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Application Ref: **2012/4741/P**
Please ask for: **Neil McDonald**
Telephone: 020 7974 **2061**

7 December 2012

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988

Approval of Reserved Matters Granted Subject to a Section 106 Legal Agreement

Address:

**Kings Cross Central - Main site
Development Zone P1
York Way**

London N1C

Proposal:

Reserved matters in connection with Building P1 comprising up to thirteen storeys of mixed use accommodation for 178 open market residential units and 77 "key worker" sub-market rented affordable units on upper floors above (at ground and first floor levels) a new two-form entry primary academy school; a 26-place nursery school; new premises for the Frank Barnes School for deaf and hard of hearing children; community meeting facilities; a small retail unit; plus basement level car parking and plant and immediately adjoining elements of public realm; together with submission of associated details in compliance with conditions 9, 10, 14, 16-24, 27, 28, 31, 33-39, 42, 42A, 43, 45, 46, 48, 49, 50A, 51, 56, 60, 61, 64-65 and 66-67 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).

Drawing Nos: Architectural Drawing Package: (prefix 1-) 100 rev B, 105 rev C, 110 rev D, 111 rev E, 112 rev D, 113 rev D, 114 rev C, 115 rev D, 116 rev C, 117 rev C, 118 rev C,



119 rev D, 120 rev C, 121 rev C, 122 rev C, 123 rev D, 124 rev D, 125 rev C, 130 rev D, 131 rev D, 132 rev D, 133 rev D, 134 rev D, 135 rev D, 140 rev D, 141 rev D, 142 rev D, 143 rev D; (prefix 476-1-) 151 rev B, 152 rev B, 153 rev B, 154 rev C, 155 rev C, 157 rev B; (drawings for information) 1-144 rev D; 1-145 rev D.

Landscape & Infrastructure Drawing Package: [prefix TOWN279.23(08)] 5001 rev R03, 5002 rev R04, 3001 rev R04, 7101 Rev R02, 6101 rev R02, 6102 rev R02, 6103 rev R02, 6104 rev R02, 6105 rev R02, 6106 rev R02, 6107 rev R02, 6301 rev R02, 6302 rev R02, 6401 rev R02, 6402 rev R02, 6403 rev R02; (drawings for information) 20227/097/116/01.

Compliance Report dated Sept 2012; Access Statement dated Sept 2012; Archaeological Written Scheme of Investigation dated Sept 2012; Earthworks & Remediation Plan dated Sept 2012; Daylight & Sunlight Report dated Sept 2012; Environmental Sustainability Plan dated Sept 2012; Urban Design Report dated Sept 2012; Details of Proposed Residential Accommodation dated Sept 2012; Email from Argent dated 19/09/2012.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans (prefix 1-) 100 rev B, 105 rev C, 110 rev D, 111 rev E, 112 rev D, 113 rev D, 114 rev C, 115 rev D, 116 rev C, 117 rev C, 118 rev C, 119 rev D, 120 rev C, 121 rev C, 122 rev C, 123 rev D, 124 rev D, 125 rev C, 130 rev D, 131 rev D, 132 rev D, 133 rev D, 134 rev D, 135 rev D, 140 rev D, 141 rev D, 142 rev D, 143 rev D; (prefix 476-1-) 151 rev B, 152 rev B, 153 rev B, 154 rev C, 155 rev C, 157 rev B; [prefix TOWN279.23(08)] 5001 rev R03, 5002 rev R04, 3001 rev R04, 7101 Rev R02, 6101 rev R02, 6102 rev R02, 6103 rev R02, 6104 rev R02, 6105 rev R02, 6106 rev R02, 6107 rev R02, 6301 rev R02, 6302 rev R02, 6401 rev R02, 6402 rev R02, 6403 rev R02.

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, including samples panel, of all external materials and finishes (excluding brickwork). 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) Details, including a sample panel, of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing. The sample panel shall be retained on site for the duration of the relevant works;
 - (c) Details of playground screens enclosing the southern and western boundaries;
 - (d) Details, including layout, specification and finishes, of the school playground;
 - (e) Details of landscaping features and plant species to be incorporated within the second floor podium garden;
 - (f) Details of the type and location of bird and boxes;

- (g) Details of lighting within the public realm, to include location, design, specification, fittings and fixtures; and
- (h) Details including samples panel of typical paving, setts and other hard landscape surface treatments. The samples to demonstrate all materials and typical variations of pattern relationships within those materials.

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 A5 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, DP27 - basements and lightwells, 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 addressing the Borough's housing needs through the provision of 178 units of market housing and 77 units of key worker affordable housing; provision of a well thought out design of building that 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 area; meets the Council's accessibility requirements; and, subject to the accompanying deed of variation builds on the outline permission to include co-located schools providing new accommodation for the Frank Barnes School for Deaf Children and a new two-form entry primary school ensuring the creation of a fully inclusive community and paying suitable regard to all other relevant clauses in the Section 106 Planning Obligation relating to the outline permission referred to above.

- 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: 9, 10, 14, 16-24, 27-28, 31, 33-39, 42, 42A, 43, 45, 46, 48, 49, 50A, 51, 56, 60, 61, 62, 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 P1 as stated in the description of development for these reserved matters 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 the equivalent of 263 residential units in total, with the 52 proposed one and two bedroom key-worker sub market rented units being the agreed equivalent of 38 Social Rented Units and the additional schools floorspace involved in enabling the provision of the Frank Barnes School for Deaf Children being the agreed equivalent of 22 Social Rented Units. Accordingly the proposed residential floorspace total of 24,478sqm (GEA) would be the equivalent of 26,328 sqm (GEA); including 7,222 sqm (GEA) affordable floorspace of which 5,198 sqm would represent Social Rented Housing.
- 5 In relation to the flexible use commercial unit 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 this unit within Class A5 (hot food takeaway) 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.

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