters submission retains the building envelope, heights and massing essentially as previously granted. Most aspects of condition 31 relating to the respective Parameter Plans of the Main Site Development Specification are therefore unaffected by the proposed changes as the previous scheme was assessed and found to be in compliance with all relevant parameters. The main exception to this, concerns the change to the scheme entailing the alternative provision of photovoltaic (PV) panels rather than wind turbines as previously approved.

Priority zones for green and brown roofs and wind turbines (conditions 31o)

- 6.17 The original T1 proposals included wind turbines as Zone T is within a priority zone for wind turbines as shown on KXC021. The 2013 submission proposes the alternative of photovoltaic (PV) panels which has been assessed as more effective given changes in technology advanced since 2009. A proposed 444 square metre array would sit at level 10 on top of the roofs of the residential 'townhouses' grouped around the 8th floor podium garden. This would produce the equivalent of the 50,000 kWh annual electrical output originally identified for wind turbines. As was the approach for R4 it is proposed that this minor variation be formalised by the submission of a substitute Parameter Plan – KXC021 Rev A.
- 6.18 Plot T1 is not identified as a priority location for green and/or brown roofs but did originally include indicative proposals for a sedum roof covering. In the case of the current proposals this has been revised to incorporate wildflower green roof planting on the roofs to the townhouses alongside the PV panels. This would have increased biodiversity value and is welcomed.

Floorspace (conditions 33-36)

- 6.19 The revised T1 submission proposes a variation to the respective floorspace quantum proposed for the MSCP, MUGA and housing components of the scheme. This has an impact on conditions 33-36 of the Outline Permission which set down the relevant floorspace parameters.
- 6.20 Condition 33 sets the maximum limit on development floorspace site-wide. Condition 34 then divides that floorspace setting maximum limits north and south of the canal. Condition 35 sets out the permitted range of uses and refers to Table 1 of the revised development specification document which sets floorspace limits for each use north and south of the canal. Condition 36 then distributes those use limits across the individual development zones.
- 6.21 Table 2 below sets out the proposed floorspace amounts for the 2013 T1 submission set against the relevant amounts already approved for the various development zones and sub-zones to have come forward so far to the north of Regents Canal. The corresponding floorspace totals to the south of Regents Canal are also taken into account to show how the approved amounts compare with the site-wide permissible allowance. It can be seen from the table that the floorspace totals remain within the maximum thresholds set by Table 1 and Annex B of the outline permission and therefore compliant with conditions 33-36.

Table 2: Floorspace monitoring table for conditions 33-36

Development Zone and sub-plots	Total GEA m ²	Comparison of Use Class totals to date with the outline's maximum permitted allowances m ²					
		Resi (C3)	Class B1	Class A1-A5	Class D1	Class D2	MSCP
T1 2013 proposals	30,619	16,030	0	479	0	(946)*	13,022
Zone T allowance	99,980	28,000	68,000	1,195	2,600	700	21,500
Eastern Goods Yard approved	55,370		6,881	5,641	45,653	0	0
R2 approved	48,522	0	45,002	1,681	258	569	0
T1 (2009 approved)	(29,045)	(14,950)	(0)	(587)	0	(0)	(12,063)
R4 approved	11,761	11,274	487	487	0	0	0
T6 approved	16,292	15,973	0	319	0	0	0
J approved	16,265	15,012	1,253	1,253	1,253	0	0
R5 north approved	14,214	13,545	669	599	599	0	0
Regeneration House approved	1,002	0	1,002	0	330	0	0
P1 approved	29,619	24,478	0	119	5,022	0	0
<i>North of canal total to date</i>	<i>223,664</i>	<i>96,312</i>	<i>55,294</i>	<i>10,578</i>	<i>53,115</i>	<i>569</i>	<i>13,022</i>
North of canal allowance	468,480	171,275	234,000	30,865	67,880	24,275	21,500
<i>Site total to date**</i>	<i>340,806</i>	<i>96,312</i>	<i>154,321</i>	<i>14,575</i>	<i>55,181</i>	<i>3,341</i>	<i>13,022</i>
Site total allowance	713,090		455,510	45,925	71,830	28,730	21,500

* MUGA (776sqm) never formed part of 24,275.

** Figures include the 117,142sqm 'south of canal' floorspace approved to date.

Residential floorspace and mix

- 6.22 In regard to residential uses, the floorspace and unit mix is controlled by various conditions (39, 42 and 42A), together with Section NN of the S106 Legal Agreement relating to affordable housing in specific. The provision within the section 106 agreement for a baseline mix has already been discussed in some detail earlier in this report assessment. This is to be read in conjunction with the limits set by the above mentioned conditions on the minimum amounts of residential provision to be delivered; namely
- 137,200 sqm GEA for all housing tenures site-wide (while not to exceed more than 1700 units) (condition 39)
 - 53,670sqm to be affordable housing and 41,175 sqm of that to be social rented housing (condition 42); and
 - 23% of all residential units are family sized providing 3 or 4 bedrooms (condition 42A)

These controls require on-going monitoring as relevant reserved matters (or revisions thereto) come forward.

- 6.23 Although the current T1 proposals provide 129 dwellings including 22 affordable rent and 12 intermediate affordable units, the agreed substitution under the

baseline mix means that for the purposes of monitoring compliance with conditions 39, 42 and 42A, the relevant provision would comprise 34 social rented units.

- 6.24 Taken together with the reserved matters to have come forward within Kings Cross Central so far; namely buildings R4, J, R5 North T6 and P1, the running totals for the respective components are set out in Table 3 below:

Table 3: Residential monitoring for the purposes of conditions 39, 42 and 42A

Building	No. of dwellings	Residential floorspace (GEA m ²)	Affordable floorspace (GEA m ²)	Social Rented (GEA m ²)	% 3/4-bed dwellings
T1 (2009 approved)	(102)	(14,950)	(6,040)	(3,670)	(18.6%)
R4	117	11,275	11,274	9,161	32.5%
J	143	15,012	3,061	3,061	27%
R5 North	14	13,562	13,482	10,005	14.6%
T6 (student resi)	N/A	15,937	N/A	N/A	N/A
P1 incl. S106 DoV	263	26,328	7,222	5,198	23.6%
Building T1 (2013)	129	16,030	3,427	3,427	14.0%
Total to date	796	98,179	38,466	30,852	22.3%
KXC (minimum unless otherwise stated)	1,700 (max)	137,200	53,670	41,175	23%

- 6.25 Officers concur with the figures provided by the applicant for the purposes of monitoring conditions 39, 42 and 42A and are satisfied that the Kings Cross development is on-track to meet the required threshold provisions.

Conclusion on compliance issues

- 6.26 The reserved matters application has demonstrated that the proposals for Development sub zone T1 are within the agreed parameters set by the outline planning permission.

Residential standards and amenity

- 6.27 Building T1 would provide a total of 129 dwellings of which 95 would be market housing and 34 would be affordable housing. The details of residential provision proposed within Building T1 are set out within a 'Housing Delivery Plan' which has been submitted in accordance with the requirements of condition 24 of the Outline Permission. This sets out information and floorplans to describe in full the number, size, location, dwelling and tenure mix in order to assist in enabling a qualitative assessment of the scheme. Such an assessment follows below.

Affordable Housing

- 6.28 The affordable housing comprises 22 Affordable Rent units and 12 intermediate Shared Ownership units. As was the case intended under the 2009 approved scheme these will be managed and provided by KCCLP's partner registered provider, One Housing Group, enabled under a revised Framework Agreement.

- 6.29 The Affordable Rent and Shared Ownership units would each be accessed from different cores: a dedicated entrance located on Canal Reach for the Affordable Rent units; and an entrance shared with the Market units in the Tower for the Shared Ownership. The Affordable Rent Units would be arranged either side of the dedicated core on levels 2 to 6 and would be single aspect facing east onto Canal Reach. The Shared Ownership would also be single aspect facing onto Canal Reach on levels 2 to 6. Each of the affordable tenures is served by 2 lifts shared between no more than 5 flats per floor.
- 6.30 A dedicated refuse and recycling store for the Affordable Rent is proposed at mezzanine level to the rear of the cycle parking. This is readily accessible from the Affordable Rent lifts and has level access from the rear service yard for collections. The Shared Ownership units will also use their own store at ground level accessed directly off the entrance lobby and would open onto the access portal for collections.
- 6.31 Internally, the affordable units are generally spacious and in most cases have separate kitchens and living rooms which greatly assists flexibility of use. The units would be at or above the agreed space standards for social rented and intermediate housing as set out within the baseline mix for the Kings Cross Development. The baseline mix takes a varying approach from current Camden Planning Guidance (CPG) in setting slightly lower standards for intermediate housing than for social rented, the latter being comparable to those set out in the CPG. These were formulated to reflect the particular needs and priorities of intermediate housing occupiers coupled with the aspired density for the site. However the specific floor areas agreed in the Baseline Mix for T1 require the intermediate units offered in part substitution for social rented units, to be closer in line with the social rented standards. This marginal increase in size for the intermediate units would not have an impact on density across the site as a whole and is welcomed. A comparison of the proposed units (with the relevant baseline standard as varied for T1 shown in brackets) is set out in Table 4 below.

Table 4: T1 affordable mix and unit size provision compared with KXC baseline standard

Social Rented (Affordable Rent) unit mix in Building T1	Social rented internal space standard (per unit) in KXC Baseline Mix*
6 x 1b2p @ 48 sqm each	48 sqm (48)
2 x 1b2p @ 53 sqm each (WCh)	
10 x 2b4p @ 68sqm each	68 sqm (68)
2 x 2b4p @ 76sqm each (WCh)	
2 x 3b5p @ 87sqm each	84 sqm (84)
Intermediate (shared ownership) units proposed in Building T1	Intermediate unit internal space standard in KXC Baseline Mix
1 x 1b2p @ 46sqm	42 sqm (46)
1 x 1b2p @ 51sqm	
1 x 1b2p @ 57sqm	
1 x 1b2p @ 60sqm	
2 x 1b2p @ 60sqm each (WCh)	

2 x 2b4p @ 84sqm each 2 x 2b4p @ 87sqm each 2 x 2b4p @ 93sqm each (WCh)	61 sqm (68)
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** Figures in brackets represent the agreed unit floor area as reflected in the varied Baseline Mix for T1*

Private residential

- 6.32 The remaining 95 units will be market housing comprising 11 x studios; 23 x 1-bed; 45 x 2 bed and 16 x 3-bed apartments. Fourteen of these apartments would be duplexes (arranged over 2 levels) and six would be triplexes (3 levels). The duplexes and triplexes are arranged as 'townhouses' around a central podium garden at eighth floor level above the MSCP. This was a feature established for building T1 by the 2009 approved scheme. The remainder of the market accommodation is found at floors 1-9 of the southern part of the scheme forming its 'bird's beak'; and floors 7-14 in the 'tower' at the northern end of the building.
- 6.33 Two cores are to access the market housing elements, Core 1 which is within the 'birds beak' accessed from Canal Reach, and Core 4 shared with the Shared Ownership Affordable in the tower (Cores 2, 3 and 5 being to the MSCP, Affordable Rent and service core components respectively). Both cores 1 and 4 provide access to the podium garden from which each townhouse can be accessed via its own individual entrance.
- 6.34 Refuse and recycling storage for the market units will be provided in a dedicated store next to the lift core at level 1 for the 'birds beak' accommodation, and via refuse chutes at each level for the tower and podium garden accommodation. The refuse store next to Core 1 has direct access to the rear service yard for collections, while the refuse disposed of via the waste chutes would be stored at level 7 to be collected and carried down to the service yard for collection by the building management service via core 5.

Amenity space

- 6.35 Proposed building T1 is served by the podium garden (1,307sqm) and two additional terraces (68sqm) on level 8 for the market housing occupiers. Private balconies are also provided for 87 out of the 95 market units. Twenty-seven of the 34 affordable units will similarly have private balconies (each typically measuring 1.5m x 5m) including both of the larger 3-bed units which is welcomed.

Lifetime homes and wheelchair housing

- 6.36 Section NN of the S106 legal agreement provides that 10% of the housing units in each tenure should be designed as wheelchair accessible homes or easily adaptable as such at a reasonable cost for residents. The meaning of Wheelchair Accessible Homes is defined in the Agreement and refers to the GLA's supplementary planning guidance. Consequently the Council is not in a position to insist upon reserved matters schemes being provided in line with Camden's specific requirements which post-date the Agreement. The S106 states that wheelchair accessible homes may be provided on upper floors of buildings if there is suitable lift access and if the internal floor arrangements can accommodate wheelchair/disabled persons.

- 6.37 The Access Statement submitted in accordance with condition 19 states that 10 of the 95 open market units and 4 of the 34 affordable flats will be wheelchair adaptable. Floorplans have been provided of the individual layouts for these and Camden's access officer is satisfied that all the affordable units would comply with the relevant standards without needing any structural alterations. In the case of the market units, these would all require some level of structural alteration to make them adaptable. In particular unit types AT-A025 & A025a require a wall and run of kitchen units to be moved to facilitate a turning circle and A029 requires a bedroom wall to be moved to create the required turning space. While we would accept the GLA's 'under occupancy approach' (e.g. a 2B3P unit may be acceptable for adaptation to a 1B2P unit with the single bedroom being used as the wheelchair store) the adaptation would normally be expected to be achieved with little or no structural adaptation being necessary. In the case of the particular units referred to, the walls concerned are stud walls with no service runs through them (i.e not structural), and whilst not ideal, could be accepted as being easily adaptable in accordance with the definition of Wheelchair Adaptable Homes in the Section 106 Agreement.
- 6.38 Section V of the Section 106 legal agreement requires that all residential units be designed with the aim of meeting lifetime homes standards. It states that where these standards cannot be achieved the access statement required by condition 19 should explain why this is the case. The reserved matters application has been designed to as far as possible comply with the Lifetime Homes standards 5th Edition which came into force in July 2010. The Council's access officer has assessed the detailed plans provided and notes that there are a few occasions where the standards have not been achieved in relation to the through floor lift and WC on entry level. These issues of non compliance were previously identified in the outline permission and accepted and thus continue to be considered acceptable for this site. The requirements of the legal agreement for lifetime homes are therefore considered to have been met.

Daylight and sunlight

- 6.39 The T1 revised reserved matters are accompanied by a daylight and sunlight report prepared by Waterman to assess the internal lighting levels of the new residential accommodation. This addresses the requirement for such under condition 43. In accordance with the condition the report has reference to the BRE Guidelines 1991 but also has regard to the updated guide published in 2011 which replaced the 1991 document. BRE assesses internal daylight to new build accommodation in terms of average daylight factor (ADF) recommending a minimum of 1.5% for living rooms and 1% for bedrooms.
- 6.40 Being located largely between the open railway line and the adjacent open spaces of the Regents Canal, relocated Gas Holder No.8 and Flux Park and the school playground of building P1, building T1 scores significantly more favourably than many other Kings Cross Central residential buildings in terms of sunlight and daylight. Predictably, the lowest performing windows are on the north-eastern corner of the building which faces building P1. Nevertheless, even here the clear majority of windows will all meet the minimum ADF for the respective room types. The failures at levels 1-7 (mainly the affordable accommodation) affect 9 windows

out of the 114 to this part of the elevation and can in all cases be attributed partly to these opening onto inset balconies.

- 6.41 The same elevation suffers slightly more in terms of the BRE sunlight criteria with between 56.9% and 77% of windows on levels 2-7 meeting acceptable levels of 25% Annual Probable Sunlight Hours (APSH) all year round and 81.1% - 98.6% of windows meeting the recommended 5% APSH during winter. Levels 8-14 of this elevation which are mainly occupied by market housing are similarly affected by building P1 in terms of sunlight attaining the acceptable standard for between 73.3% and 91.1% and 86.9% and 93.2% for annual and winter APSH respectively.
- 6.42 Given the high density nature of the Kings Cross Central scheme the sunlight and daylight analysis can be considered to confirm that good levels of natural daylight will be attained for both the affordable and market tenures.

Non-residential uses (including the MUGA)

- 6.43 The non-residential uses of proposed building T1 comprise a commercial/food and drink unit in the ground floor of the 'bird's beak', the multi-storey car park (MSCP) and a multi-use games area (MUGA). These have each been amended slightly from the 2009 approved scheme.

MUGA

- 6.44 The 2009 submission had included the MUGA at ground floor level despite this having been originally envisaged by Section L of the Kings Cross S106 agreement as being a 630sqm external space provided at roof top level. The principal of an enclosed space at ground floor level had been accepted as being in compliance with Clause 22.1 of Section L of the S106 and indeed was considered to bring a number of benefits including its larger size (776sqm), the creation of a covered all-weather facility and improved visibility and access. It also minimises potential conflict with the residential uses from a noise perspective which in turn would also increase its potential usage.
- 6.45 The MUGA continues to be proposed at ground floor level and would be of the same dimensions but is this time reconfigured length-ways within the building. The main benefit of this is to enable its access to be taken off of Canal Reach directly opposite the Primary School entrance in building P1 whose pupils would be a major user of this facility. This is also considered to offer greater legibility than the previous entrance which was via the 'birds beak' and would eliminate the chances of conflict between this use and the commercial/food and drink uses also proposed in this area of the building.
- 6.46 Whilst the increased internalisation of the MUGA within the building could be seen as less attractive from a user point of view, this does address design drawbacks from the previous arrangement whereby a mesh screen to the MUGA would directly front Canal Reach namely; the blank frontage that would exist when the MUGA was not in use and the unsupervised gathering of people that may arise from those watching the activities whilst it is in use. In addition the MUGA now includes a viewing area to the rear of the entrance reception along with changing facilities, which are provided at mezzanine level.

6.47 An issue which was highlighted by Officers in pre-application discussions and again at the Design and Access Forum was the access to the pitch from the reception area being via steps, meaning that to access by lift users would have to go to the MSCP lift. Ideally the lift would be located on the same access route as the steps to offer the same route to all users. However, taking into account the space constraints in this part of the building and the desirability of retaining an open aspect between the street, the MUGA and its reception area, it is considered that this arrangement can be accepted.

6.48 Overall, the changes to this part of the scheme are considered to be an improvement over that previously approved.

Multi-storey car park

6.49 The design of the MSCP has also been revisited so that its entrance is now provided on Canal Reach. This entrance is located alongside the MUGA entrance and the MSCP lift would also provide access to the mezzanine level for the MUGA changing rooms. An internal connecting door from the MUGA reception will facilitate access from the MUGA to this lift, which would be locked shut at night when the MUGA is not in use. In general the changing facilities would be accessed on an organised/supervised basis as the MUGA is not a drop-in facility but booked through the Estate Manager. Although it would be ideal if the MUGA had independent access to its changing rooms, given the space constraints and need to retain as open an aspect to the MUGA and its entrance as possible, this arrangement is unlikely to create any undue conflict between the two uses and is considered acceptable.

6.50 In all other respects the MSCP is not significantly changed from the 2009 scheme and continues to be considered acceptable. It should be noted that a Management Plan for the MSCP was approved pursuant to condition 50 of the Kings Cross Outline Permission in February 2012 (2012/0550/P).

Commercial units

6.51 Two commercial units are included within the 2013 T1 proposals. These include a single large commercial unit in the ground floor of the 'bird's beak' (originally designed as two separate units in the 2009 approved scheme); and a second, much smaller commercial unit on the Canal Reach elevation between the primary open market residential entrance and the MSCP entrance. This is also a new addition from the 2009 proposals. The use of both units is identified as being for any of the permitted uses within Classes A1-A4 which are all acceptable for this southern end of T-Zone under the Outline Permission. However, the inclusion of a substantial terrace overlooking the canal and Flux Park would lend the larger unit readily to a food and drink type operation under Classes A3/A4. In Zone T the Schedule LL to the S106 agreement provides for any first occupation by A4 (drinking establishment) or A5 (hot food takeaway) uses to be approved in writing by the Council. The applicant should therefore be reminded of this requirement in respect of any proposed A4 use, by way of an informative attached to any reserved matters approval. There is the potential for the use of the larger 450sqm unit in particular to affect the residential amenities of this part of the site. As previously, a

condition limiting the hours of use of any A3 or A4 use to between 0730-2330 is recommended.

Urban Design

- 6.52 In accordance with outline condition 16, this reserved matters application is accompanied by an Urban Design Report which explains the approach to design and how it responds to the relevant design guidelines. The guidelines do not form part of the outline approved documents, but the Council must still have regard to these since they were used to inform the evolution of the original masterplan and the subsequent consideration of detailed reserved matters applications. The current proposal is the result of an iterative design process that took place between officers and the applicant at the pre-application stage, which included a presentation to the King's Cross Design and Access Forum (13/11/2012).
- 6.53 In keeping with the approach adopted during the original design for building T1 in 2009, the revised scheme continues to be informed by its proposed uses, relying on an architectural language which expresses each of its functions through clear and simple articulation. However, a theme of the design that has progressed has been the placing of far more emphasis on the building's structural piers in providing a unified sense of expression and a reviewed materials pallet.
- 6.54 The structure of the building across all its facades is expressed as a series of deep vertical piers with horizontal pre-cast spandrel elements between them. These piers are spaced between 6m and 7m apart, being widest at the southern end where the façade splays away from the building to the west. The facades are given a sculptural quality through the use of recesses to create depth and shadow, while the strong horizontal lines set up by and deep reveals of the balcony balustrades/bay window spandrel panels accentuate the 'big curve' envisaged by the Design Guidelines.
- 6.55 The concept of Zone T as laid down in the Guidelines was to be reminiscent of a traditional urban crescent that could be read as a unified piece of townscape. The western elevation is thus designed to be read as a whole and assumes a traditional approach using classical proportions of base, middle and top through use of materials and form. The base comprises the predominantly glazed, double-height ground floor spaces of the retail units, MUGA reception and entrances; the middle portion is more solid reflecting the predominant residential uses; while the top portion of the façade is a two-storey band which provides a face for the duplex residential units above podium level and the top of the tower. Splitting the building in such a manner articulates the façade and allows for the creation of façade modules of different elevational treatments to provide interest and a human scale in the form of alternating vertical rows of balcony recesses and protruding bays. The bay windows are formed by placing the windows in line with the outer building line filling the area that would be a recessed balcony, separating the facades into a series of volumes of similar scale and nature to the neighbouring building of P1, thus giving a sense of uniformity to the streetscape at the southern end of Canal Reach.

- 6.56 The modulated façade continues on into the southern block and the building's 'birds beak', with an emphasis on the use of balconies maximising views across the city and providing solar shading to these south-facing units.
- 6.57 An important aspect in the consideration of building T1 is the need to respond successfully to and create a suitable setting for the relocated Gasholder No.8. The splay in the southern termination of the building in the form of its characteristic 'birds beak' opens up the space around Gasholder No. 8 to create a more generous setting to this historic structure. Furthermore, the texture and patterns of the precast façade elements and the repeated composition of deep piers and balconies/bay windows, would respond positively to the Victorian ornamented cast iron structure contributing to the creation of an interesting space with a strong three-dimensional quality.
- 6.58 A similar modulated façade approach is taken for the residential elevations facing the railway line, except that certain more defensive elements such as taller glazed upstands to the balconies would be built-in to prevent objects from falling onto the railway tracks. Provision for external blinds set into the soffit will also be made for this elevation given that there will be no shading offered by adjacent buildings to this aspect.
- 6.59 The non-residential (MSCP and plant) elements of the west façade follows the same rhythm of vertical piers and bays as the residential façade modules, albeit with a more open, functional aesthetic, enabling this to be as much a 'front' façade to the site as the east elevation. It is considered that the proposed building T1 would contribute positively to the sense of arrival and departure for the train traveller entering and leaving St Pancras Station. It will also provide a landmark seen across the railway tracks in more distant views including from Parliament Hill and Kenwood House from which it will be visible.
- 6.60 A further significant development in the design of the 2013 T1 building is in the materials. Although the piers, balconies, skyline fascias and full bay panels will still utilise precast solid elements, colour and decorative pattern is proposed to be applied to create a rich and intricate tapestry-like quality such as is found in Victorian terracotta buildings. The precise colour and ornamentation of the precast elements has yet to be decided but it is envisaged that the tone will reflect the richness and warmth of those early terracotta facades. Bronze coloured anodised aluminium metal rainscreen panels are proposed within each individual bay of the residential facades separating bay windows and balconies. All window frames would also be of bronze anodised aluminium. Where larger areas of glazing are required, for example the ground floor shopfronts and the facades of the duplex, triplex and penthouse units, a curtain walling system, again using a mixture of bronze anodised glass panels, mixed with insulated aluminium rainscreen panels will be employed to match the windows and panelling on the rest of the building.
- 6.61 It is considered that the proposed pallet of materials will provide a suitably high quality finish befitting to this prominent site within Kings Cross Central. Furthermore, the ornamented pre-cast elements would provide a valuable opportunity to offset the general emphasis on metal and glazed panelling by adding interest and refinement with materials of "substance". The success of the scheme

would be dependant upon the finer detailing and quality of execution; therefore it is of prime importance that full details of these finishes including samples, be submitted for final approval. This should be secured through appropriate conditions.

- 6.62 At the ground floor level the majority of the east façade along Canal Reach and facing Regents Canal is glazed with a full height curtain walling system to create a sense of transparency and allow the activity within the building to connect with the public realm. However, the Energy Centre façade will be an exception to this approach due to the need to screen and ventilate the unsightly plant systems within. In order to ensure that this section of the façade also helps contribute to the animation of Canal Reach, it is proposed that a glazed art installation window be incorporated in between the two necessary ventilation panels on either side offering the opportunity for a changing artwork display to this part of the facade. The precise nature of display and technologies to be utilised should be the subject of an 'approval of details' condition the consideration of which should be undertaken with input from Camden's Arts and Tourism Officer.
- 6.63 Overall it is considered that the design approach of building P1 successfully responds to its historic context and will complement the other emerging buildings within this part of the Kings Cross site while at the same time providing a building with a unique character of its own.

Transport and Servicing

Servicing

- 6.64 Condition 22 requires that any relevant reserved matters application is supported by a servicing strategy which is consistent with parameter plan KXC017 (servicing). The strategy should include details of the proposed hours of servicing and the mechanisms which are to be used to ensure that loading and unloading takes place in accordance with the strategy. Condition 58 states that unless specified otherwise by the local planning authority in the reserved matters approval there shall be no restriction on the hours of servicing of any of the buildings within the development.
- 6.65 The Servicing Strategy for T1 is described in the Urban Design Report which provides for servicing and deliveries to take place from the service road to the rear of the site. This includes refuse and recycling collections. Deliveries are to be managed to avoid traffic congestion on the service road. The proposal suggests that restrictions on hours of servicing functions are considered unnecessary given the conventional and relatively un-intensive nature of the range of activities. The service yard is overlooked by residential accommodation directly above, but this is elevated by 4 floors and already benefits from some noise mitigation due to the adjacent railway. It is therefore accepted (as was the case for the 2009 submission previously) that restricting servicing hours would not be necessary and that the strategy as submitted can be approved.

Car parking

- 6.66 The car parking proposals, including provision of a 418 space multi-story car park (MSCP) have been developed in accordance with the maximum standards set out in Condition 49. They are also broadly the same as per the 2009 approved scheme. The MSCP is both a public car park with up to 250 spaces for cars and the balance

being for residents of the Kings Cross development. Twenty-six of the spaces would be to full wheelchair accessibility standards, while a further 12 would be larger than standard 'parent and child' spaces. In addition there is provision for 27 motorbike spaces. The precise details of allocation and management of these spaces has already been approved via the MSCP Management Plan pursuant to condition 50 (2012/0550/P dated 29/02/2012).

- 6.67 Twenty-two of the car parking spaces, including 3 accessible spaces, are intended for the residents of building T1 itself. One of these accessible spaces (next to the 10 Car Club spaces on level 2) is an addition to the total amount of spaces provided for by the 2009 approved scheme and is to be allocated to the T1 affordable housing. To date this is the first and only provision of any parking space to the affordable housing accommodation in Kings Cross Central. Whilst Schedule NN (paragraph 13.1) of the Kings Cross Section 106 Agreement makes provision for a proportion of site wide parking to be made available for the affordable housing tenures, it is not now the Council's policy approach to prescribe any level of general needs car parking within accessible locations of the Borough regardless of tenure. However, there is still a recognition that even in areas as accessible as Kings Cross Central, access to private car parking is still a necessity for at least some disabled occupiers –reading condition 49 in conjunction with section NN of the S106 agreement as it currently stands would suggest a minimum of 10 disabled parking spaces for the 750 affordable housing units to be provided overall. This matter has been raised on various occasions with the Registered Provider, One Housing Group, who have so far been reluctant to take on management of accessible car parking where this cannot be provided on a 1:1 basis. Nevertheless should this situation change in future the means does exist under condition 50 to review the MSCP Management Plan accordingly.

Cycle Parking

- 6.68 Condition 51 of the outline permission requires the development to be constructed in accordance with the cycle parking standards set out in appendix 6, as referred to in policy T3 of the Unitary Development Plan (2006). The UDP has now been superseded by the LDF (2010) and the equivalent policy for assessment of cycle parking provision is DP18 and the standards set out in appendix 2, although no reference is made in condition 51 to such standards that may supersede the UDP.
- 6.69 The building will provide 142 secure cycle parking spaces of the 'Josta' two tier variety to serve the 129 residential apartments. Separate stores are provided for the open market and the affordable units accessed from cores 1 and 3 respectively. Both are at first floor level. It is noted that this number of cycle parking spaces represents a reduction from those provided as part of the 2009 scheme (194 spaces) which has been necessitated by space constraints. The UDP 2006 Appendix 6 requirement (which is the relevant standard to be applied for the purposes of condition 51) is for 1 space per unit for residents (129) plus 1 space per 10 units or part thereof for visitors (13) so the total provision of 142 spaces would still exceed the minimum standard by 10 spaces which is acceptable.
- 6.70 In addition, 24 spaces are provided for visitors and customers to the non-residential uses (i.e. commercial units and the MUGA) which have already been approved as part of the public realm included in the 2009 submission.

- 6.71 Officers are satisfied that the cycle parking provision is acceptable in relation to the outline planning permission and therefore Condition 51 may be discharged in relation to the T1 reserved matters.

Inclusive design

Accessibility

- 6.72 An Access Statement has been submitted with the application to address the requirements of condition 19. This confirms that all thresholds will be flush and demonstrates a sound commitment to the development being accessible generally. It also provides details of accessible car parking, wheelchair homes and lifetime homes, as well as access arrangements to the MUGA, all of which have been discussed elsewhere in this report.
- 6.73 It is noted that scant detail is included with regard to the internal arrangements of the A1-A4 units and these cannot be assessed, however there are no related aspects of the proposals which are likely to prejudice the ability of these to meet with the necessary part M requirements.
- 6.74 Overall the access and inclusivity statement submitted for the purposes of condition 19 would appear to provide a sound commitment to the development being accessible and meets the requirements of the condition.

Community safety

- 6.75 Although not specifically addressed by any condition on the outline permission, all reserved matter applications would be expected to embody principles of good design which includes the provision of a safe and secure environment for all.
- 6.76 The Canal Reach façade will now be fully activated by the various residential entrances, retail/food and drink uses and the MUGA reception which is considered an enhancement on the 2009 approved scheme. Section I of the S106 legal agreement secures an estate wide public safety and CCTV strategy to deal with issues of security and community safety across the site. It is considered that the natural surveillance offered by the various uses and entrances as described will, in combination with the CCTV and regular patrols secured under the S106 agreement, discourage and address any community safety issues that do arise.

Sustainability

- 6.77 An Environmental Sustainability Plan for the proposed building T1 has been prepared by Waterman to address the various facets of environmental sustainability as set out in condition 17 (environmental sustainability plan), condition 45 (drainage infrastructure) and condition 48 (combined heat and power). This also needs to be assessed in the context of the relevant S106 sections W, X, Y, Z and AA which deal with respectively, the site wide Environmental Sustainability Strategy and Energy Assessment generally; and more specifically, energy reduction; construction materials and waste; operational waste; and water efficiency and sustainable drainage.

Energy and climate change

- 6.78 Section X of the S106 legal agreement attached to the outline permission seeks to ensure that development is designed to not prejudice the prospect of the entire development achieving a 60% reduction in carbon emissions from the year 2000 levels, identified in the Energy Assessment, by 2050. Part a) of condition 17 requires details of energy efficiency measures which will contribute towards achieving the S106 target; part b) requires the reduction in emissions from the efficiency technologies of part a) to be explained in relation to current Building Regulations; and part d) deals with energy supply. These parts of condition 17 correspond with the London Plan 3-step energy hierarchy –“be lean”, “be clean”, and (where the energy supply arrangements include the use of renewables) “be green”.
- 6.79 The proposed building employs an enhanced thermal performance building envelope to achieve better practice U-values and air tightness standards and uses passive solar design measures to minimise direct solar gain. Internally low energy lighting and intelligent building management systems such as presence detecting and daylight dimming are installed throughout the community uses and the residential communal areas. Mechanical ventilation with heat recovery is proposed throughout the residential apartments and for the MUGA. There is an emphasis on building services system operational efficiencies and metering to enable interrogation of electricity, gas and water usage. The residential units will be individually metered to enable separate billing according for heating to encourage efficient use.
- 6.80 The above efficiency measures are predicted to achieve CO₂ savings of 10.14% against Part L 2010 targets. This information satisfies parts a) and b) of condition 17 and confirms the 5% minimum target CO₂ savings on current Building Regulations required by Section X of the S106 agreement has been met.
- 6.81 With regard to condition 17(d) and energy supply, the connection to the site's energy centre allows Building T1 to take advantage of the low-carbon benefits associated with district heating and CHP and also fulfils the requirements of condition 48. The carbon emissions from building T1 would be further reduced as a result of the additional roof mounted PV.
- 6.82 The use of the above-mentioned low carbon energy sources and passive design measures would together achieve an overall reduction in CO₂ of 57.2% against part L of the 2010 Building Regulations.

BREEAM/ Code for Sustainable Homes

- 6.83 In order to address condition 17(e) a preliminary Code for Sustainable Homes (CfSH) assessment has been carried out for the residential apartments of the building. An indicative score of 71.35% (i.e. a Code 'Level 4' rating) is attained which comfortably meets the requirement of condition 17(e) for the building to be designed to achieve the equivalent rating of “Very Good” or better under BREEAM/ Ecohomes (which would equate to CfSH level 3).

Materials and waste

- 6.84 Section Y of the S106 agreement requires the developer to implement a Construction Materials and Purchasing Strategy to agree specifications and targets in contracts to ensure sustainable sourcing in relation to construction. The applicant has confirmed that this will be implemented along with measures (required as 'reasonable endeavours under the S106) to minimise/reuse packaging waste. These measures will in turn be complemented by the contractor's own corporate construction targets. The above is expected to enable 37.5% of available credits in the materials category to be achieved in CfSH.
- 6.85 The S106 requirements for waste (section Z) entailing provision of waste information packs and sufficient dedicated waste storage space to encourage recycling both for residents and users of the public realm will be achieved by compliance with Camden Council's waste collection policy and as demonstrated through meeting the relevant CfSH compliance criteria in this regard.

Water and drainage

- 6.86 The need for water efficiency and sustainable drainage measures is controlled under schedule AA of the Section 106 agreement and condition 45 (drainage infrastructure).
- 6.87 Low water use sanitary ware and appliances together with water meters, controls and detection systems will be specified within the dwellings and MUGA changing facilities such that the development will achieve 66.7% of available credits in the Water category of CfSH. In terms of the requirements set out in schedule AA the target of a reduction in the typical water consumption benchmark of approximately 20-30% is met in that the actual performance is expected to represent at least a 30% reduction against typical water consumption.
- 6.88 In accordance with condition 45, the submitted Environmental Sustainability Plan demonstrates how the site's new drainage infrastructure will not exceed the maximum combined peak discharge of 2292 l/s for storm and foul water from King's Cross Central to the existing drainage infrastructure. This figure had been derived from the Environmental Statement for the outline application and was approved by Thames Water. Plot T1 is serviced by the Eastern Goods Yard drainage systems which will discharge to the Camden Sewer. The drainage networks have been designed on SUDS principles providing an overall peak flow reduction of 10% (based on a 1 in 30 year storm). The connection with the Camden Sewer has been approved in principle by Thames Water which has been consulted on these details.

Biodiversity and landscaping

- 6.89 The need to provide for biodiversity within the built environment is secured partly by parts c (green and brown roofs) and f (wildlife features) of condition 17 and partly through the need to submit for approval under condition 10 a detailed scheme for planting and laying out for all reserved matters including landscaping. Condition 46 is also relevant which requires at least 15% of the roofs of new buildings to be green or brown roofs.
- 6.90 The details submitted in respect of the podium garden planting are indicative only at this stage. However in compliance with condition 10 a planting programme is provided which confirms that this will be undertaken within the earliest available

planting season subject to the overall construction programme. The indicative details envisage that this feature of the development will include native and non native species and have regard to the London Biodiversity Action Plan (BAP) priority habitats and species to maximise the biodiversity benefits. The full planting details within this area of the building should be secured as a condition to any grant of reserved matters approval.

- 6.91 Provision of 1,643sqm of wildflower matting green roof to be installed on top of the duplex/triplex units of the podium garden would provide a further valuable resource for wildlife, and a 849 sqm brown roof on top of the 14th floor would provide important habitat for Black Redstarts in particular, which are a London BAP species. The green/brown roofs and podium garden would provide evaporative cooling as well as some level of rainwater attenuation, and will contribute to reducing the Urban Heat Island effect. Taking all these roofs into account, some 65% of the total roof area of the building will be either green or brown roof with the remainder comprising largely of the landscaped podium garden. Information is provided with respect to condition 46 to confirm that well over 15% of the roof space of all new buildings apart from building R4 (which achieves 13%) will be constructed as green or brown roof meaning that the development is comfortably over the minimum requirement so far.
- 6.92 In addition, bird and bat boxes are proposed in order to provide nesting habitats and shelter. There is considered to be significant potential to incorporate bird/bat bricks into the building's fabric or go even further to create a specialised roost provision. A building of this scale should be considered capable of accommodating at least 15 bird nesting boxes/bricks and 6 bat features. A condition is recommended to secure the details of these which should be submitted at an appropriately early stage for them to be designed integrally rather than retrofitted at the end of the construction.

Environmental Issues

Noise

- 6.93 In accordance with outline condition 60, the full particulars of plant noise have been provided to demonstrate compliance with the specified standards. The submitted particulars confirm that all noise generating building services plant/equipment in these areas will be specified and installed to achieve an acoustic performance at neighbouring sensitive facades of at least 5dBA below the prevailing baseline noise monitoring level identified in the acoustic report previously provided and subsequently updated (April 2008) in relation to condition 59. The details provided in this connection have been assessed by the Council's Environmental Health Officers and are considered acceptable.
- 6.94 Condition 61 of the outline permission relates to internal groundbourne noise and is relevant to plot T1 as it proposes residential development located within 10m of underground (Thameslink) tunnels running beneath the site. The condition specifies that such noise should not exceed 35dBA. The submitted noise data reviews and reconfirms that already provided and accepted by Camden for the previous 2009 reserved matters scheme. The predicted noise levels are modelled to be below the specified standard in relation to all the upper floors residential accommodation and

therefore meet the requirements of condition 61 without any special attenuation being necessary.

- 6.95 In regard to external environmental noise such as that coming from nearby road and rail infrastructure, condition 62 only requires details of a scheme of mitigation for certain development zones, which do not include plot T1. This is because the outline application Environmental Assessment concluded that train speeds from the CTRL at the point where the track passes Zone T1 would not be sufficient to generate noise levels in excess of the Council's standards, therefore detailed mitigation measures are not required in this instance.

Earthworks and remediation

- 6.96 A previous Earthworks and Remediation Plan was submitted and approved as part of the 2009 T1 proposals. Excavation works have now already taken place across the T1 site prior to the construction of the Energy Centre. An updated ERP has been prepared and sets out the position for the proposed earthworks and remediation for the "Phase 2" building details now submitted, in order to satisfy condition 18. The Earthworks and Remediation Plan is considered to meet the requirements of condition 18 which can now be discharged in respect of building T1.
- 6.97 Conditions 64 and 65 limit the volume of spoil and number of lorry movements associated respectively. Condition 66 and 67 are similar, except in that they relate to imported material and associated lorry movements. Information on spoil and lorry movements to enable conditions 64-67 to be monitored is included in the submitted Compliance Report.
- 6.98 The tables contained in the relevant sections of the Compliance Report confirm that taking into consideration the programmed works for the Eastern Goods Yard, Zones B, T6, E1, P1, block J and other parts of KXC site including the forthcoming Gas Holder No. 8 proposals, the combined spoil movements are expected to be well within the limits set by conditions 64-67.

7. CONCLUSION

- 7.1 The reserved matters proposals for building T1 bring forward the second phase of development required to complete the construction of this development subzone which has already commenced in the form of the now completed site-wide Energy Centre. By a process enabled under the Kings Cross Section 106 Agreement for making adjustments to the affordable housing 'Baseline Mix' a substitution of 22 Affordable Rent units and 12 Shared Ownership units has been agreed in place of the 34 General needs Social Rented Units previously proposed under the 2009 submission which could not now be provided due to lack of HCA funding availability for the scheme. The current scheme has redesigned the residential elements of the building to accommodate the new mix and is considered successful in providing good quality, well lit and spaciouly appointed accommodation for both the affordable and private tenures with external balcony spaces for most of the apartments.

- 7.2 The revised building design has also taken the opportunity to redesign the multi-use games area and retail/food and drink facilities of the building to achieve a more successful and responsive ground floor elevation that interacts well with the adjacent public realm and minimises conflicts between the respective uses and users of the residential and non residential building components.
- 7.3 Whilst the overall design approach continues to be dictated by the need to respond to the outline planning Urban Design Guidelines, the detailed façade treatment and materials have been reviewed to reinforce the strong modular rhythms of the building facades and takes the opportunity to respond to the emerging context provided by building P1 and the forthcoming submission of the relocated Gas Holder No. 8. The pigmented, patterned precast panels are considered particularly welcome in providing a strong complimentary setting for the relocated Gas Holder while also providing a building of unique character and quality in its own right.
- 7.4 In line with the various conditions and controls attached to the outline permission, the building also embodies high standards of sustainability and inclusive design to ensure that it will make a successful and positive contribution to the new community of Kings Cross Central. Approval is therefore recommended.

8. **LEGAL COMMENTS**

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Conditions and Reasons:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:- Architectural drawings: (prefix 0708-P-)001 R02; 002 R02; 003 R02; 004 R02; 005 R02; 006 R02; 007 R02; 008 R02; 009 R02; 010 R02; 011 R02; 012 R02; 013 R02; 014 R02; 015 R02; 016 R02; 017 R02; 018 R02; 101 R02; 102 R02; 103 R02; 104 R02; 201 R02; 202 R02; 203 R02; 204 R02; 205 R02; 206 R02; 207 R02; 208 R02; 209 R02; 210 R02; 211 R02; 212 R02; 213 R02; 214 R02; 501 R02.
Landscape & Infrastructure drawings: TOWN279.5(08)5011 R04; TOWN279.5.1(08)6001 R01; TOWN279.5.1(08)6002 R01. Supporting Documents: Urban Design Report dated January 2013; Details of Proposed Residential Accommodation dated January 2013 including revised plans for 3 affordable units (0708-P-402, 407 & 412); Compliance Report dated January 2013; Access Statement dated January 2013; Environmental Sustainability Plan dated January 2013; Daylight & Sunlight Report dated January 2013; Earthworks & Remediation Plan dated January 2013.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 2 Prior to the commencement of the relevant part of the development hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:
 - (a) Details of all external materials and finishes. The materials as approved

under this condition shall be displayed in the form of a samples board to be retained on site for the duration of the relevant works;

(b) Full scale sample panel of a pre-cast bay, to be retained on site for the duration of the relevant works;

(c) Details of landscaping features and plant species to be incorporated within the eighth floor podium garden;

(d) Details of the number, types and locations of bird and bat boxes;

(e) Details of lighting attached to the building, to include location, design, specification, fittings and fixtures;

(f) Details of the public art display, including relevant technologies and/or media to be installed in the ground floor façade of the Energy Centre;

(g) Details of CCTV to the side and rear service road; and

(h) Details including a sample of the paving to the southern ground floor terrace.

Thereafter, the relevant part of the works or use permitted shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the building and the character of the immediate area in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 Any unit used for Class A3 or A4 purposes as defined by the Town & Country Planning Use Classes (Amendment) Order 2005 shall not be open for use by visiting members of the public outside the hours of 0730-2330 unless otherwise approved by the local planning authority in writing.

Reason: To safeguard the amenities of the adjacent residential occupiers of the premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting planning permission.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy with particular regard to CS1- distribution of growth, CS2 growth areas, CS5 - managing impact of growth, CS6 - providing quality homes, CS7 - promoting Camden's Centres and shops, CS9 - achieving a successful Central London, CS10 - supporting community facilities and services, CS11- sustainable travel, CS13 - tackling climate change through promoting higher environmental standards, CS14 - promoting high quality places and conserving our heritage, CS15 - parks, open spaces and biodiversity, CS16 - improving health and well-being, CS17 - safer places, CS18 - waste and recycling, CS19 - delivering and monitoring the Core Strategy; and with the London

Borough of Camden Local Development Framework Development Policies with particular regard to DP1 - mixed use development, DP2 - making full use of Camden's capacity for housing, DP3 - affordable housing, DP4 - minimising loss of affordable housing, DP5 - homes of different sizes, DP6 - lifetime homes and wheelchair homes, DP12 - supporting centres and managing the impact of food, drink and entertainment uses, DP15 - community and leisure uses, DP16 - transport implications of development, DP17 - walking, cycling and public transport, DP18 - parking standards and limiting the availability of car parking, DP19 - managing the impact of parking, DP20 - movement of goods and materials, DP21 - development connecting to the highway network, DP22 - promoting sustainable design and construction, DP23 - water, DP24 - securing high quality design, DP25 - conserving Camden's heritage, DP26 - managing the impact of development on occupiers and neighbours, DP28 - noise and vibration, DP29 - improving access, DP30 - shopfronts, DP31 - open space and outdoor recreation, DP32 - air quality and Camden clear zone.

2 Reasons for granting planning permission (continued)

More particularly, it accords with the specific policy requirements in respect of the following principal considerations: Compliance with the parameters set by the outline planning permission and its accompanying Section 106 Legal Agreement in addressing the Borough's housing needs through the provision of 95 units of market housing, 22 units of Affordable Rent housing and 12 units of Shared Ownership affordable housing; provision of recreational facilities in the form of a Multi-Use Games Area and inclusion of sustainable car parking facilities including accessible car parking; brings forward a building that is well thought-out in its design and responds to the needs of its future occupiers; is sustainable and energy efficient; and will make a positive contribution to the emerging townscape of the Kings Cross Central Development.

- 3 The following conditions on the outline permission (ref 2004/2307/P) relating to the relevant subject areas described in this reserved matters and approval of details application are now partially or wholly discharged: 6, 7, 9, 10, 12, 14, 16-24, 26, 27, 28, 31, 33-36, 39, 42, 42A, 43-46, 48, 49, 50, 50A, 51, 60, 61 and 64-67. You are however reminded of the need to comply with all the ongoing requirements of the controlling conditions of the outline permission, and where relevant, the recommendations of the various method statements and reports which have been approved pursuant to conditions.
- 4 It should be noted that the approved residential mix for subzone T1 as stated in the description of development will be considered for monitoring purposes under the relevant thresholds and triggers of the Kings Cross Central (Main Site) Section 106 Agreement and outline planning permission (ref. 2004/2307/P) as 129 residential units in total, with the 22 proposed Affordable Rent units and 12 Shared Ownership Units being the agreed equivalent of 34 Social Rented Units.
- 5 In relation to the flexible use commercial units as shown on the drawings hereby approved, you are reminded that under part LL of the Kings Cross Central Section 106 Agreement the Council's further written approval is required prior to any first occupation of these units within Class A4 (drinking establishment) of the Town and

Country Planning (Use Classes) Order.

- 6 You are advised that condition 3 above means that no customers shall be on the premises and no noise generating activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.
- 7 You are advised that the Council's Nature Conservation Officer would recommend that the brown roof has some spatial heterogeneity in the form of varied depths, with mounding features and a variety of particle sizes. A brown roof designed in this way will be more beneficial in terms of providing a diverse habitat.
- 8 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 9 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.