

# Compliance Report

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## Building P1

King's Cross Central  
General Partner Ltd

September 2012

**King's Cross**

# Contacts

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## 1 Introduction

- 1.1 The overall King's Cross Central ('KXC') mixed use development takes broad shape from the outline planning permission (ref. 2004/2307/P) of 22 December 2006 (the 'Outline Planning Permission'). The proposal was subject to an Environmental Assessment and described in a Development Specification document (Revised September 2005) with accompanying Parameter Plans<sup>1</sup>, which form part of the permission and are referred to in the planning conditions. This Compliance Report provides a comprehensive overview of how the relevant pre-commencement planning conditions and Section 106 obligations are being addressed in respect of P1, which comprises a predominantly residential building with a collocated school and community meeting facilities at ground and first floor levels, together with a playground and play decks. The ground floor also includes a retail unit. Some plant, infrastructure and utility uses and parking would be accommodated within a partial basement level.
- 1.2 The location of plot P1 and the building proposed within it are shown on the plan following this section. A further plan, 1-105 entitled 'P1 Site Plan' shows the boundary for this submission. The submission includes the following infrastructure and public realm elements:
- A relatively narrow part of Canal Reach, immediately adjacent to Building P1. The submitted details overlap and update, in part, the details already approved as part of the Reserved Matters for T1 and related infrastructure (ref.2009/0415/P);
  - A strip of public realm along the south side of plot P1;
  - The greater part of 'Holder Street'<sup>2</sup>, between plots P1 and P2; and
  - The southern footway of Handyside Street, where it fronts plot P1 and plot P2. The submitted details overlap and update, in part, the details already approved as part of the Reserved Matters for T1 and related infrastructure (re.2009/0415/P).
- 1.3 To the extent that there is an overlap with the approved T1 landscaping scheme, the details now submitted relate better to the proposed design of Building P1, which was not known when T1 was approved.

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<sup>1</sup> In some cases, substitute Parameter Plans have since been submitted and approved, to incorporate various minor amendments

<sup>2</sup> This is a working name used for street identification purposes only.

- 1.4 The approved Development Specification gives the following Summary Description of Zone P as a whole in Table 2:

*“Mixed use new development. The application provides for a range of land uses including residential; business and employment (B1); a 2-form entry primary school and other uses within D1; a cinema and other uses within D2/night clubs; a supermarket and other shopping/food and drink (A1/A23/A3/A4/A5) uses; hotels and serviced apartments. New local play/amenity space would be provided within the development zone for the benefit of residents and potentially others.”*

- 1.5 This report acts as a ‘navigation’ document for the P1 submission and its relationship to the various conditions and obligations. The submission includes the Reserved Matters details required by and referred to in the conditions and specified in the Definitions attached to the permission. These include: layout, scale, appearance, access and landscaping, except as already established by the relevant Parameter Plans.
- 1.6 The submission site forms part of zone P as defined on parameter plan KXC 005. Plot P1 is approximately 0.13 ha in area and relatively flat, with levels ranging between 25.27m AOD in the west and 26.94m AOD in the east. At present, the site is used as a BAM Nuttall site compound for the storage of construction and associated materials including concrete, sand bags, LPG gas cylinders, metals and plastic containers. To the east of the site is a dedicated fuel storage area which is bunded and separated from the rest of the site by a fence. There are no trees or other significant vegetation. Part of the site currently sits within/beneath the disused Western Goods Shed building, which is to be demolished later this year (2012) under consent 2004/2321/C, as amended by 2011/1526/P.
- 1.7 To the north of P1 runs the new Handyside Street. To the east, Building P2 will come forward in due course. Canal Reach and T1 will be to the west. Building T1 already has approval, as noted above, but new details with a revised design will be submitted in due course. The relocated gas holders will be to the south.
- 1.8 The proposed development of P1 is fully described in the Urban Design Report, but its essence is set out below.
- 1.9 Building P1 is a mixed use development, up to 13 storeys in height, providing 178 open market apartments and 77 “key worker” affordable apartments for the Dolphin Square Foundation, a charitable trust set up to provide affordable housing within Central London. This residential accommodation is arranged above a learning environment that brings together (within the ground and first floor levels) a new, mainstream two-form entry primary (academy) school for children aged 5-11 years, a 26-place mainstream nursery for children aged 3-4 years and the Frank Barnes School for deaf and hard of hearing children aged 0-11 years, all under one roof.

- 1.10 Building P1 will also provide new community meeting facilities that can be used by, in conjunction with or entirely separate from, its school neighbours; and a small retail unit. Both will be provided within the ground floor. Below, a single storey basement across part of the plot will accommodate car parking and plant.
- 1.11 The design team has strived to provide a fantastic living environment alongside London's best teaching and learning environment for mainstream, deaf and hard of hearing children. School and community meeting facilities and residential accommodation are co-located together in P1 to create a thriving new urban community.
- 1.12 The building form is expressed as a series of vertical towers with tiered terraces in-between that wrap around the site edge to define the streetscape. A recessed 3 metre bay within the structural grid defines and articulates each tower around the site perimeter, providing further definition to the overall massing. Between the full height towers, above level 9, the building massing steps back incrementally to create a series of generous roof terraces and sky gardens, serving the high level apartments. The massing is purposefully reduced on the south-west corner, first to maximise direct sunlight into a podium garden at level 2, the deep plan parts of the school below, the associated playspace and upper floor residential living areas, as the sun tracks east to west around the site; and second, to forge a comfortable and successful relationship with the adjacent listed gas holder structures and Building T1. The residential massing culminates with a series of penthouses and duplex apartments at levels 12 and 13.
- 1.13 This building massing, orientation and arrangement of key spaces also seeks to make the most of key views and sightlines looking south towards the Regent's Canal and across Central London.
- 1.14 The open market residential accommodation is arranged over 12 storeys (levels 2 to 13 inclusive) and served by two cores (cores A and B). There are 17 studios, 46 one-bedroom apartments, 75 two-bedroom apartments and 40 three-bedroom apartments, grouped together with up to 12 apartments per floor in core A and up to 12 apartments per floor in Core B. All of the apartments, bar 10 studios, have balconies or terraces. 20 of the apartments are wheelchair accessible (as defined in the KXC Section 106 Agreement).
- 1.15 The "key worker" affordable accommodation is arranged over 10 floors (levels 2 to 11 inclusive), around a third, dedicated core (core C). There are 25 studios, 25 one-bedroom apartments, 11 two-bedroom apartments and 16 larger two-bedroom apartments, grouped together with up to 9 apartments per floor. 40 of the 77 apartments have balconies. 10 of the apartments are wheelchair accessible.

- 1.16 The building includes a podium courtyard garden (at level 2) and a high-level, glazed winter garden (split over levels 12 and 13), for use by the owners/occupiers of the private, open market accommodation that will contribute financially to their upkeep through the building service charge. Dolphin Square Foundation tenants will not automatically contribute towards or access these facilities, however there may be opportunities for tenants to 'opt in' in due course, if they wish to do so.
- 1.17 The school accommodation is arranged around a double-height, internal 'street' that forms a central spine and primary circulation space through the building at ground floor level, crossed by a bridge of staff accommodation (shared by both schools) at first floor level. The mainstream school, Frank Barnes School and nursery facilities are all accessed from this central axis. The street can be approached from either end, depending on the type of user and time of day and the proposed design ensures that there will be excellent visual connectivity between the primary entrance, along the eastern street boundary, and the second entrance via the school playground.
- 1.18 The street is also an extension to the teaching environment and can be utilised by both schools as additional assembly, gallery or dining space. At ground floor level the small hall and main hall are clustered together and can be opened up along the street to create a larger dining or foyer space when required. At first floor level, the plan opens up to create a generous circulation hub and open plan library and learning space. This open plan arrangement benefits from good levels of natural daylight provided by extensive roof lights within the podium garden above.
- 1.19 The proposed design has two façade conditions for the inner and outer skin of the block, taking reference from the robustness, grain and materiality of the existing site context. The outer skin will combine the following materials:
- Brick
  - Glazed sliding doors and composite aluminium-timber windows
  - Polyester powder coated metalwork/aluminium panels and louvers
  - External, aluminium venetian blinds (to selected units/elevations)
  - Metal balustrades to balconies/terraces
  - Solid reconstituted stone panels on the façade setbacks above level 9.
- 1.20 Within the courtyard, the inner skin material solution is informed by the desire to enhance daylight levels and create a complimentary canvas to the green environment created by the podium garden and other planting opportunities. Natural-coloured reconstituted stone panels will reflect direct sunlight into the lower reaches of the garden space and the other materials will be:
- Glazed sliding doors and aluminium-timber composite windows
  - Polyester powder coated aluminium louver privacy screens

- Glass balustrades to balconies/terraces
  - Reconstituted stone panels
- 1.21 The proposed design includes some 734 square metres of brown roofs at level 13, on top of the 'tower' elements. The podium courtyard garden at level 2, shown illustratively on submitted plan 1-113, will also be extensively planted.
- 1.22 The building will include 276 secure cycle spaces for the residential accommodation and its visitors, with two adjacent facilities (of 192 and 84 spaces respectively) at level 2. Users will access these bicycle storage facilities using lifts and stairwells, the latter incorporating bicycle rails, via cores A and C on the east side of the building.
- 1.23 An additional 50 spaces will be provided along Handyside Street and along 'Holder Street', between P1 and P2. 4 of these spaces, along Handyside Street adjacent to the building, are nominally for visitors to the residential, to achieve the required ratio. The remaining 46 spaces, including 24 along 'Holder Street' will be for school staff and visitors.
- 1.24 In due course, Camden may provide additional spaces for school students within the school demise; or it may be possible to incorporate these within the boundary treatment to the playground, subject to future design.
- 1.25 Limited car parking will be provided. The proposed development includes 36 spaces within the basement level, including 2 spaces for disabled people. These spaces will be accessed via a vehicular lift on the south-east corner of the building. The design of the new 'Holder Street' access road between P1 and P2 incorporates a vehicular waiting bay between the road and the lift entry point, to prevent congestion within the street zone, taking into account vehicular lift waiting times.
- 1.26 There is no dedicated parking provision for the schools. Some students at Frank Barnes School do arrive by minibuses and these will use the pick-up/drop-off bay along Holder Street. School visitors who need to drive may also be able to use this facility. Blue badge holders may be able to use one of the three proposed on-street parking spaces provided adjacent to the open market residential entrance on Handyside Street. School visitors will also be able to use the public car park spaces within the Multi Storey Car Park ('MSCP'), in the next door building, T1.
- 1.27 The appropriate completed London Borough of Camden forms are submitted in observance of condition 3 of the Outline Planning Permission. The other conditions that this report addresses are listed numerically on the Camden form and set out with brief summary notes below:

<u>Condition</u>	<u>Summary Note</u>
9	Landscaping details
10	Landscaping programme
14	Phasing in 3 year periods
16-24	Reserved matters to include, respectively, Urban Design Report, Environmental Sustainability Plan, Earthworks and Remediation Plan, Access Statement, Illustrative Build-Out Plan, Construction Time-table, Servicing Strategy, Highways Plan and Housing Delivery Plan.
27	Details of internal floorplans, layouts and floorspace figures
28	Refuse storage and collection arrangements
31	Development to follow approved Parameter Plans as described in the Development Specification
33-34	Maximum floorspace limits, respectively, for the overall site and the area north of the Regent's Canal
35 (and Table 1)	Permitted land uses and maximum floorspace for each use within the areas north and south of Regent's Canal
36 (and Annex)	Maximum floorspace for land use categories within each development zone, within condition 35 maxima
37	Maximum floorspace within basements
38	Details required by condition for basements
39	Minimum residential floor area and maximum units
42	Residential floorspace by type
42A	Residential mix
43	Residential Daylight and Sunlight
45	Drainage infrastructure
46	Green/brown roofs

<u>Condition</u>	<u>Summary Note</u>
48	Incorporation of pipework necessary for connection to district heating/combined heat and power systems
49 and 51	Car and cycle parking/storage standards respectively
56	Archaeological investigation and mitigation
60	Noise impact of plant and equipment
61	Ground borne noise from tunnels
62	Environmental noise levels in residential development on Plot R5
64-65	Overall movement of spoil off-site (annual volume and lorry movements respectively)
66-67	Overall annual lorry movements for import of infrastructure and construction materials respectively
1.28	This report does not address Conditions 29 and 30 as no wind turbines are proposed within P1.
1.29	<p>In the remainder of this Compliance Report, each of the relevant conditions is addressed in turn, by providing an account of how the submission satisfies that condition. In some cases, for example the highways plan (condition 23) confirming the necessary works to serve the development from the adopted highway network, the relevant information is provided in this report by means of text and a plan. In others, compliance is demonstrated by cross-reference to the following free-standing submission documents:-</p> <ul style="list-style-type: none"> <li>▪ Compilation of scheme layout plans, elevations, sections, landscape layouts and perspective views (listed in the schedule attached to this section);</li> <li>▪ Urban Design Report, including scheme concept, public realm aspects, relationship to Design Guidelines included in Outline Planning Permission, landscaping approach and servicing strategy;</li> <li>▪ Environmental Sustainability Plan;</li> <li>▪ Earthworks and Remediation Plan;</li> <li>▪ Access and Inclusivity Statement;</li> <li>▪ Daylight and Sunlight Report; and</li> <li>▪ Details of Proposed Residential Accommodation.</li> </ul>

- 1.30 In the Outline Planning Permission, the conditions are presented under a sequence of subject headings and sub-headings. To aid ease of use of this report, the conditions referred to in turn are each accompanied by those corresponding headings.
- 1.31 The most relevant parts of the Section 106 Agreement also considered in conjunction with the conditions, namely Sections H (community meeting facilities), J (education), N (public realm), V (access and inclusivity), W (environmental sustainability), X (energy), Y (construction materials/waste), Z (waste), AA (water) and NN (housing and affordable housing).
- 1.32 The proposals for Building P1 have developed through a progressive process of pre-submission consultations between the Argent team, the officers of London Borough of Camden Borough, schools representatives, other relevant stakeholders and local bodies, over several months. They represent a very high quality, mixed tenure residential and co-located schools development that will make a significant and positive contribution to the on-going regeneration of King's Cross.



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## Schedule of Drawings

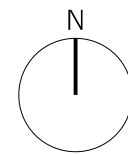
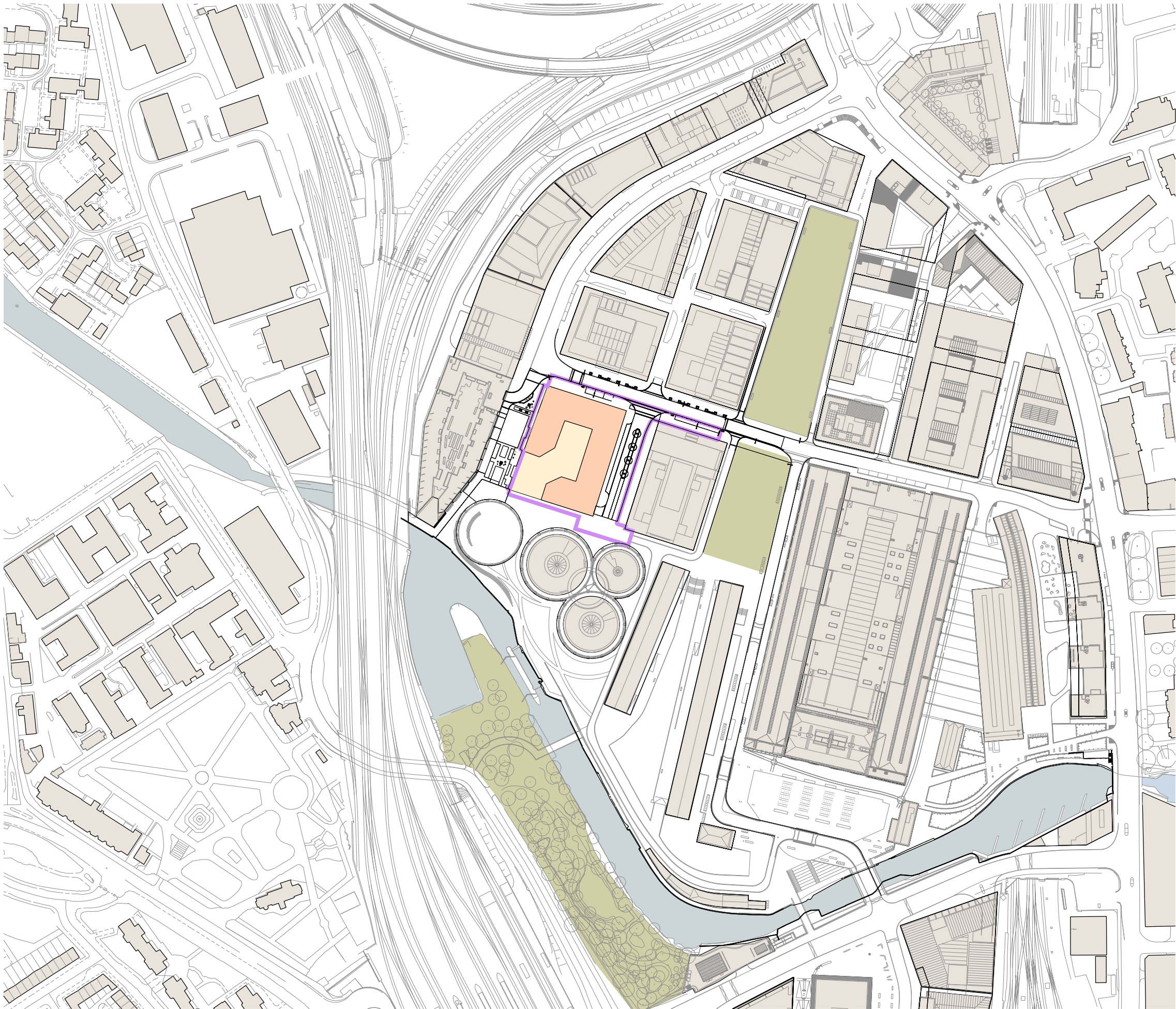


Architectural Drawings

Drawing Title	Scale at A3	Drawing Number	Rev
Location/Site Plans			
Location Plan	1:2500	1-100	B
Site Plan	1:500	1-105	C
Proposed Drawings for Approval			
Plans			
Basement Floor Plan	1:250	1-110	D
Ground Floor Plan	1:250	1-111	E
Level 01 Floor Plan	1:250	1-112	D
Level 02 Floor Plan	1:250	1-113	D
Level 03 Floor Plan	1:250	1-114	C
Level 04 Floor Plan	1:250	1-115	C
Level 05 Floor Plan	1:250	1-116	C
Level 06 Floor Plan	1:250	1-117	C
Level 07 Floor Plan	1:250	1-118	C
Level 08 Floor Plan	1:250	1-119	C
Level 09 Floor Plan	1:250	1-120	C
Level 10 Floor Plan	1:250	1-121	C
Level 11 Floor Plan	1:250	1-122	C
Level 12 Floor Plan	1:250	1-123	D
Level 13 Floor Plan	1:250	1-124	D
Roof Plan	1:250	1-125	C
Sections			
Section A-A	1:250	1-130	D
Section B-B	1:250	1-131	D
Section C-C	1:250	1-132	D
Section D-D	1:250	1-133	D
Section E-E	1:250	1-134	D
Section F-F	1:250	1-135	D
Elevations			
North Elevation	1:250	1-140	D
East Elevation	1:250	1-141	D
South Elevation	1:250	1-142	D
West Elevation	1:250	1-143	D
Details			
Typical Bay Study - School - Zone 1	1:50	476-1-151	B
Typical Bay Study - Residential Recessed Balcony - Zone 2	1:50	476-1-152	B
Typical Bay Study - Juliet Balcony to Residential Studios - Zone 2	1:50	476-1-153	B
Typical Bay Study - Residential Recessed Balcony - Zone 3	1:50	476-1-154	C
Typical Bay Study - Residential Duplex Apartments - Zone 4	1:50	476-1-155	C
Typical Bay Study - Internal Courtyard	1:50	476-1-157	B
Drawings for Information			
North and South Context Elevations	1:500	1-144	D
East and West Context Elevations	1:500	1-145	D

## Landscape and Infrastructure Drawings

Drawing Title	Scale at A3	Drawing No.	Rev
<b>For Approval</b>			
<b>Plans</b>			
Surface Finishes and Detail Tag Location plan	1:500	TOWN279.23(08)5001	R03
Site Levels Plan	1:500	TOWN279.23(08)5002	R04
Tree Planting Plan	1:500	TOWN279.23(08)3001	R04
<b>Sections</b>			
P1 Sections	1:100	TOWN279.23(08)7101	R02
<b>Details</b>			
Detail 1.01: Paving Patterns	1:10	TOWN279.23(08)6101	R02
Detail 1.02: Sandstone Paving Interface with Building	1:10	TOWN279.23(08)6102	R02
Detail 1.03: Typical Manhole Cover Interface with Paving	1:20	TOWN279.23(08)6103	R02
Detail 1.04: Sandstone Paving Interface with Blacktop Carriageway	1:10	TOWN279.23(08)6104	R02
Detail 1.05: Tactile Paving Detail	1:5	TOWN279.23(08)6105	R02
Detail 1.06: Granite Setts in Parking Bay - Interface with Sandstone Paving	1:10	TOWN279.23(08)6106	R02
Detail 1.07: Uncontrolled Pedestrian Crossing Interface with Kerb	1:10	TOWN279.23(08)6107	R02
Detail 3.01: Tree Surround Plan	1:20	TOWN279.23(08)6301	R02
Detail 3.02: Tree Surround Section with Kerb	1:20	TOWN279.23(08)6302	R02
Detail 4.01: Bench Detail	1:20	TOWN279.23(08)6401	R02
Detail 4.02: Cycle Stand Interface with Granite Setts	1:10	TOWN279.23(08)6402	R02
Detail 4.03: Typical Litter Bin Set in Sandstone Paving	1:10	TOWN279.23(08)6403	R02
<b>For Information</b>			
King's Cross Central WGY Infrastructure Works Combined Proposed Utilities	1:250 (A0)	20227/097/116/01	-



Legend

Reserved Matters Submission Boundary

0m 50m

Revisions: B: General Revisions	Notes: For Approval	DAVID MORLEY ARCHITECTS 18 Hutton Place London EC1N 8RU Tel: 020 7430 2444 Fax: 020 7430 2443 davidmorleyarchitects.co.uk	Building P1 - Kings Cross Central	Job no: 476	Drawing no: 1-100	Revision: B
			Location Plan	Scale: 1:2500@A3	Date: 15.06.12	Revised: 31.08.12

© Do not scale off drawing. Check all dimensions on site and advise any discrepancies before commencing work. All dimensions in millimetres unless otherwise noted.





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## 2 Condition 9 (Approval of Reserved Matters – Trees)

### 2.1 The condition and its reason state:

*“The details of the landscaping to be submitted as part of the applications for Reserved Matters approval shall include details of:*

- (a) all existing trees (with a stem diameter of 75mm or greater), and all existing within 10 metres of the perimeter of that part of the Development indicating:
  - (i) the location, species, stem diameter at 1.5 metres above ground level, height and accurate crown spread;*
  - (ii) those to be retained;*
  - (iii) where nearby excavations are proposed, the level at the base of each tree to be retained;*
  - (iv) trees to be removed in conjunction with that part of the proposed development; and*
  - (v) where appropriate the proposed positions and lines of protective fencing and prohibited areas.**
- (b) details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items will affect trees on or adjoining that part of the site;*
- (c) treatment of trees to be retained and new tree or other planting including indigenous species or those of wildlife, flowering or foliage value; earthworks, ground finishes, top soiling with both conserved and imported top soils, levels, drainage including falls and drain types;*
- (d) proposed canal moorings; and*
- (e) the equipment and other treatment of land within the MUGA and LEAP spaces.*

*And all works shall only be carried out with the details so approved.*

*Reason: To ensure a comprehensive and sustainable development, to ensure good design, to protect the setting of listed buildings, to preserve or enhance the character or appearance of Conservation Areas, to ensure a minimal impact on existing trees, to contribute to biodiversity, and to ensure that the details accord with the assessment in the Environmental Impact Assessment, in accordance with policies B1, B2, N4, N8, KC8, KC10, RC1 and RC3 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

## **Response to Condition 9**

- 2.2 In the case of this submission for P1, only part (c) is relevant to the details required by the condition. The information required is provided in the appropriate parts of the Urban Design Report and shown on the Townshend Landscape Architects plans and sections included in the submitted set. The plans and sections cover the relevant parts of the public realm, as identified at para 1.2 above.
- 2.3 In terms of the public realm areas at street level, the proposals are demonstrated on the relevant plans and drawings as follows:
- The Surface Finishes plan (TOWN279.23(08)5001) shows the surface finishes for the public realm and the positions of the new tree planting and street furniture. It also provides a key for other drawings showing the further details listed below;
  - Proposed planting of semi-mature trees and their species (TOWN279.23(08)3001);
  - The proposed ground levels of the public realm areas (TOWN279.23(08)5002);
  - Cross-sections and details indicating materials, heights and construction of footways and kerbs; tree planting methods; and methods of installing cycle parking and other street furniture (TOWN279.23(08)6101-6107, 6301, 6302, 6401-6403, 7101).
- 2.4 With regard to the landscaping details for the level 2 podium garden, this is shown indicatively on drawing 1-113 (part of the architectural drawing package).
- 2.5 The landscaping details described above and in the Urban Design Report and shown on the submitted plans and drawings are provided to demonstrate compliance with condition 9. The details shown on the plans, drawings and planting schedule are submitted for approval.



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### 3 Condition 10 (Approval of Reserved Matters - Landscaping Programme)

3.1 The condition and its Reason state:

*“Applications for approval of Reserved Matters including landscaping shall include for specific approval a programme for commencing and completing the planting and laying out, and the detailed scheme(s) so approved shall be carried out only in accordance with the approved programme.*

*Reason: To ensure a comprehensive and sustainable development, to ensure good design, to protect the setting of listed buildings, to preserve or enhance the character or appearance of conservation areas, and to ensure that the landscaping is carried out within a reasonable period in accordance with the Environmental Impact Assessment, in accordance with policies B1, 82, KC8, KC10 and N4 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

#### **Response to Condition 10**

3.2 The programme for commencing and completing the planting will be as outlined below.

3.3 The preferred planting season is from late October through to late March to ensure that trees are dormant when being lifted. Planting will not take place if the ground is either waterlogged, or when there is frost on the ground. The proposed planting will take place in the first available planting season following physical completion of the relevant public realm and terrace areas. The planting programme will, therefore, ultimately be controlled by the overall construction programme (see response to Condition 21).

3.4 If tree planting needs to take place outside of the preferred planting season, the tree will be lifted and containerised within the planting season to reduce the possibility of shock and failure occurring. Once the tree has been stabilised in its containerised state, it can then be planted outside the preferred planting season. The contractor appointed by the applicant will be required to maintain the tree while off-site and give the same guarantee as if planting in season.

3.5 If roots of newly planted trees or shrubs are loosened, the soil will be refirmed as soon as possible after planting to exclude air pockets around the roots. Also, weeds will be eliminated and all ties, stakes and guards checked and adjusted accordingly.

3.6 These details are to show compliance with condition 10 and are submitted for approval.

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## 4 Condition 14 (Phasing of Approvals)

### 4.1 The condition and its Reason state:

*“Unless otherwise agreed in writing by the local planning authority and subject to condition 13, applications for approval of Reserved Matters and/or details pursuant to conditions in compliance with this permission shall be made to the local planning authority in accordance with the following provisions:*

- (a) Application for approval of the Reserved Matters and/or details pursuant to conditions relating to not less than 70,000 sq metres gross external area of built accommodation shall be made to the local planning authority before the expiration of the three years from the date of this permission;*
- (b) Application for approval of the Reserved Matters and/or details pursuant to the conditions relating to not less than 70,000 sq metres gross external area of built accommodation shall be made to the local planning authority before the expiration of six years from the date of this permission, bringing the total building space for which Reserved Matters applications have been submitted to not less than 140,000 sq m gross of built accommodation;*
- (c) Application for approval of the Reserved Matters and/or details pursuant to the conditions relating to not less than a further 70,000 sq metres gross external area of built accommodation shall be made to the local planning authority before the expiration of nine years from the date of this permission, bringing the total building space for which Reserved Matters applications have been submitted to not less than 210,000 sq m gross of built accommodation;*
- (d) Application for approval of the Reserved Matters and/or details pursuant to the conditions relating to not less than a further 70,000 sq metres gross external area of built accommodation shall be made to the local planning authority before the expiration of twelve years from the date of this permission, bringing the total building space for which Reserved Matters applications have been submitted to not less than 280,000 sq m gross of built accommodation... (e) and (f).*

*Provided that reapplications or variations in relation to the same built accommodation which has already been the subject of previous applications for and approval of the Reserved Matters shall not count towards compliance with the phasing of the submissions as set out in (a) to (f) above.*

*Reason: To ensure a comprehensive and sustainable development to achieve regeneration, integration and good design, in accordance with the Environmental Impact Assessment, in accordance with policies S1, S2, S3, CKC1, SKC2, SKC3, KC1 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

## **Response to Condition 14**

- 4.2 Since Outline Planning Permission was granted in December 2006, applications have been made for approval of Reserved Matters and details pursuant to conditions involving built accommodation on the Eastern Goods Yard site, on Development Zone J and sub-zones R2, R4, R5(North), T1, B1, B2, B3, B4, B6 and the Great Northern Hotel. In addition, full planning permission has been granted for student housing on Plot T6. The quantities of floorspace, as gross external area, are set out in Table 4.1 at the end of this section.
- 4.3 The breakdown of the figure (29,619 m<sup>2</sup> GEA) for P1 is set out in the responses to Conditions 27 and 35. The figure excludes various infrastructure and utility elements (including waste storage and recycling facilities and cycle parking), in accordance with the footnotes to Table 1 and Annex B of the outline planning permission.
- 4.4 As the above figures demonstrate, the requirements in condition 14(a), (b), (c) and (d) for 70,000m<sup>2</sup>, 140,000m<sup>2</sup>, 210,000m<sup>2</sup> and 280,000 m<sup>2</sup> of floorspace to be applied for before the expiry of, respectively, three, six, nine and twelve years from the grant of Outline Planning Permission have already been fulfilled.
- 4.5 The information provided above enables the local planning authority to monitor the position relative to the condition and does not require approval. Rather the information shows how the relevant requirements of condition 14 are being met.

Site	Application Reference No.	Approval Date	Floorspace
Eastern Goods Yard	2007/5228/P	8 April 2008	55,190
Building R2	2008/5052/P	22 January 2009	48,522
<b>Subtotal (70,000 m<sup>2</sup> by Dec 2009)</b>			<b>103,712</b>
Building T1	2009/0415/P	24 April 2009	29,045
Building R4	2010/0389/P	15 April 2010	11,761
<b>Subtotal (140,000m<sup>2</sup> by Dec 2012)</b>			<b>144,518</b>
Building B2	2010/0864/P	29 April 2010	7,098
Building B4	2010/0868/P	29 April 2010	16,824
Building B6	2010/0870/P	29 April 2010	20,853
Great Northern Hotel	2010/3304/P 2011/0049/P	3 September 2010	4,548 <sup>3</sup>
Building T6	2010/4468/P	11 January 2011	16,292 <sup>4</sup>
<b>Subtotal (210,000m<sup>2</sup> by Dec 2015)</b>			<b>210,133</b>
Building J	2010/6688/P	11 March 2011	16,265
Building R5 North	2011/0431/P 2011/4263/P	8 April 2011	14,214
Building B3	2011/4090/P	4 Nov 2011	20,404
Building B1	2011/4713/P	25 Nov 2011	43,097
<b>Subtotal (280,000m<sup>2</sup> by Dec 2018)</b>			<b>304,113</b>
Eastern Goods Yard (amend)	2011/6440/P	10 February 2012	180
Building B2 amend	2012/0902/P	1 May 2012	78
Building B4 amend	2012/0907/P	17 April 2012	247
Zone E		Pending	4,015
Plot P1			29,619
<b>Total floorspace submitted to date</b>			<b>338,252</b>

Table 4.1: Floorspace submitted to date (gross external area in m<sup>2</sup>)

<sup>3</sup> This figure includes the 20m<sup>2</sup> resulting from the minor amendments to the approved GNH scheme 2011/0049/P.

<sup>4</sup> This figure represents the floorspace below the outline parameter height of 67m AOD as per the S106 Agreement dated 11 January 2011.

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## **5 Condition 16 (Particulars to Accompany Reserved Matters Applications - Urban Design Report)**

### **5.1 The condition and its reason state:**

*“Relevant applications for approval of Reserved Matters submitted pursuant to this permission relating to the design of new buildings and to the landscaping of the public realm shall be accompanied by an urban design report which explains the underlying approach of the design and explains how it addresses each of the relevant Design Guidelines.*

*Reason: To ensure a comprehensive and sustainable development and to achieve good design throughout the development, including protection of the setting of listed buildings and the preservation or enhancement of the character or appearance of conservation areas in accordance with the Environmental Impact Assessment, in accordance with policies B1, B2, B6, B7 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 16**

- 5.2 This condition is addressed by the separate Urban Design Report included with the submission. It demonstrates the underlying approach to the design and how the relevant General and Canal Design Guidelines in the Outline Planning Permission have been observed.
- 5.3 The scope of the submitted Urban Design Report also covers the servicing arrangements for the building and landscaping which complements the building design.
- 5.4 In dealing with public realm and landscaping, the Urban Design Report describes the manner in which due regard has been paid to the site-wide Public Realm Strategy. It thus addresses relevant parts of Section N of the Section 106 Agreement.
- 5.5 The Urban Design Report is submitted to meet the requirements of condition 16.

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## 6 Condition 17 (Particulars to Accompany Reserved Matters Applications - Environmental Sustainability Plan)

### 6.1 The condition and its reason state:

*“Relevant applications (or groups of related applications) for approval of Reserved Matters in respect of buildings shall be accompanied by an Environmental Sustainability Plan. The Environmental Sustainability Plan shall explain:*

- (a) how the proposed building design(s) realise(s) opportunities to include design and technology energy efficiency measures;*
- (b) the reduction in carbon emissions achieved through these building design and technology energy efficiency measures, compared with the emissions permitted under the national Building Regulations prevailing at the time the application(s) for approval of Reserved Matters are submitted;*
- (c) the specification for any green and/or brown roofs;*
- (d) how energy shall be supplied to the building(s), highlighting;*
  - (i) how the building(s) relate(s) to the site-wide strategy for district heating incorporating tri-generation from distributed combined heat and power;*
  - (ii) how the building(s) relate(s) to the strategy for using biofuel boilers to supplement the energy supplied through district heating systems;*
  - (iii) the assessment of the cost-effectiveness and reliability of the supply chain for biofuels; and*
  - (iv) any other measures to incorporate renewables.*
- (e) how the proposed building(s) have been designed to achieve a BREEAM and/or Ecohomes rating of "very good" (or an equivalent assessment method and rating) or better; and*
- (f) the incorporation of bird boxes, bat roosts and other wildlife features on buildings.*

*Reason: To ensure a comprehensive and sustainable development and to achieve good design through the development in accordance with the Environmental Impact Assessment, in accordance with policies SKC1, KC8, B1, N7, and SD9 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

## **Response to Condition 17**

- 6.2 The submission includes a separate Environmental Sustainability Plan which addresses each of the factors listed in the condition and demonstrates that the proposed development achieves high levels of sustainability.
- 6.3 The report at the same time provides information to:-
- Satisfy conditions 45 and 48 concerned with drainage infrastructure and connection to the district heating/combined heat and power systems; and
  - Show how the P1 building responds to the obligations set out in Sections W, X, Y, Z and AA of the Section 106 Agreement. These sections deal, generally, with environmental sustainability and observance of the site-wide Environmental Sustainability Strategy and Energy Assessment and, specifically, with energy reduction, construction materials and waste, operational waste, water efficiency and sustainable drainage.
- 6.4 The Environmental Sustainability Plan is submitted to meet the requirements of condition 17.

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## 7 Condition 18 (Particulars to Accompany Reserved Matters Applications - Earthworks and Remediation Plan)

### 7.1 The condition and reason state:

*“Relevant applications (or groups of related applications) for approval of Reserved Matters shall be accompanied by an Earthworks and Remediation Plan to deliver appropriate site levels and ground conditions for that part of the development and demonstrate compliance with conditions 64 and 65. All works shall be carried out in accordance with the Earthworks and Remediation Plan as approved.*

*Reason: To ensure the development is carried out in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies SD1 and SD10 the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### Response to Condition 18

7.2 The information to satisfy condition 18 is included in a separate Earthworks and Remediation Plan forming part of the submissions. This covers achieving appropriate site levels for the P1 development and ground conditions, including contamination matters. It also identifies the balance between the quantities of spoil needing to be cut and filled as a result of the earthworks strategy described in the Plan. The latter information feeds into the Compliance Report response to conditions 64 and 65 concerning how the implementation of the P1 development, in conjunction with other approved and current development, will not exceed the criteria in the conditions concerning the annual amount of spoil removed from the site, in terms of volume and number of lorry movements respectively.

7.3 In summary, the Earthworks and Remediation Plan establishes that:

- In relation to site levels, the P1 plot is relatively flat, with levels ranging between 25.27m AOD in the west and 26.94m AOD in the east. Part of the site currently sits within/beneath the disused Western Goods Shed building, which is shortly to be demolished under consent 2004/2321/C as amended by 2011/1526/P.
- The proposed finished floor level at ground floor is generally set at +25.2m AOD. In the northern part of the site, the finished floor levels vary from +25.44m AOD at the entrance to Core C to +26.25m AOD at the entrance to the community meeting facilities. The basement level is set at +21.94m AOD.
- The external levels are set at +26.5m AOD at the north west corner of P1 on Canal Reach, +25.7m AOD to the north-east, +25.0m AOD to the south-west and +24.5m AOD to the south-east of the site.



- The resulting levels provide suitable gradients for the adjoining roads and footways, as well as achieving the desired setting for the building itself and giving consistency with the relevant parameter plan (KXC 012 rev T);
  - With regard to ground conditions, the Earthworks and Remediation Plan indicates some localised ground contamination in the Made Ground, including marginally elevated concentrations of arsenic, lead and benzo (a) pyrene. Asbestos free fibres in the form of chrysotile was reported in one of the samples analysed at a concentration below the hazardous waste threshold.
  - The implementation of best practice measures mitigates the risk to future site users and construction workers and with mitigation these risk are assessed as low.
  - The P1 site is considered to have a very low ground gas generation potential. The risk from ground gases has been assessed as low and specific ground gas protection measures are not required.
- 7.4 Having regard to the above factors, the Earthworks and Remediation Plan demonstrates how satisfactory site levels and ground conditions would be delivered for the P1 development, as specified by condition 18.
- 7.5 In terms of the net effect of the earthworks strategy, the Plan estimates that 22,625m<sup>3</sup> of made-ground and London Clay materials would be excavated. Most of the excavated material, 16,141m<sup>3</sup>, would be Made Ground. The remainder, 6,484m<sup>3</sup>, would be London Clay.
- 7.6 The 'worst case' disposal off-site is for all 22,625m<sup>3</sup> of excavated material. In practice and as noted above, some excavated material may be suitable for direct placement for fill, crushing and re-use within P1 or stockpiling, for re-use within the wider King's Cross Central development.
- 7.7 This information is used later in this Compliance Report to address conditions 64 and 65 on overall lorry movements carrying spoil from the King's Cross Central development site.
- 7.8 The Earthworks and Remediation Plan is provided to meet the requirements of condition 18 and is submitted for approval.

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## 8 Condition 19 (Particulars to Accompany Reserved Matters Application - Access Statement)

### 8.1 The condition and its reason state:

*“Relevant applications for approval of Reserved Matters pursuant to this permission shall be accompanied by an access statement. Each access statement shall:*

- (a) address the relevant design principles set out in the Access and Inclusivity Strategy dated September 2005;*
- (b) highlight any areas where technical or other constraints have prevented or constrained the application of these design principles; and*
- (c) include a project programme for that building or phase, to identify the key stages at which important decisions affecting inclusivity and accessibility will be made.*

*Reason: To ensure a comprehensive and sustainable development and to achieve good design through the development in accordance with the Environmental Impact Assessment, in accordance with policies SD1, B1, B2, T3, KC6, KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 19**

- 8.2 A separate Access and Inclusivity Statement forms part of this P1 submission. This demonstrates compliance with the criteria contained in the condition, including how the principles set out in the site-wide Access and Inclusivity Strategy have been applied in the design of the P1 building and the associated public realm.
- 8.3 In accordance with Section V of the Section 106 Agreement, the evolution of the P1 scheme and the preparation of the Access Statement have been guided by the applicant’s designated Inclusive Design Champion, Chris Harrowell RIBA NRAC. Chris Harrowell is a specialist access consultant.
- 8.4 The Access and Inclusivity Statement is submitted to meet the requirements of condition 19.

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## 9 Condition 20 (Particulars to Accompany Reserved Matters Applications – Illustrative Build-out Plan)

### 9.1 The condition and its reason state:

*“Relevant applications for approval of Reserved Matters shall be accompanied by an illustrative build out plan showing:*

- (a) the disposition of any buildings for which approval has been given and the take-up through those approvals of the land uses permitted by this planning permission;*
- (b) the disposition of any buildings for which approval of Reserved Matters is sought and how the approved uses are to be incorporated in these buildings;*
- (c) how the Development Zones within which buildings for which approval has been given under (a) and those for which approval has been sought under (b) above, may be built out and completed in conformity with this planning permission;*
- (d) development zones (or part thereof) for which buildings have yet to come forward for approval of Reserved Matters;*
- (e) the status of each area of Principal Public Realm, the phasing of development and its date of adoption or target date of adoption (where appropriate);*
- (f) demonstrate on-going provision of green and brown roofs in accordance with condition 46; and*
- (g) the relationship between the buildings/development referred to in (a), (b), (c), (d) and (e) above.*

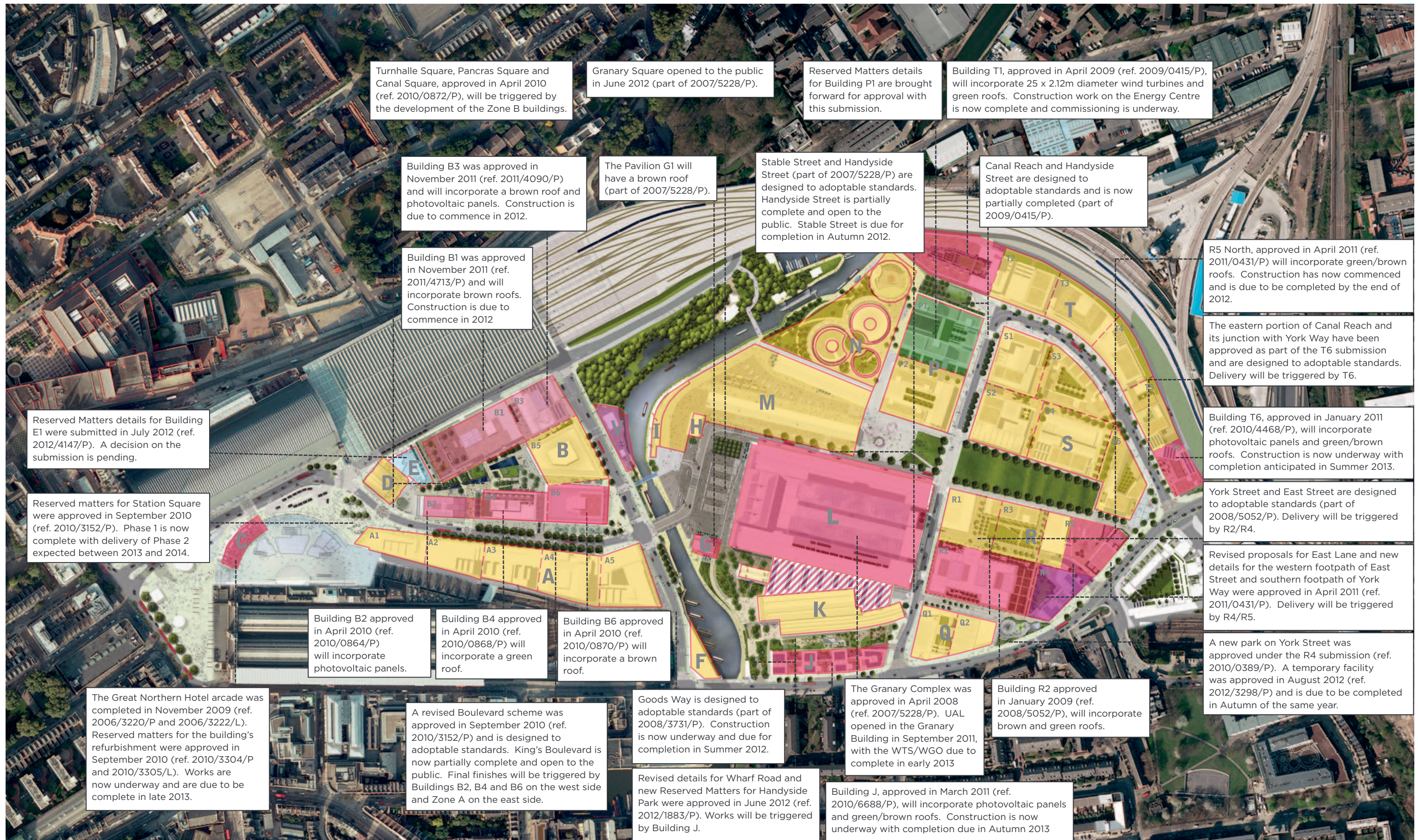
*Reason: To ensure a comprehensive and sustainable development and to achieve regeneration, integration and good design in accordance the Environmental Impact Assessment, in accordance with policies S1, S2, S3, SKC1 and KC8, of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 20**

- 9.2 An Illustrative Build-out Plan is presented on the following page, addressing the sub-sections of the condition. In respect of 20(a) above, the plan shows the buildings for which approval has already been given coloured in red. Completed buildings are shown in purple.
- 9.3 With regard to 20(b), the plan shows the buildings for which Reserved Matters approval is now sought (coloured green). The way in which the approved uses are to be incorporated in the building is covered in more detail by the information presented in this Compliance Report in connection with condition 27.

- 9.4 As required by 20(c), the plan shows how the buildings already permitted and those subject to the current Reserved Matters submission would be built-out in accordance with the Outline Planning Permission.
- 9.5 The buildings for which Reserved Matters are yet to come forward are included on the plan (coloured yellow), as required by 20(d).
- 9.6 In relation to 20(e), the works proposed within this submission around the P1 building, namely the majority of Holder Street and sections of Handyside Street and Canal Reach, are programmed for completion in 2015 and 2016.
- 9.7 With regard to 20(f), the plan indicates the on-going provision of green/brown roofs across the site as a whole. Areas of green/brown roof are already or will be provided on several buildings; and a green wall is installed on the perimeter wall of the new Gas Governor in Development Zone V.
- 9.8 The illustrative build-out plan, together with the above points, demonstrates the relationships between the different components and phases of the development, as required by 20(g).
- 9.9 The details thus provided are submitted to meet the requirement of condition 20.





Development zones for which buildings have yet to come forward for approval

Subject to a current Reserved Matters submission

Buildings for which approval has been given

Buildings brought forward with this submission

Completed Buildings

Illustrative Build Out Plan  
September 2012





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## 10 Condition 21 (Particulars to Accompany Reserved Matters Applications – Construction Timetable)

### 10.1 The condition and its reason state:

*“Relevant applications for approval of Reserved Matters shall be accompanied by details of:*

- (a) the construction timetable for those developments for which approval is sought;*
- (b) how that construction timetable relates to the overall sequence of the development and its division into a number of major phases; and*
- (c) demonstrates compliance with conditions 66 and 67.*

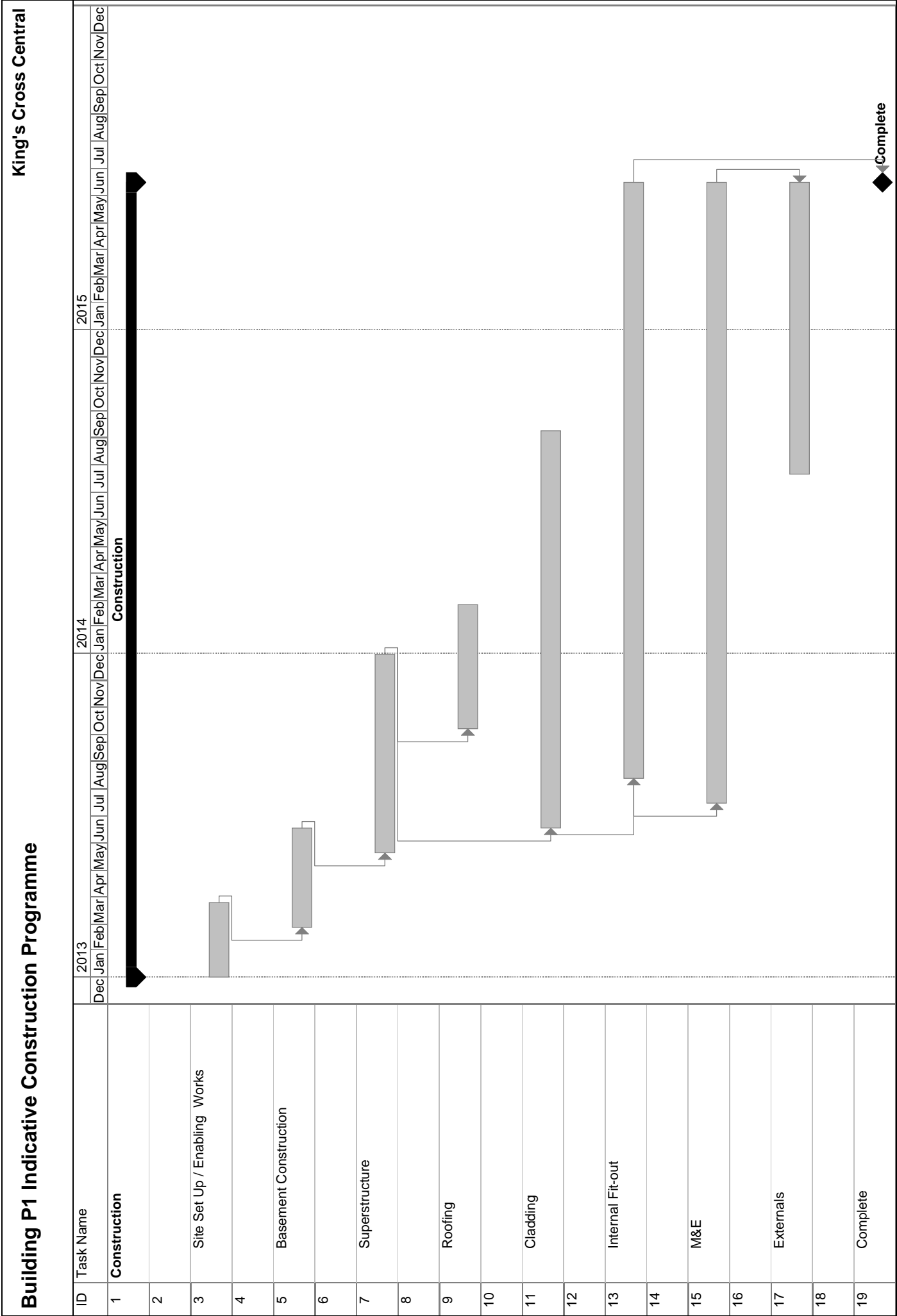
*Reason: To ensure a comprehensive and sustainable development, to protect amenities and ensure safe access in accordance the Environmental Impact Assessment, in accordance with policies S1, S2, S3, SKC1 and KC6 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 21**

- 10.2 The following pages present, first, a diagram showing the anticipated construction timetable for the P1 development itself and, following that, a series of 4 plans placing the current proposal within the anticipated sequence of implementation of the King's Cross Central development as a whole.
- 10.3 The timetabling of the development of P1 shown in the above diagram and plans underlies the pattern, over time, of the import of infrastructure and construction materials to the site. This aspect is dealt with more directly in the section of this Compliance Report concerning conditions 66 and 67.
- 10.4 These details are provided to meet the requirements of condition 21.

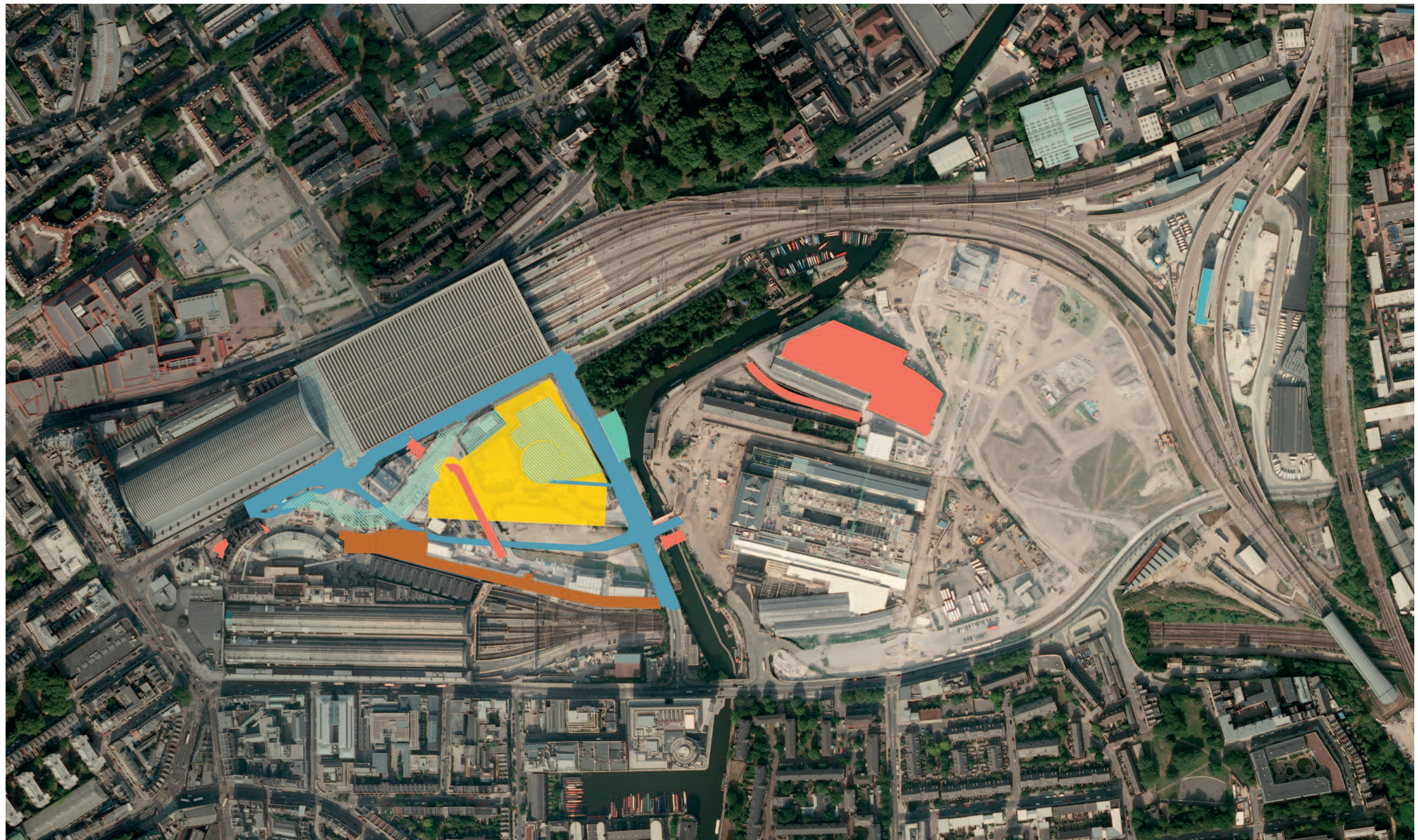












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|---|---|
| <span style="display: inline-block; width: 15px; height: 10px; background-color: #f06292; margin-right: 5px;"></span> Demolition        | <span style="display: inline-block; width: 15px; height: 10px; background-color: #f9a825; margin-right: 5px;"></span> Shared Service Yard and Access Ramp |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: #00bcd4; margin-right: 5px;"></span> Highway Works     | <span style="display: inline-block; width: 15px; height: 10px; background-color: #ffeb3b; margin-right: 5px;"></span> Enabling Works                      |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: #f06292; margin-right: 5px;"></span> Built Development | <span style="display: inline-block; width: 15px; height: 10px; background-color: #c8e6c9; margin-right: 5px;"></span> Relocation of features/facilities   |

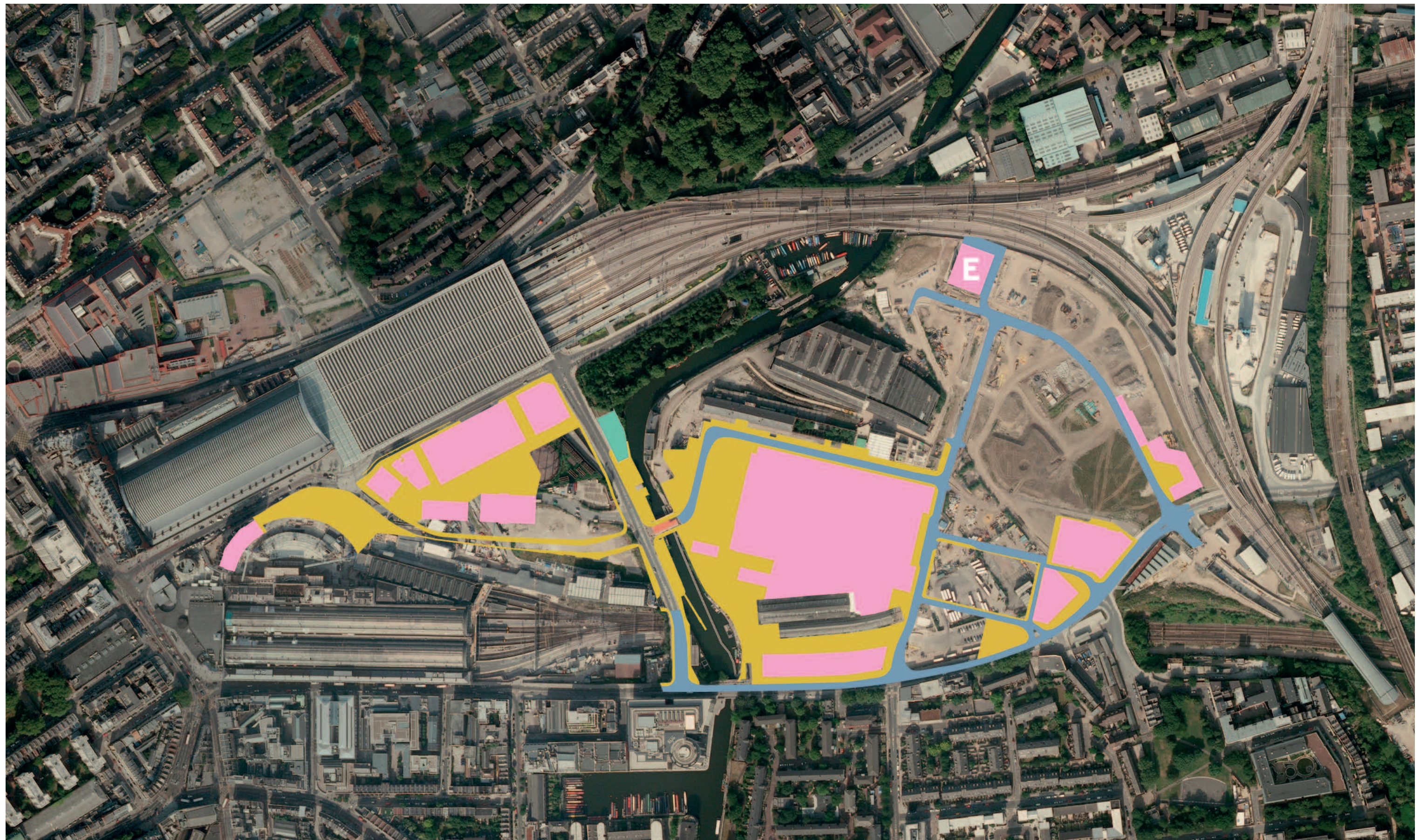
Enabling Works for the First and Second Major Phases (Illustrative)

September 2012









- Demolition
- Public Realm
- Highway Works
- Built Development

- Relocation of features/facilities
- E Energy Centre

The First Major Phase (Illustrative)

September 2012









- Demolition
- Public Realm
- Highway Works
- Built Development

- Relocation of features/facilities
- E Energy Centre

The Second Major Phase (Illustrative)

September 2012









Illustrative Scheme Plan (Completed Build Out)

September 2012





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## 11 Condition 22 (Particulars to Accompany Reserved Matters Applications – Servicing Strategy)

### 11.1 The condition and its reason state:

*“A servicing strategy consistent with plan KXC 017 Rev R demonstrating where servicing for any building will be located will support any relevant application for approval of Reserved Matters. The strategy shall include details of the proposed hours of servicing and the mechanisms that will be used to ensure loading and unloading takes place in accordance with the strategy as approved. No servicing of any building shall take place on any part of the highway network or public realm other than in accordance with the servicing strategy so approved.*

*Reason: To ensure safe, efficient and sustainable access to, and protect amenities in, the development in accordance with the Environmental Impact Assessment, in accordance with policies B1, T1, KC5, KC6 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### Response to Condition 22

### 11.2 The Servicing Strategy for P1 is described in the relevant section of the Urban Design Report, with the servicing arrangements for the buildings shown on the ground floor plan (DMA 1-111) in the submitted set.

### 11.3 In summary, the refuse and servicing strategy is based on the following principles:

- Plant rooms, waste and recycling areas are located at basement and ground floor level;
- The servicing zones for the school and residential accommodation are located predominantly along the east elevation, served by the new Holder Street, which incorporates a kerbside drop-off bay. Between pupil arrival and departure hours the proposed minibus drop-off/pick-up bay doubles up as a refuse collection and kitchen delivery zone for the school. The school will be responsible for arranging its own refuse collections;
- The Holder Street servicing zone will also serve the street-level refuse area for the residential apartments in core C. This is an enclosed, ventilated area which can be accessed by the residents once they are through the secure, main entrance. The building management company for P1 will arrange for (bi-weekly or more frequent) collection of this refuse, from the kerb side, by the local authority; and
- For the two open market cores A and B, waste drop-off points are located at level 2. These areas comprise ventilated storage areas and 3 chutes that link directly to larger refuse collection points in the basement. One chute per three is designated for recycling waste. The building management company will collect waste from the

basement areas up to street level via the vehicular lift in the south-east corner of the site and arrange for (bi-weekly or more frequent) collection by the local authority.

- 11.4 No restrictions on hours of servicing functions are proposed or considered necessary, given the conventional and relatively un-intensive nature of the range of activities involved.
- 11.5 The details thus provided meet the requirements of condition 22 and are submitted for approval.

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## **12 Condition 23 (Particulars to Accompany Reserved Matters Applications - Highways Plan)**

### **12.1 The condition and its reason state:**

*“Relevant applications (or groups of related applications) for approval of Reserved Matters shall be accompanied by a Highways Plan. The Highways Plan shall show any works that are required to the existing adopted highways of York Way, Goods Way and/or Pancras Road, to achieve appropriate means of access to those buildings for which approval is sought. Development shall not commence on those buildings until a detailed scheme for the highway works required has been approved by the local planning authority and the buildings shall not be first occupied until the level of works specified by the local planning authority as being required prior to occupation have been completed and provision has been made for the completion of the remaining works.*

*Reason: To ensure safe, efficient and sustainable access and to protect amenities and to ensure the development is carried out in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies B1, T1, T2, T5, T12, T13, SKC1, KC5 and KC6 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 23**

### **12.2 The principal vehicular access from the adopted highway to serve Building P1 is the junction (JN4) of York Way and Handyside Street (previously referred to as Goods Street (East)). Details have already been approved in connection with the Eastern Goods Yard development, although a drawing showing the works is attached to this section for information. This constitutes the Highways Plan for the purposes of Condition 23.**





The junction of the road off Transit Street by Granary Square which is within the EGY redline boundary of this phase should be incorporated in this development phase.

Next Phase of works

Goods Street East kerbs will be fully constructed in this phase. All junctions on to Goods Street East will not be constructed as they are not in the boundary. Goods Street East will be broken out at a later date to incorporate these tie ins.

- Notes:
- Only proposed road markings are shown for clarity.
  - For trees along York Way: Height from ground to canopy approximately 2.75m. Adult tree trunk diameter (30+ years) 25cm.

- Key:
- Proposed kerb line
  - Masterplan
  - Existing features
  - Proposed building plot
  - Proposed off-road service bays. (Will not be marked on street)
  - Existing Tram lines
  - Site planning boundary
  - Section 278 Highway Works

P1	07/09/07	JTC	CNR	CNR
Site planning boundary revised and S278 highway works added				
Issue	Date	By	Chkd	Appd

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www.arup.com

Client  
Argent (King's Cross) Ltd

Job Title  
King's Cross Central

Drawing Title  
Eastern Goods Yard  
Highways Plan

Scale at A1 1:500

Discipline

Drawing Status  
**Preliminary**

Job No	Drawing No	Issue
67940	UAL/H/7120	P1





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## 13 Condition 24 (Particulars to Accompany Reserved Matter Applications – Housing Delivery Plan)

### 13.1 The condition and its reason state:

*“Accompanying each application for approval of Reserved Matters which contains plans and particulars of residential accommodation, there shall be submitted to the local planning authority a housing delivery plan in relation to those residential units, the plan to give details of the number of units, size, dwelling and tenure mix, the stage reached in the tendering/procurement of the social rented, Shared Ownership and key worker sub market rented units, the confirmed or anticipated (as appropriate) dates for the start of construction and completion, the confirmed or anticipated ownership and management arrangement for each tenure of affordable housing units, the number, unit size and mix of wheelchair accessible homes and their storey level, and the quantity and type of private residential amenity space to be provided.*

*Reason: To ensure a comprehensive and sustainable development and the provision of a variety of housing in terms of size and type of affordability in accordance with policies H1, H2, H7, H8, N4, KC1 and KC4 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 24**

13.2 The Housing Delivery Plan that follows, supported by the free-standing residential details pack entitled ‘Details of the Proposed Residential Accommodation’, are submitted to fulfill the requirements of condition 24.

13.3 The plans within the residential details pack supporting this document show the proposed residential accommodation within Building P1. The number of units, their size, location, dwelling and tenure mix are set out below.

### **Dwelling Numbers, Size and Mix**

13.4 Building P1 would provide a total of 255 dwellings, comprising 42 studios, 71 one-bedroom, 102 two-bedroom and 40 three-bedroom flats.

13.5 Of this total, 178 dwellings would be Market Housing, comprising 17 studios, 46 one-bedroom units, 75 two-bedroom units and 40 three-bedroom units. 4 of the 40 three-bedroom units would be duplex units. 5 of the 17 studio units would also be duplex type units.

- 13.6 The remaining 77 dwellings (25 studios, 25 one-bedroom apartments, 11 two-bedroom apartments for three persons and 16 two-bedroom apartments for 4 persons) would be Affordable Housing. These dwellings would be transferred to, managed and rented by, the Dolphin Square Foundation (DSF), an independent charity, formed to provide affordable homes for people living or working within the City of Westminster. DSF was formed in 2005 and, with an endowment of over £100 million, is looking to make significant investments to deliver much needed homes for Central London.
- 13.7 A full schedule of unit types, sizes, tenures and particular facilities (e.g. balconies, wheelchair accessible/adaptable) is provided separately, alongside floorplans of the proposed accommodation, within the Details of the Proposed Residential Accommodation package. The document follows the format used and found appropriate by the Council in the case of the approved submissions for Buildings T1, R4, R5 and J.

#### **Section 106 Agreement**

- 13.8 The 77 DSF units would be 'Key Worker Sub-Market Rented' units in the terms of the Section 106 (S106) Agreement dated 22 December 2006, using an amended definition of "Key Worker" as set out in a proposed Deed of Variation to the S106 Agreement. The amended definition is based on household income to reflect the London Plan approach and the figures for intermediate housing affordability published by the Mayor of London in his annual monitoring report. The units would be made available to Key Workers, as so defined, in a priority order set out in the Deed of Variation:
- Existing local authority or registered provider tenants within the London Borough of Camden who are Key Workers and who are employed in the City of Westminster;
  - Other residents in the London Borough of Camden who are Key Workers and who are employed in the City of Westminster;
  - Existing local authority or registered provider tenants within the City of Westminster who are Key Workers and who are employed in the London Borough of Camden;
  - Other Key Workers not falling within the categories above, who are employed in the City of Westminster; and
  - Other Key Worker households not falling within any of the above categories, but who require affordable rented accommodation and who would not otherwise be able to afford housing generally available on the open market.
- 13.9 The Deed of Variation provides for the 52 one-bedroom and two-bedroom Key Worker Sub-Market Rented units to be provided in lieu of the following (38 no.) General Needs Social Rented units within the Baseline Mix at Part 2, Schedule NN of the S106 Agreement:

- 7 x 1 bedroom units @ 48 sqm each
- 6 x 2 bedroom units @ 61 sqm each
- 10 x 2 bedroom units @ 68 sqm each
- 11 x 3 bedroom units @ 84 sqm each
- 4 x 4 bedroom units @ 93 sqm each

13.10 The above is part of a package to deliver the additional school floorspace now proposed within Building P1. The proposed Deed of Variation provides for the delivery of that additional school floorspace within Building P1 in lieu of 22 no. General Needs Social Rented units as follows:

- 6 x 1 bedroom units @ 48 sqm each
- 5 x 2 bedroom units @ 61 sqm each
- 4 x 2 bedroom units @ 68 sqm each
- 4 x 3 bedroom units @ 84 sqm each
- 3 x 4 bedroom units @ 93 sqm each

13.11 Overall, therefore, the 255 dwellings and Schools Premises within the proposed Building P1, including the 77 Key Worker Sub-Market Rented units for DSF, would represent/be provided in lieu of the following, in terms of the S106 Agreement, the various triggers and thresholds within the Outline Planning Permission (for example conditions 39 and 52) and the unit-based triggers and thresholds within the S106 Agreement (for example in Part 2 Sections H, J, L, M, CC, MM and of course NN, in particular paragraph 1.1 of Section NN):

- 178 Market Housing units
- 25 Key Worker Sub Market Rented studios
- 60 General Needs Social Rented units
- 263 units overall

13.12 The package of financial and delivery arrangements set out in the proposed Deed of Variation, to deliver the additional schools floorspace in P1, has been approved by Camden's Cabinet and has also been approved by King's Cross Central General Partner Ltd ('KCCLP'), subject to planning.

#### **Arrangement of Affordable Housing**

13.13 The 77 DSF units would be arranged over the 2nd to 11th floors inclusive, with the dwellings accessed from a dedicated core on the north-east side of the Building. The DSF units would have their own, high-quality residential entrance, onto Holder Street and not far from the prominent corner between that new street and Handyside Street.

### **Procurement**

- 13.14 KCCLP has entered into an Agreement for Lease with DSF to deliver the 77 Affordable Housing units. DSF was selected because of its commitment to providing high-quality, rented accommodation, to Key Workers and its ability to do so without grant.

### **Construction Commencement and Completion**

- 13.15 The anticipated construction timetable is included within the response to Condition 21.

### **Ownership and Management Arrangements**

- 13.16 The Agreement for Lease referred to above provides for the 77 Affordable, Key Worker Sub-Market Rented units to be transferred to DSF on a long-term lease. DSF will be responsible for the management of the units.
- 13.17 KCCLP will be responsible for management of the 178 Market Housing units, related amenity spaces (see below) and the Estate.

### **Wheelchair Accessible Homes**

- 13.18 20 of the Market Housing units (7.8%) will be Wheelchair Accessible/Adaptable, as defined in the S106 Agreement. In addition, 10 of the Affordable units (13%) will be Wheelchair Accessible/Adaptable, as similarly defined. The total of 30 units represents 11.76% of the dwellings within the Building, i.e. more than the site-wide ratio of 10% of all residential units to be wheelchair accessible/adaptable.
- 13.19 Details of the number, mix and storey level of the Wheelchair Accessible units are set out in Table 13.1 below:

Floor	Unit Type	No. Wheelchair Accessible Homes
Floors 2-5	Affordable 2-Bed (4P)	4
	Market 2-Bed	5
	Market 3-Bed	3
Floors 6-8	Affordable 2-Bed (4P)	3
	Market 2-Bed	6
	Market 3-Bed	3
Floors 9-11	Affordable 2-Bed (3P)	3
	Market 3-Bed	3
Floors 12 and 13		0

Table 13.1 Wheelchair Accessible Homes

### **Amenity Space**

13.20 Private residential amenity space is shown on the plans within the submitted drawings and may be summarised as follows:

- The Level 2 podium garden for market residential occupiers;
- The winter garden at levels 12 and 13 for market residential occupiers and others contributing to its membership;
- Hard and soft landscaped roof terraces accessed from dwellings on the 9<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> floors. These are envisaged as rooms in the sky, screened on all sides and removed from the activity of the street below. Being safe and sunny, these will provide residents at those levels with a valuable, secure amenity space within a dense, urban environment; and
- Generous private balconies, such that 208 of the total of 255 dwellings have either a balcony or terrace. All but 10 studios in the Market Housing and 37 of the 77 Affordable units would have a balcony or terrace. Within the Affordable units, all but 3 of the smaller 2-bedroom units (8 out of 11 units) and all but 2 of the larger 2-bedroom units (14 of 16 units) would have a balcony or terrace. This is clearly a valuable aspect of the development. Many of the larger flats will have large balconies or terraces accessible from more than one room.

### **Section 106 Requirements – Housing Delivery Plan**

13.21 Section NN of the Section 106 Agreement (page 169) effectively adds two additional requirements for housing delivery plans:

*“(h) for each tranche of Residential Units after the first 1,000 Residential Units have been brought forward, an illustrative housing distribution plan which demonstrates that the mix of Affordable Housing units remaining to be brought forward within the development can be properly delivered.”*

*“(i) details of the design of the Affordable Housing units with a view inter alia to show: firstly, if the relevant tranche contains the provision of a lower percentage of Wheelchair Accessible Homes than required for the scheme as a whole, that the balance can properly be delivered having regard to design considerations in relation to such balance of the Development; and secondly, that the Affordable Housing Units have been designed with the aim of keeping as low as reasonably practicable service charge costs to the Affordable Housing Units.”*

13.22 At this stage, part (h) does not apply.

- 13.23 In relation to part (i), Building P1 will provide more than 10% Wheelchair Accessible homes, as defined in the S106 Agreement. Indeed the percentage across the Affordable housing is 13%. Building P1 more than maintains therefore the site-wide delivery of at least 10% across tenures.
- 13.24 The design of all the housing units is shown in the submitted plans within the residential details document and described within the Urban Design Report. DSF has been fully involved in the design process for the affordable element of the building. The architects, David Morley Architects, and DSF are experienced in housing design and the need for robust, long-lasting materials and internal and external environments has informed their approach.

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## 14 Condition 27 (Details Required by Condition – Floorplans etc.)

### 14.1 The condition and its reason state:

*“Details and particulars including floorspace figures, floorplans and layouts of the uses, and the vehicle and other servicing and access, including provision for any coach access and parking to be accommodated in built and refurbished accommodation, shall be submitted to and approved in writing by the local planning authority before any of those uses commences and the uses will commence only in accordance with the details so approved.*

*Reason: To ensure a comprehensive and sustainable development, to ensure safe and efficient access, to achieve good design and protect amenities and to ensure the development is carried out in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies SKC2, SKC3, KC1, KC2, KC3, KC6 and T15 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### Response to Condition 27

- 14.2 The layout plans within the submitted drawings set provide the floorplan, layout and access details required by the condition. Table 14.1 that follows this section summarises the floorspace figures floor by floor.
- 14.3 The building provides a total floorspace of 29,619m<sup>2</sup> GEA, excluding infrastructure and utility elements including waste and other storage, plant, recycling and cycle stores excluded in accordance with Table 1 and Annex B of the Outline Planning Permission. These exclusions total 400 m<sup>2</sup> GEA.
- 14.4 The figure also exclude balconies (2,035m<sup>2</sup>), outdoor roof terraces (1,104m<sup>2</sup>) and brown roofs (734m<sup>2</sup>).
- 14.5 The figures in Table 14.1 do include the proposed winter garden at levels 12 and 13 (which would provide 126m<sup>2</sup> of enclosed outdoor space).
- 14.6 The total residential floorspace would be 24,478m<sup>2</sup> on the ground to 13<sup>th</sup> floors, including the winter garden and an ancillary leisure facility at level 2.
- 14.7 On the ground and first floors, the schools and community meeting facilities would extend to 5,022m<sup>2</sup> GEA. The community meeting facilities would comply with the S106 Agreement (specifically Section H in Part 2) and provide 375m<sup>2</sup> GEA.
- 14.8 The details submitted are to meet the requirements of condition 27 and are for approval.

<b>Floor</b>	<b>Residential (including circulation space and cores)</b>	<b>Schools/ Community Meeting Facilities</b>	<b>Retail (A1-A3,A5)</b>	<b>Total</b>	<b>Excluded (Infrastructure and utility elements)</b>
Ground	244	2,456	119	2,819	101
1	83	2,566		2,649	7
2	2,106			2,106	237
3	2,361			2,361	
4	2,383			2,383	11
5	2,394			2,394	
6	2,394			2,394	
7	2,394			2,394	
8	2,393			2,393	
9	1,762			1,762	
10	1,762			1,762	
11	1,762			1,762	
12	1,547			1,547	18
13	893			893	26
<b>Total</b>	<b>24,478</b>	<b>5,022</b>	<b>119</b>	<b>29,619</b>	<b>400</b>

*Table 14.1: Building P1 floorspace figures by floor (gross external area in sqm)*



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## 15 Condition 28 (Details Required by Condition – Refuse Storage and Collection)

### 15.1 The condition and its reason state:

*“Details of arrangements for storage and collection of refuse, for the development hereby approved, including location, design, screening, operation and the provision of facilities for the storage of recyclable materials shall be submitted to and approved in writing by the LPA as part of the relevant applications for approval of Reserved Matters for each phase of the Development and the development shall be carried out only in accordance with the details so approved and shall be retained thereafter.*

*Reason: To ensure good design, to safeguard the amenity of the area and ensure that the development is sustainable and has adequate facilities, in accordance with the Environmental Impact Assessment, in accordance with policies SD6 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 28**

- 15.2 The proposed refuse, storage and collection arrangements, including segregation of recyclables, are shown on the relevant DMA ground floor and basement plans (1-111 and 1-110 respectively) within the submitted drawings set and described in further detail in the Urban Design Report.
- 15.3 Given the nature of the P1 development and the predominantly residential use, it was considered that a relatively low-tech, but highly managed system, would be the most appropriate. The proposed approach is summarised in Section 11, in response to Condition 22.
- 15.4 These details are submitted to meet condition 28 and are for approval.

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## **16 Condition 31 (Development To Be Carried Out In Accordance With Permission – Parameter Plans and Development Specification)**

### **16.1 The condition and its reason state:**

*“The development shall be carried out in accordance with the Revised Parameter Plans and as described in the specified paragraphs of the Revised Development Specification dated September 2005 comprising:*

- (a) the Principal Public Realm Areas shown on drawing KXC004 Rev S together with paras 4.9, 4.13 (insofar as it relates to public realm), 4.14, 4.17 and 4.19;*
- (b) the boundaries of Development Zones shown on drawing KXC005 Rev T together with paras 4.20, 4.21, 4.23 - 4.26, and with Table 2 to the extent that it provides a summary and indicative description of the proposals in each development zone only;*
- (c) the Regent's Canal works shown on drawing KXC006 Rev Q together with paras 4.27 - 4.29;*
- (d) the Principal Access and Circulation Routes shown on drawing KXC007 Rev S together with paras 4.30 - 4.47 and with Annex C to the extent that it provides a summary and indicative specification for the routes only;*
- (e) the Upper Floor Land Uses Along Street Elevations shown on drawing KXC008 Rev R together with paras 4.48 - 4.54 to the extent that these describe the overall distribution of land uses only;*
- (f) the Ground Floor Land Uses Along Street Frontages shown on drawing KXC009 Rev P together with paras 4.49 - 4.54 to the extent that these describe the overall distribution of land uses only;*
- (g) the Proposed Finished Site Levels shown on drawing KXC012 Rev T together with paras 4.62 - 4.67;*
- (h) the Development Massing shown on drawing KXC013 Rev L together with paras 4.68 - 4.72 and Table 3;*
- (i) the Maximum Building Heights shown on drawing KXC014 Rev W together with paras 4.73 - 4.75;*
- (j) the Strategic View Corridor Constraints shown on drawing KXC015 Rev S together with paras 4.79 - 4.81;*
- (k) the Basement Zones shown on drawing KXC016 Rev O together with paras 3.40 - 3.41 and 4.82 - 4.86;*

- (l) the Servicing arrangements shown on drawing KXC017 Rev R, together with para 4.87;
- (m) the Utilities Strategy shown on drawing KXC018 Rev M, together with paras 4.88 and 4.90 - 4.98;
- (n) the Gas Holder Triplet Development shown on drawing KXC020 Rev E together with paras 4.104 and 4.105 to the extent that they show indicative proposals only for the works and land uses; and
- (o) the Priority Zones for Green/Brown Roofs and Wind Turbines shown on drawing KXC021 Rev A, together with paras 3.43, 3.44, 4.106 and 4.107”.

except that in relation to (i) above the building heights within Plot S2 identified on drawing KXC005 Rev T shall be at least 6.5m below the maximum heights shown in Parameter Plan KXC014 rev W across at least 80% of the plot, unless otherwise approved in writing by the local planning authority.

*Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed as above might have an impact which has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design and to accord with the assessment and conclusions of the Environmental Impact Assessment in accordance with policies S1, S2, S3, SKC1, SKC2, SKC3, SKC4 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 31**

- 16.2 It should be noted that the parameter plans referred to in sub-paragraphs (c) Regent's Canal; (m) (utilities); and (n) (gas holders) do not apply to the proposed P1 development.
- 16.3 The responses to the other relevant sub-paragraphs of condition 31 are dealt with as follows:

#### **(a) Principal Public Realm Areas (Parameter Plan KXC 004 Rev S)**

- 16.4 The proposals include areas of Principal Public Realm as identified in para 1.2:
  - A relatively narrow part of Canal Reach, immediately adjacent to Building P1. The submitted details overlap and update, in part, the details already approved as part of the Reserved Matters for T1 and related infrastructure (re.2009/0415/P);
  - A strip of public realm along the south side of plot P1;

- The greater part of 'Holder Street'<sup>5</sup>, between plots P1 and P2; and
  - The southern footway of Handyside Street, where it fronts plot P1 and plot P2. The submitted details overlap and update, in part, the details already approved as part of the Reserved Matters for T1 and related infrastructure (ref.2009/0415/P).
- 16.5 To the extent that there is an overlap with the approved T1 landscaping scheme, the details now submitted relate better to the proposed design of Building P1, which was not known when T1 was approved.
- 16.6 The details to comply with the parameter plan and the particular sections of the Development Specification are shown on the relevant landscape plans, with further details of materials, tree planting and street furniture shown on the relevant associated detail plans listed in the drawing schedule in Section 1.

**(b) Boundaries of Development Zones and types of development in each  
(Parameter Plan KXC 005 Rev T)**

- 16.7 In relation to sub-paragraph (b) of the condition, the boundaries of the P1 proposal conform to Development Zone P as defined on the parameter plan.
- 16.8 Since the development will incorporate a mix of uses including residential, schools and (other) D1 uses, together with a small retail unit, it reflects the Summary Description for Zone P set out in Table 2 of the Development Specification.

**(e) and (f) Upper and Ground Floor Land Uses (Parameter Plans KXC 008 Rev R  
and KXC 009 Rev P)**

- 16.9 As the upper floor uses specified in the parameter plan for the relevant part of Zone P are predominantly residential, the requirements of the parameter plan and condition 31 sub-paragraph (e) are complied with. Similarly, since the permitted ground floor uses are any of those set out in Annex B of the Development Specification, apart from the north-western part of the plot where the plan specifies the uses to be predominantly A1-A4, D1 or D2 - and the proposed uses for P1 are within these categories - the requirements of sub-paragraph (f) of the condition are met.

**(g) Finished Site Levels (Parameter Plan KXC 012 Rev T)**

- 16.10 As shown by the submitted Site Levels Plan (TOWN279.23(08)5002) and explained in the Earthworks and Remediation Plan, the proposals for P1 are consistent with the finished site levels indicated on the relevant parameter plan read in conjunction with the limits of deviation.

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<sup>5</sup> This is a working name used for street identification purposes only.

**(h) Development Massing (Parameter Plan KXC 013 Rev L)**

- 16.11 The massing criterion specifies the maximum percentage, in this case 25%, of the total floorspace applied for within each development zone that may be constructed 30m or above finished ground levels. As confirmed by the foot-note on page 34 of the Development Specification, the term 'finished ground floor levels' in this context is to mean the level measured at the main entrance of the building(s). In this case the building has several entrances, for the school (+25.2m AOD), the affordable residential (+25.435m AOD) and the private residential (+26.05m AOD). The latter is however the main entrance for the principal use.
- 16.12 Reference to the relevant drawings demonstrates that floors 10-13 inclusive are 30 metres or more above the finished ground level of 26.05m AOD.
- 16.13 Levels 10-13 represent 5,964m<sup>2</sup> GEA. This level of floorspace is substantially below the parameter plan maximum for zones P and S together of 37,632m<sup>2</sup> GEA, being 25% of 150,530 m<sup>2</sup> GEA.
- 16.14 Looking at plot P1 in isolation, as the first component of zones P and S to come forward, levels 10-13 represent 20.1% of the 29,619m<sup>2</sup> GEA reported under condition 27.
- 16.15 Consequently, the proposed development conforms to the parameter plan referred to in sub-paragraph (h) both individually and as the first part of zones P and S to come forward.

**(i) Maximum Building Height (Parameter Plan KXC 014 Rev W)**

- 16.16 The maximum proposed height for P1 is +72.47m AOD. The building is therefore below the maximum building heights specified for the zone on parameter plan KXC 014 of +72.50m AOD.
- 16.17 The proposal therefore conforms to sub-paragraph (i) of condition 31.

**(j) Strategic View Corridors (Parameter Plan KXC 015 Rev S)**

- 16.18 The north-east part of P1 would be within the strategic view corridor from Parliament Hill towards St Paul's Cathedral shown on the relevant parameter plan. The heights of the proposed building are however well below the critical height plane at this point of around +76.2-76.6m AOD. Accordingly, the proposals do not contravene the Strategic View Corridor height constraint shown on the parameter plan referred to in sub-paragraph (j) of condition 31.
- 16.19 It should be noted that the parameter plan shows the viewing corridor as defined in RPG3a which has since been replaced by the London View Management Framework SPG published in July 2010.

**(k) Basement zones (Parameter Plan KXC 016 Rev O)**

- 16.20 The P1 building would have a partial basement level. This basement level would fall (well) within and thus comply with the extensive zone for basements shown on the parameter plan.

**(l) Servicing arrangements (Parameter Plan KXC 017 Rev R)**

- 16.21 The P1 building has no direct servicing yard or car park accesses off the northern, southern or western elevations and so the constraints shown on the parameter plan referred to in sub-paragraph (l) would not be infringed. The car park entrance would be on the east side of the building, from Holder Street and this is consistent with the parameter plan.

**(o) Priority Zones for Green/Brown Roofs and Wind Turbines (Parameter Plan KXC 021 Rev A)**

- 16.22 The parameter plan referred to in sub-paragraph (o) concerns priority zones for wind turbines at roof level and for green/brown roofs. The plan is relevant to P1 in respect of green/brown roofs only.
- 16.23 The roofs of the proposed building incorporate sizeable brown roof elements, adding to the stock and variety of wildlife habitats in the area. The building will have brown roofs totaling 734m<sup>2</sup>. Details of the proposed roof systems will be provided in due course.

**Summary**

- 16.24 In summary, the drawings sets and reports, together with the explanations above, demonstrate that the development will be carried out in accordance with the approved Parameter Plans and the Development Specification, as required by condition 31.

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## 17 Condition 33 (Development to be Carried Out in Accordance with Permission – Floorspace Permitted Site-wide)

### 17.1 The condition and its reason state:

*“The total floorspace constructed and used pursuant to this Outline Planning Permission shall not exceed 713,090 sqm gross external area, provided that this total floorspace excludes:*

- (a) basements to be constructed in accordance with condition 31(k) other than the public bicycle interchange/storage facilities and public health and fitness facilities in Development Zone B partly within basement space specified in Table 1 and Annex B attached;*
- (b) infrastructure and utilities forming part of and supporting the development including the substations, transformers, waste storage and ancillary recycling facilities;*
- (c) rooftop plant;*
- (d) the district gas governor; and*
- (e) car parking other than the multi storey car park.*

*Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed might have an impact which has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design, to protect the setting of listed buildings, to preserve or enhance the character or appearance of conservation areas and protect Strategic Views and to accord with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies S1, S2, S3, SKC1, SKC2, SKC3 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### Response to Condition 33

- 17.2 The proposed floorspace in P1 is set out in detail in Table 14.1 presented in connection with condition 27.
- 17.3 The total amount of floorspace in terms of condition 33 so far approved/submitted in the remainder of the King's Cross Central development, together with that proposed for P1, is set out in the Table 17.1 and amounts to 338,252m<sup>2</sup>. The site-wide figure of 713,090m<sup>2</sup> prescribed by condition 33 would thus not be exceeded.
- 17.4 The details submitted enable the Council to monitor the position with regard to floorspace build-up and do not require approval.

<b>Location</b>	<b>Total floorspace (sqm)</b>
<b><i>North of Canal</i></b>	
Eastern Goods Yard (amended)	55,370
Building R2	48,522
Building T1	29,045
Building R4	11,761
Building T6	16,292 <sup>6</sup>
Building J	16,265
R5 North (amended)	14,214
P1	29,619
<b>Sub-total</b>	<b>221,088</b>
<b><i>South of Canal</i></b>	
Building B2 (amended)	7,176
Building B4 (amended)	17,071
Building B6	20,853
Great Northern Hotel (amended)	4,548
Building B3	20,404
Building B1	43,097
Building E1	4,015
<b>Sub-total</b>	<b>117,164</b>
<b>Total to date</b>	<b>338,252</b>

Table 17.1: KXC site-wide cumulative floorspace totals (GEA in m<sup>2</sup>)

Notes:

1	Condition 33 maximum floorspace site-wide	713,090m <sup>2</sup>
2	Area north of Regent's Canal (Condition 34)	468,840m <sup>2</sup>

<sup>6</sup> Represents the floorspace below the original parameter height of 67m AOD



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## **18 Condition 34 (Development to be Carried Out in Accordance with Permission – Floorspace Permitted North of Regent’s Canal)**

### **18.1 The condition and its reason state:**

*“The maximum floorspace of buildings constructed and refurbished in accordance with condition 33 within the Development north of Regent’s Canal shall not exceed 468,480 sqm gross external area and south of Regent’s Canal shall not exceed 244,250 sqm gross external area.*

*Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed might have an impact which has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design, to protect the setting of listed buildings, to preserve or enhance the character or appearance of Conservation Areas and protect Strategic Views and accord with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies and policies S1, S2, S3, SKC1, SKC2, SKC3 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 34**

- 18.2 In the same way as the submissions demonstrate compliance with condition 33 concerning overall floorspace in King’s Cross Central, the total cumulative figure to date for north of the Regent’s Canal of 221,088m<sup>2</sup>, including the proposed Building P1, also shows that the limit for the relevant sub-area of 468,840m<sup>2</sup> will not be exceeded (see table 17.1).
- 18.3 Again, no specific approval of the details is required.

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## **19 Condition 35 (Development to be Carried Out in Accordance with Permission – Uses Permitted)**

### **19.1 The condition and its reason state:**

*“Permission is hereby granted for the following uses as set out in the description of development to take place within buildings constructed and refurbished within the Development:*

- (a) Business and employment uses within Class B1;*
- (b) Residential uses within Class C3 and student accommodation and a residential home within Class C2;*
- (c) Hotel use within Class C1 and serviced apartments (sui generis outside of Class C3);*
- (d) Shopping, food and drink uses within Classes A1, A2, A3, A4 and A5;*
- (e) Uses within Class D1;*
- (f) Cinema use(s);*
- (g) Uses within Class D2, and nightclub uses and casino use;*
- (h) A multi storey car park;*
- (i) Other miscellaneous uses, including public bicycle interchange/storage facilities, substations, transformers, waste storage and recycling facilities and the gas governor.*

*and the floorspace constructed and used pursuant to the planning permission shall not, unless otherwise agreed in writing by the local planning authority, exceed in the case of any use or group of uses within each of the areas north and south of Regent’s Canal the individual maximum floorspace figures as set out in Table 1 attached, that Table being read together with the notes 4 to 13 inclusive.*

*Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed might have an impact which has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design, to protect the setting of listed buildings, to preserve or enhance the character or appearance of conservation areas and protect Strategic Views and to accord with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies S1, S2, S3, SKC1 SKC2, SKC3, KC2 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 35**

- 19.2 Table 19.1 following this section shows that the proposed floorspace for the uses within Building P1, together with those approved/submitted for other areas north of the Regent's Canal, would not exceed the maximum figures for the relevant land uses applying within that area, as set out in Table 1 to the Outline Planning Permission, notwithstanding the fact that the P1 schools now represent more D1 floorspace than originally planned at the outline stage.
- 19.3 These details enable the Council to monitor the position with floorspace provided and do not require approval.

Location	Maximum B1 Use (sqm)	Maximum Residential (sqm)	Maximum C1 Use (sqm)	Maximum A1-A5 Use (sqm)	Maximum D1 Use (sqm)	Maximum Cinema Use (sqm)	Maximum D2 Use (sqm)	Multi Storey Car Park (sqm)
Building P1		24,478		119	5,022			
R5 North	669	13,545		599	599			
Building J	1,253	15,012		1,253	1,253			
Building T6		15,973		319				
Building R4	487	11,274		487				
Building T1		14,950		587				12,063
Building R2	45,002			1,681	258		569	
Eastern Goods Yard	6,881			5,641	45,653			
<b>Total</b>	<b>54,292</b>	<b>95,232</b>	<b>N/A</b>	<b>10,686</b>	<b>52,785</b>	<b>N/A</b>	<b>569</b>	<b>12,063</b>
Maximum for area north of Regent's Canal: Table 1 of Outline Permission	234,000	171,275	14,600	30,865	67,880	8,475	24,275	21,500

Table 19.1: KXC floorspace north of the Regent's Canal by land use (GEA)  
Note:

- 1 Totals may differ from those in Table 14.1 because of the inclusion of alternative permitted uses in more than one land use category.

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## **20 Conditions 36 (Development to be Carried Out in Accordance with Permission – Floorspace and Development Zones)**

### **20.1 The condition and its reason states:**

*“Unless otherwise agreed in writing by the local planning authority, the new and refurbished floorspace constructed as part of the development hereby permitted, within the maxima set out in condition 35, will be distributed between the Development Zones in accordance with the maximum floorspace allocations in Annex B attached subject to Annex B (north and south of the canal) being read together with the notes excluding notes 4 and 5 and Annex B (north of the Canal) being read together with the notes excluding note 15.*

*Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed might have an impact which has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design, to protect the setting of listed buildings, to preserve or enhance the character or appearance of conservation areas and protect Strategic Views and to accord with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies S1, S2, S3, SKC1, SKC2, SKC3, KC2 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 36**

- 20.2 Table 20.1 following this section demonstrates that the maximum floorspace for the uses within Building P1 being applied for would not exceed the total maximum figures for the relevant land uses applying within Development Zones P and S, as set out in Annex B to the Outline Planning Permission, notwithstanding the fact that the P1 schools now represent more D1 floorspace than originally planned at the outline stage.
- 20.3 Building P1 is the first to come forward within zones P and S.
- 20.4 These details are submitted to enable the Council to monitor the position with floorspace provided and do not require approval.

<b>Location</b>	<b>Residential (Sqm)</b>	<b>Maximum Hotel Use (Sqm)</b>	<b>Maximum A1-A5 Use (sqm)</b>	<b>Maximum D1 Use (sqm)</b>	<b>Maximum D2 Use (sqm)</b>
Building P1	24,478		119	5,022	
Totals for Zones P and S (Annex B to Outline Permission)	65,375	14,600	6,155	6,065	8,475

*Table 20.1: Building P1 floorspace relative to maxima for Zones P and S (GEA)*

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## 21 Condition 37 (Development to be Carried Out in Accordance with Permission – Maximum Floorspace in Basements)

### 21.1 The condition and its reason states:

*“The basement floorspace to be constructed in accordance with this permission, and specifically with conditions 33 and 35 shall be constructed in accordance with condition 31(k) above and shall not exceed 83,500 square metres gross external area in total (comprising up to 32,000 square metres gross external area to the south of the Regent’s Canal and up to 51,500 square metres gross external area to the north of the Regent’s Canal).*

*Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed might have an impact that has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design, and to accord with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies S1, S2, S3, SKC1, SKC2, SKC3, KC2, and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### Response to Condition 37

- 21.2 With regard to basements, as shown in Table 21.1 below, the basement floorspace proposed in Building P1 is 2,751m<sup>2</sup> gross external area. Together with new basement floorspace already approved, the cumulative site-wide total is 31,853m<sup>2</sup> and, north of the Regent’s Canal, 11,345m<sup>2</sup>. These totals compare respectively with the overall figures in condition 37 of 83,500m<sup>2</sup> site-wide and 51,500m<sup>2</sup> north of the Canal.
- 21.3 This information enables the Council to monitor the position with regard to basement floorspace provided and does not require approval.

Development area	Floorspace (sqm/GEA)
<b>North of the Regent's Canal</b>	
Eastern Goods Yard	2,444
Building R2	3,883
Building J	2,267
<i>Building P1</i>	<i>2,751</i>
<b>Subtotal north of the Canal</b>	<b>11,345</b>
<b>South of the Regent's Canal</b>	
Shared Service Yard	1,907
Zone B Basement	8,335
Great Northern Hotel	1,259
Building E1	515
Building B3	1,342
Building B1	7,150
<b>Subtotal south of the Canal</b>	<b>20,508</b>
<b>Overall total for King's Cross Central</b>	<b>31,853</b>

Table 21.1: KXC basement floorspace totals (GEA)

Notes:

- 1 In accordance with paragraph 4.85 of the Development Specification, the floorspace for the Shared Service Yard excludes the Access Ramp



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## 22 Condition 38 (Details Required by Condition - Basements)

### 22.1 The condition and its reason state:

*“Details of this basement floorspace including layout, design, access, the provision of plant and ventilation, shall be included in the relevant Reserved matters application. The basement space so permitted shall only be used for purposes ancillary to the primary purposes permitted for the relevant buildings including the storage of plant equipment, building services, plant and equipment, other ancillary storage, servicing and parking.*

*Reason: To ensure a comprehensive and sustainable development, to ensure safe and efficient access, to achieve good design and protect amenities in accordance with the Environmental Impact Assessment, in accordance with policies RE1, RE2, RE3, EN1, SKC1, DS9 and TR8, TR12, TR14, TR20, TR23 of the London Borough of Camden Unitary Development Plan (UDP) 2000 and policies KXC2, SKC3, KC1, KC2, KC3, KC6 and T15 of the Revised Deposit Draft UDP as amended by the Proposed Modifications agreed by the Council’s Executive on the 11 January 2006.”*

### **Response to Condition 38**

22.2 Drawing 1-110 entitled “Basement Floor Plan” within the submitted Drawings Package, together with the Urban Design Report, include details of the proposed physical layout, design, access, plant and ventilation within the proposed basement, as required by condition 38.

22.3 The same plan also illustrates the intended basement uses, namely plant, refuse storage and car parking, plus associated lifts and circulation. These proposed uses are consistent with those use types identified in condition 38.

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## 23 Condition 39 (Development to be Carried Out in Accordance with Permission - Minimum Area of Residential Development and Maximum Number of Units)

### 23.1 The condition and its reason state:

*“The residential floorspace constructed and used pursuant to this permission when completed shall comprise no less than 137,200 sqm gross external area and include no more than 1,700 residential units within Class C3 of the Use Classes Order 1997 (that is excluding student accommodation and the residential home within Class C2) unless approved in writing by the local planning authority.*

*Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed might have an impact which has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design, to protect the setting of listed buildings, to preserve or enhance the character or appearance of conservation areas and protect Strategic Views in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies S1, S2, S3, S4, S6, SKC1, SKC2, SKC3, KC4 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### Response to Condition 39

- 23.2 Building P1 is the sixth building to come forward at King's Cross Central which includes residential development, the first being Building T1 which was approved in April 2009, the second being R4 which was approved in April 2010 and the third being T6, a student housing building which was granted permission in January 2011. The fourth is Building J, which was approved on 11 March 2011. Finally, Building R5 (North) was approved on 8 April 2011.
- 23.3 Table 23.1 following this section gives the amount of residential floorspace and number of dwellings in Building P1 and the cumulative position with the other buildings referred to. The totals of 97,099m<sup>2</sup> of floorspace and 769 dwellings (excluding student housing units) are to be compared to the site-wide figures for King's Cross Central set out in condition 39 of a minimum of 137,200m<sup>2</sup> floorspace and a maximum of 1,700 dwellings.

- 23.4 The first set of figures in Table 23.1 for P1 (in italics) relate to what is physically proposed within the building. The second set of figures take into account the effect of the proposed Deed of Variation to the S106 Agreement (see Section 13) and contribute to the totals set out in the table.
- 23.5 This information enables the Council to monitor the position over time and does not require approval.

Site	Residential Floorspace (sqm/GEA)	No. of Dwellings
Building T1	14,950	102
Building R4	11,274	117
Building J	15,012	143
R5 North	13,562	144
<i>Building P1</i>	<i>24,478</i>	<i>255</i>
Building P1 incl. S106 Deed of Variation	26,328 <sup>7</sup>	263
<b>Subtotal for dwellings</b>	<b>81,126</b>	<b>769</b>
Building T6	15,973	N/A
<b>Total for all residential buildings</b>	<b>97,099</b>	<b>769</b>

Table 23.1 – KXC residential floorspace and dwellings

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<sup>7</sup> Including 1,850 sqm GEA which counts towards (affordable) residential floorspace under the proposed Deed of Variation. The figure of 1,850 sqm GEA is calculated by taking the net area of the units specified in the Deed of Variation and applying a net:gross of 75%.

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## 24 Condition 42 (Development to be Carried out in Accordance with Permission – Residential Floorspace By Tenure)

### 24.1 The condition and its reason state:

*“Unless otherwise agreed in writing by the local planning authority the development constructed and used pursuant to this permission shall provide when completed:*

- (a) a minimum of 137,200 sqm gross external area of residential floorspace, including market housing, affordable housing and*
- (b) a minimum of 53,670 sqm gross external area of affordable housing floorspace (to deliver 42,936 sqm net internal floor area);*
- (c) a minimum of 41,175 sqm gross external area of social rented housing floorspace (to deliver 32,940 sqm net internal floorspace).*

*Reason: To ensure appropriate provision for housing needs within a comprehensive and sustainable development, to achieve regeneration, integration and good design and to ensure that the development complies with the Environmental Impact Assessment in accordance with policies S1, S2, S3, S4, S6, SKC1, SKC2, SKC3, H2, KC4 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### Response to Condition 42

24.2 Table 22.1 that follows this section gives details of the amount of floorspace within the residential totals for P1 that are or provided in lieu of affordable housing and social rented housing. The table also presents the position cumulatively with the T1, R4, T6, Building J and R5(North) schemes.

24.3 It can be seen that together with these other buildings, P1 makes a substantial early contribution towards the total requirement for affordable housing across King’s Cross Central. Detailed proposals have now been approved or submitted for or in lieu of 41,079m<sup>2</sup> of accommodation (taking into account the proposed Deed of Variation for Plot P1) compared to the minimum site-wide requirement of 53,670m<sup>2</sup> (GEA). The comparable figures for social housing are 31,095 m<sup>2</sup> (GEA) approved or submitted against an overall minimum floorspace level of 41,175 m<sup>2</sup> (GEA).

24.4 In both cases, these figures include the effect of the proposed Deed of Variation, which means KCCLP would provide 1-bed and 2-bed keyworker units and school floorspace in lieu of specified social rented provision.

- 24.5 This information allows the Council to monitor the on-going position with the apportionment of market and affordable housing over time and does not require approval.

<b>Building</b>	<b>Residential Floorspace (Sqm/GEA)</b>	<b>Affordable Floorspace (Sqm/GEA)</b>	<b>Social Rented (Sqm/GEA)</b>
Building T1	14,950	6,040	3,670
Building R4	11,274	11,274	9,161
Building J	15,012	3,061	3,061
R5 North	13,562	13,482	10,005
<i>Building P1</i>	<i>24,478</i>	<i>5,372</i>	--
Building P1 including S106 DoV	26,328	7,222	5,198 <sup>8</sup>
Building T6	15,973	N/A	N/A
<b>Total</b>	<b>97,099</b>	<b>41,079</b>	<b>31,095</b>
KXC Minimum	137,200	53,670	41,175

Table 24.1: KXC residential floorspace by type of tenure

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<sup>8</sup> This figure represents the social housing floorspace specified in the Deed of Variation which the additional school floorspace, one-bedroom and two-bedroom keyworker accommodation would count towards/be provided in lieu of. The figure is calculated using a net:gross of 75%.

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## 25 Condition 42A (Development To Be Carried Out In Accordance With Permission - Residential Mix)

### 25.1 The reason and its condition state:

*“Unless otherwise approved in writing by the local planning authority the residential accommodation excluding the student accommodation and the residential home approved as part of Reserved Matters approvals pursuant to this permission shall include not less than 23% of units as three and four bedroom accommodation.*

*Reason: To ensure appropriate provision for housing need within a comprehensive and sustainable development, to achieve regeneration, integration and good design and to ensure that the development complies with the Environmental Impact Assessment, in accordance with policies S1, S2, S3, S4, S6, SKC1, SKC2, SKC3, H2, KC4 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 42A**

25.2 Table 25.1 following this section shows that the proportion of family sized dwellings in Building P1 is 15.7%. All of these (40 no.) units comprise 3-bedroom accommodation.

25.3 This is lower than the minimum of 23% of total units required overall for King’s Cross Central by condition 42A. However, the 1-bed and 2-bed keyworker units and additional school floorspace to be provided within P1, under the proposed Deed of Variation, would be provided in lieu of a further 22 no. 3-bedroom and 4-bedroom social rented properties.

25.4 Taking into account the proposed Deed of Variation and the cumulative position with Buildings T1, R4, Building J and R5(North), the overall proportion remains ‘on track’ to deliver the required site-wide minimum.

25.5 These details are submitted to enable the Council to monitor the position with the provision of 3 and 4 bedroom units as a proportion of the total and do not require approval.

<b>Building</b>	<b>Total dwellings</b>	<b>No. of 3/4 bedroom dwellings</b>	<b>% of 3/4 bedrooms dwelling</b>
Building T1	102	19	18.6%
Building R4	117	38	32.5%
Building J	143	39	27%
R5 North	144	21	14.6%
<i>Building P1</i>	<i>255</i>	<i>40</i>	<i>15.7%</i>
Building P1 including S106 DoV	263	62	23.6%
<b>Total</b>	<b>769</b>	<b>179</b>	<b>23.3%</b>
KXC Minimum (Condition 42A)			23%

*Table 25.1: Proportion of larger dwellings in residential mix*

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## 26 Condition 43 (Development To Be Carried Out In Accordance With Permission – Residential Daylight and Sunlight)

### 26.1 The reason and its condition state:

*“Applications for the approval of Reserved Matters in relation to residential accommodation shall be accompanied by details of how the proposed design applies the standards recommended in the Building Research Establishment’s “Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice 1991”.*

*Reason: To ensure a sustainable development and good design and to safeguard the amenity of future occupiers of the development in accordance with the Environmental Impact Assessment, in accordance with policies SD6, KC4 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### Response to Condition 43

- 26.2 A Daylight and Sunlight Report is submitted as a separate document and sets out details of how the design for P1 has applied the standards recommended in the BRE 1991 guide to good practice for planning for daylight and sunlight, as referred to in condition 43. The report also has regard to the updated guide published in 2011 which replaced the 1991 document referred to in the condition.
- 26.3 The report shows how, by a process of iterative design refinement involving the applicant’s architects and environmental consultants, a majority (58%) of the habitable rooms tested meet the appropriate standards. Those which fall short, in many cases marginally, tend to be at the lower levels, with significant contributory factors being the dense surrounding development and projecting/recessed balconies.
- 26.4 Any variance with the BRE standards has been minimised by careful internal design and is mitigated by the overall high standard of residential amenity within P1, complemented by the carefully planned external environment. Accordingly, it can be seen that the relevant standards have been applied in a positive and responsive manner and an appropriate level of observance achieved.
- 26.5 These details are considered to meet the requirements of condition 43.



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## **27 Condition 45 (Development To Be Carried Out In Accordance With Planning Permission – Drainage Infrastructure)**

### **27.1 The condition and its reason state:**

*“The new drainage infrastructure within the site shall be designed to achieve a combined (storm and foul) peak discharge to the existing combined sewers of 2,292 l/s or less.*

*Reason: To protect future occupiers of the development, services and utilities, and prevent the pollution of the water environment, in accordance with policy SD9 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 45**

### **27.2 The information to show compliance with condition 45 is included within the Environmental Sustainability Plan submitted for condition 17. This shows that through a range of sustainable design features applied to the building, surrounding access routes and public realm, together with a co-ordinated approach to new drainage infrastructure with the design teams working on other zones, the proposals for P1 are compatible with the site wide drainage strategy and will minimise drainage discharge to the existing combined storm and foul sewers. By means of this strategy each of the drainage sub-catchments, buildings and public realm areas are attenuated and the storm water and foul flows into the sewer network restricted, such that the maximum drainage discharge specified in condition 45 is not exceeded.**

## 28 Condition 46 (Development To Be Carried Out In Accordance With Planning Permission – Green And Brown Roofs)

### 28.1 The condition and its Reason state:

*“At least 15% of the roofs of new buildings constructed pursuant to the planning permission shall be and/or brown roofs as defined in the Revised Development Specification dated September 2005.*

*Reason: To ensure a comprehensive and sustainable development and to satisfactorily provide for biodiversity in accordance with the Environmental Impact Assessment, in accordance with policy KC8 and N7 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### Response to Condition 46

28.2 Parameter Plan KXC 021 shows that P1 lies within a priority zone defined within the King's Cross Central site for green/brown roofs. Accordingly, the submitted plans show 734m<sup>2</sup> of brown roofs on top of the 'tower' elements above level 13. Further details of the proposed roofs are provided within the submitted Environmental Sustainability Plan.

28.3 Table 28.1 confirms that the green/brown roofs within P1, together with those provided on other buildings, will make a significant contribution to the site-wide requirement for at least 15% of roofs on new buildings to be of green/brown type (as defined in the revised Development Specification).

28.4 These details meet the requirements of condition 46.

Building	Total Roof Area (Sqm)	% Area of green/brown roof
Eastern Goods Yard	80	-
Building R2	5,750	40%
Building T1	3,570	72%
Building R4	150	13%
Building B4	405	39%
Building B6	385	28%
Building J	2,136	32%
R5 North	1,601	53%
Building B3	470	29%
Building B1	4287	29%
Building P1	734	22%

Table 28.1: Green and brown roofs on buildings submitted to date

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## **29 Condition 48 (Development To Be Carried Out In Accordance With Planning Permission – Combine Heat and Power)**

### **29.1 The condition and its reason state:**

*“All new building within development zones A, B, J, K, L, N, P, Q, R, S and T shall incorporate the necessary pipework to connect to district heating/combined heat and power systems.*

*Reason: to ensure a comprehensive and sustainable development and to satisfactorily provide for an efficient energy supply in accordance with the Environmental Impact Assessment, in accordance with Policies KC8 and SD9 of the London Borough of Camden Replacement Unitary Development Plan 2006”.*

### **Response to Condition 48**

### **29.2 As fully explained in the Environmental Sustainability Plan in connection with condition 17(d) on energy supply, P1 will incorporate the necessary pipework for connection to the site-wide low carbon energy centre now constructed within Zone T1. It is thus demonstrated that condition 48 will be fulfilled.**

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## 30 Condition 49 (Development To Be Carried Out In Accordance With Planning Permission – Car Parking Standards)

### 30.1 The condition and its reason state:

*“Unless otherwise agreed in writing by the local planning authority, the development shall be constructed in accordance with the following:*

- (a) maximum car parking/storage standards:*
  - (i) Residential: 800 spaces for 1,700 residential units at an average ratio of 0.47 per unit across all unit types and tenures;*
  - (ii) Student Housing: 25 spaces for 650 units at an average ratio of 1.26 units;*
  - (iii) Hotel/serviced apartments: No parking provision south of canal other than parking for people with disabilities (to be agreed in writing by the local planning authority at the Reserved Matter stage). Hotel resident parking at 1 space per 750 sqm north of canal;*
  - (iv) Class D1/D2 uses:*
    - 1 space per 1,500 sqm gross floor area south of canal*
    - 1 space per 1,000 sqm gross floor area north of canal*
    - Additional provision may be permitted if justified for health care purposes or to meet the needs of staff working anti-social hours;*
  - (v) Class B1 uses:*
    - Staff/operational parking at 1 space per 1,500 sqm gross floor area south of canal*
    - Staff/operational parking at 1 space per 1,250 sqm gross floor area north of canal;*
  - (vi) Classes A1 to A5 inclusive uses:*
    - 1 space per 1,500 sqm gross floor area south of canal*
    - 1 space per 1,000 sqm gross floor area north of canal;*
- (b) these standards shall apply to the overall development including parking provided along new streets within the built development; within the multi- storey car park in Development Zone T and within the basements and any undercrofts of buildings;*
- (c) 5% of the spaces provided within these standards shall be for people with disabilities. Any additional parking required by the local planning authority for people with disabilities may be provided in addition to the above standards; and*

(d) *the standards exclude provision for city car club spaces (such spaces may be provided in addition to the above) and the provision of service bays to be approved as part of Reserved Matters for the development.*

*Reason: To ensure a comprehensive and sustainable development and to ensure that the development complies with the Environmental Impact Assessment, in accordance with policies KC6, KC7, TI, T7, T9, TI0 and Appendix 6 (parking standards) in the London Borough of Camden Replacement Unitary Development Plan 2006."*

### **Response to Condition 49**

- 30.2 The proposed development includes 36 spaces within the basement level, including 2 spaces for disabled people. These spaces will be marketed initially at purchasers of market accommodation within the building and they will be accessed via a vehicular lift on the south-east corner of the building. The design of Holder Street, between P1 and P2, incorporates a vehicular waiting bay between the road and the lift entry point, to prevent congestion within the street zone, taking into account vehicular lift waiting times.
- 30.3 There is no dedicated parking provision within the building for DSF (affordable key worker) residents. However, it remains open for any DSF tenant to approach KCCLP about acquiring the right to park in the Building T1 Multi Storey Car Park (MSCP), in accordance with the approved MSCP Management Plan (approved under condition 50 of the outline permission).
- 30.4 The T1 MSCP will include a suitable number of disabled spaces and will be convenient for P1 residents, being the next door building. It is KCCLP's intention to construct Buildings T1 and P1 at the same time. In addition, there will be 3 on-street disabled parking spaces immediately adjacent to Building P1 along the south side of Handyside Street. These could be allocated to specific users or be generally available to visitors with a blue badge.
- 30.5 DSF has confirmed to KCCLP that if there are disabled residents within its accommodation who need a car, it is willing to absorb the cost of MSCP parking within the base rent. It remains to be seen how many DSF residents, if any, will require such parking.
- 30.6 There is no dedicated parking provision for the schools. Some Frank Barnes School students do arrive by minibuses and these will use the pick-up/drop-off bay along Holder Street. School visitors who need to drive may also be able to use this facility. Blue badge holders may be able to use the on-street parking spaces referred to above. School visitors will also be able to use the public car park spaces within the T1 MSCP.

30.7 The car parking provision for P1 thus accords with the maximum standards set by condition 49.

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## **31 Condition 51 (Development To Be Carried Out In Accordance With Planning Permission – Cycle Parking)**

### **31.1 The condition and its reason state:**

*“Unless otherwise agreed in writing by the local planning authority, the development shall be constructed in accordance with the cycle parking/storage standards as set out in Appendix 6 of the London Borough of Camden Replacement Unitary Development Plan 2006.*

*Reason: To ensure a comprehensive and sustainable development and in order to provide satisfactory provision for cyclists in the development in accordance with the Environmental Impact Assessment, in accordance with policies KC6, T3 and Appendix 6 (parking standards) in the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 51**

- 31.2 The relevant plans and landscape drawings show that the building would benefit from significant cycle parking. The building will include 276 secure spaces for the residential accommodation and its visitors, with two adjacent facilities (of 192 and 84 spaces respectively) at level 2. Users will access these bicycle storage facilities using lifts and stairwells, the latter incorporating bicycle rails, via cores A and C on the east side of the building.
- 31.3 An additional 50 spaces will be provided along Handyside Street and along ‘Holder Street’, between P1 and P2. 4 of these spaces, along Handyside Street adjacent to the building, are nominally for visitors to the residential, to achieve the required ratio. The remaining 46 spaces, including 24 along ‘Holder Street’ will be for school staff and visitors.
- 31.4 In due course, Camden may provide additional spaces for school students within the school demise; or it may be possible to incorporate these within the boundary treatment to the playground, subject to future design.
- 31.5 These details meet the requirements of condition 51.



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## **32 Condition 56 (Archaeology – Archaeological Investigation and Mitigation)**

### **32.1 The condition and its reason state:**

*“No development shall take place in relation to each phase of the Development as notified under condition 21 until the applicant, their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the local planning authority.*

*Reason: Important archaeological remains may exist on the site. The requirements of this condition are to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development and to minimise damage to them in accordance with the Environmental Impact Assessment, in accordance with policy B8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Condition 56**

32.2 A Written Scheme of Investigation (WSI) for archaeological work at Plot P1 by the Museum of London Archaeology (MOLA) follows this section.

32.3 As explained previously, a small area in the south-east corner of the site overlaps with the existing Western Goods Shed. This received Conservation Area Consent for demolition in 2006. The consent included a condition requiring the submission of a written scheme of investigation for building recording, prior to demolition works being carried out. That condition was discharged in August 2012 (ref.2012/3149/C), with a view to demolishing the building in late 2012.

32.4 Within the P1 construction programme, it is the excavation of the basement that is likely to provide the greatest opportunity for archaeologically investigating any surviving historic ground conditions or structural remains.

32.5 The proposed programme of archaeological investigation comprises three principal phases of work:

- A watching brief during geotechnical site investigation works;
- Strip and map of areas of dense piling to the extent significant archaeological remains are identified during the geotechnical watching brief; and
- Watching brief during basement excavation, pile probing and other groundworks.

32.6 The WSI is submitted for approval by the Council in accordance with condition 56.

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## 33 Condition 60 (Amenity – Plant Noise)

### 33.1 The condition and its reason state:

*“Applications for approval of Reserved Matters shall include full particulars of the noise impact of any plant or equipment included in that application which shall meet the following standards unless otherwise agreed in writing by the local planning authority:*

- (a) noise levels at a point 1 metre external to sensitive facades to be at least 5dB(A) less than the existing background measurement (LA90) expressed in dB(A) when all plant/equipment are in operation;*
- (b) where it is anticipated that any plant/equipment will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps) special attention to be given to reducing the noise levels from the piece of plant/equipment at any sensitive façade to at least 10dB(A) below the LA90, expressed in dB(A).*

*Reason: To ensure a sustainable development and to safeguard the amenities of the development and adjoining premises and the area generally and to ensure that the development is carried out in accordance with the Environmental Impact Assessment, in accordance with SD1, SD6, SD7 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### Response to Condition 60

- 33.2 A baseline noise monitoring survey by The English Cogger LLP (dated June 2007) was previously submitted to and approved by LB Camden<sup>9</sup> pursuant to Condition 59 of the Outline Planning Permission. A further survey was subsequently carried out between December 2007 and March 2008 (including the ‘Triangle site’) and this led to a revised report dated April 2008. Those reports, referred to collectively as the ‘Baseline Noise Survey’ were undertaken to determine the pre-existing ambient noise levels across the KXC site, prior to the commencement of construction works.
- 33.3 In conformity with Condition 60, all noise generating building services plant/equipment will be specified and installed to achieve an acoustic performance at neighbouring sensitive facades (including. housing, schools, hospitals, offices and workshops), of at a least 5 dBA below the prevailing baseline, as defined by the above report in relation to Condition 59.

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<sup>9</sup> Discharge of Condition 59 was confirmed by letter from LB Camden dated 12 June 2007.

- 33.4 Taking into account the most relevant baseline monitoring location set out in the Baseline Noise Survey (for reference: the “Fish and Coal” location), the following minimum background noise levels are considered applicable to this development site (corrected to represent free-field conditions):

Minimum background noise level ( $L_{A90, 15 \text{ min}}$ )		
Day (0700-1900 hours)	Evening (1900-2300 hours)	Night (2300-0700 hours)
54	50	43

- 33.5 Consequently, on the basis that building services plant/equipment associated with the development does not exhibit any of the characteristics described in Clause (b) of Condition 60, the following noise limits are deemed to be appropriate to meet the requirements of part (a) of the condition (applicable to a point 1 metre external to nearby noise sensitive facades):

Noise limit for building services plant/equipment ( $L_{Aeq, 15 \text{ min}}$ )		
Day (0700-1900 hours)	Evening (1900-2300 hours)	Night (2300-0700 hours)
49	45	38

- 33.6 The above noise limits apply to all non-emergency building services plant operating simultaneously. With regard to emergency plant, discussions with LBC Environmental Health Department have established that this may have a 5 dB relaxation from the relevant criteria for normally operating plant.
- 33.7 To secure compliance with Condition 60, a further 5 dB reduction to the above criteria will be made where it is anticipated that any building services plant/equipment associated with the development will have the particular characteristics described in Clause (b) of Condition 60.
- 33.8 The design standards described above will be applied to any alternative plant selections made as a result of further design development.

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## 34 Condition 61 (Amenity – Groundborne Noise)

### 34.1 The condition and its Reason state:

*“Relevant applications for approval of Reserved Matters shall include full particulars to secure that internal groundborne noise levels in residential development which is above or horizontally within 10 metres of any railway tunnel that is in use or likely to be used wherever possible meets the standard 35 dB LA<sub>max</sub>(s) unless otherwise agreed in writing by the local planning authority.*

*Reason: To safeguard the amenities of the development and to ensure that the development is carried out in accordance with the Environmental Impact Assessment, in accordance with policies SD1, SD6, SD7 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### Response to Condition 61

- 34.2 Ramboll Acoustics has assessed the passage of trains through the Thameslink tunnels in close proximity to the proposed building P1 and the potential risks that a rumbling noise may be audible or a vibration may be perceptible in some rooms.
- 34.3 The principles of groundborne vibration and how it gives rise to structureborne noise are illustrated in Figure 1. In this case, the likelihood of perceptible vibration in the building is negligible. As explained below, Network Rail is committed to limit noise and vibration in buildings alongside their track to prescribed limits and has investigated which track form to use to meet these limits.
- 34.4 Ramboll Acoustics has carried out detailed predictions of noise levels in rooms in the proposed P1 building using an industry standard procedure (the Findwave programme operated by Rupert Taylor) and reviewed what mitigation measures, if any, may be necessary. The results of this study are presented below.

### Commitments and investigations by Network Rail

- 34.5 Network Rail is committed to use Best Practicable Means so that groundborne noise levels in residential dwellings do not exceed 40 dB LA<sub>max</sub>(S).
- 34.6 The CTRL Act 1996 specified a design standard of 40 dB LA<sub>max</sub>(S) and this design standard applies to the Thameslink 2000 cross-site tunnels. The CTRL Act conferred powers of construction of the cross-site tunnels including the laying of the track.

- 34.7 The Thameslink 2000 design standard of 40 dB  $L_{Amax(S)}$  across the King's Cross site was considered and confirmed at a local public inquiry, where the Inspector found it to be acceptable, notwithstanding the Camden policy (reflected in the condition) to achieve 35 dB  $L_{Amax(s)}$ . The Inspector took the view that anything stricter than 40 dB  $L_{Amax}$  would not be reasonable.
- 34.8 To achieve the design standard, Network Rail are proposing to use a 'soft' Low Vibration Track (LVT) in combination with soft block pads (HA-LVT) and has obtained Product Approval for installation of this system. Network Rail's description of its commitments and the section of track form is set out in its report "Thameslink Programme. Casnal Tunnels – Commitments and mitigation in Respect of Groundborne Noise, June 2011. Network Rail Doc Ref No: N306/0100/NRT/RET/EN/000001 v1".

#### **Predictions by Ramboll Acoustics**

- 34.9 Ramboll Acoustics has undertaken noise predictions on the P1 building assuming the track form referred to above and detailed structural information. The area of the building where predictions have been made is that part which is closest to the tunnels, on the ground and first floors and is shown shaded in Figure 2.
- 34.10 The results indicate that on the ground floor the predicted noise levels do not rise above 30 dB  $L_{Amax,(s)}$  except in a few spots where the predicted levels rise up to 33 dB  $L_{Amax(s)}$ . This can be seen in Figure 3. All predicted levels are below 35 dB  $L_{Amax(s)}$ .
- 34.11 On the first floor, the predicted levels do not rise above 29 dB  $L_{Amax(S)}$  as shown in Figure 4. On higher floors, where there is residential accommodation, the levels will be lower still.

#### **Compliance with Standards – Residential**

- 34.12 These results show that the predicted noise levels within residential floors (floor 2 and above) will be sufficiently low to meet the requirements of condition 61 without any base isolation for the building. The modelled results show that groundborne noise levels on level 2, where residential accommodation begins, will be below 30 dB  $L_{Amax,S}$ . Levels on higher floors will be lower still.

#### **Compliance with Standards - Schools**

- 34.13 Condition 61 only relates to residential development but Ramboll Acoustics has considered the predicted noise levels on the ground and first floors where the schools will be located.
- 34.14 The results show that noise levels in teaching and ancillary spaces will be sufficiently low to comply with the requirements of the Building Regulations which are set out in Building Bulletin 93 (BB93) – Acoustic Design of Schools.

- 34.15 The requirements for teaching facilities for deaf children (in this case, the Frank Barnes School) are more stringent and an Indoor Ambient Noise Level of  $30 \text{ dBL}_{\text{Aeq},30\text{min}}$  is specified in the Bulletin. Note that this is an average or 'equivalent continuous' level measured over a period of 30 minutes.
- 34.16 The design team consciously located the Frank Barnes School on the first floor with some accommodation on the ground floor, on the opposite side of the plot from the Thameslink Tunnels. As a result, the predicted maximum levels on the first floor and ground floor within the Frank Barnes' areas fall in the range  $25 \text{ to } 30 \text{ dB } L_{\text{Amax},\text{S}}$ . The  $L_{\text{Aeq}}$  levels are bound to be lower than these maximum levels, shown graphically in Figures 3 and 4; and this confirms that the Indoor Ambient Noise Level will comply with BB93.

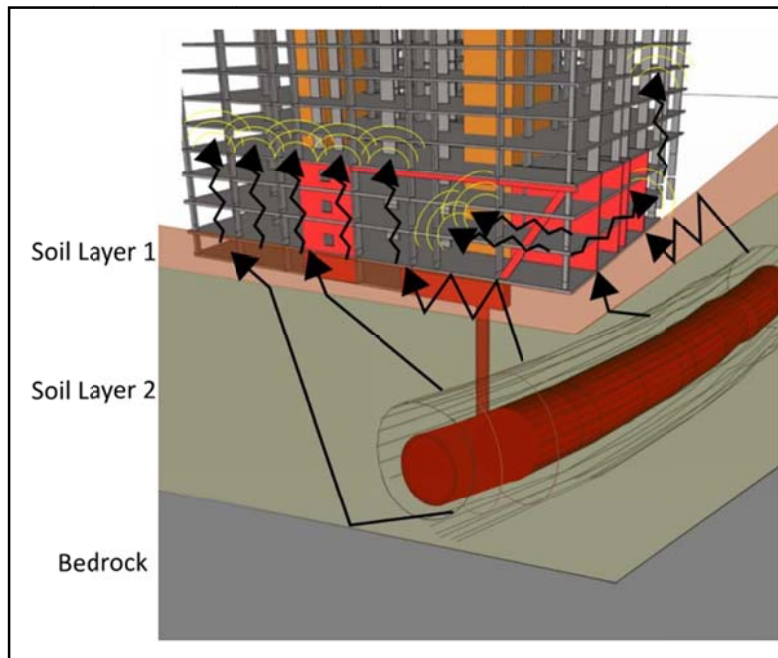


Figure 1 Paths of Groundborne Vibration

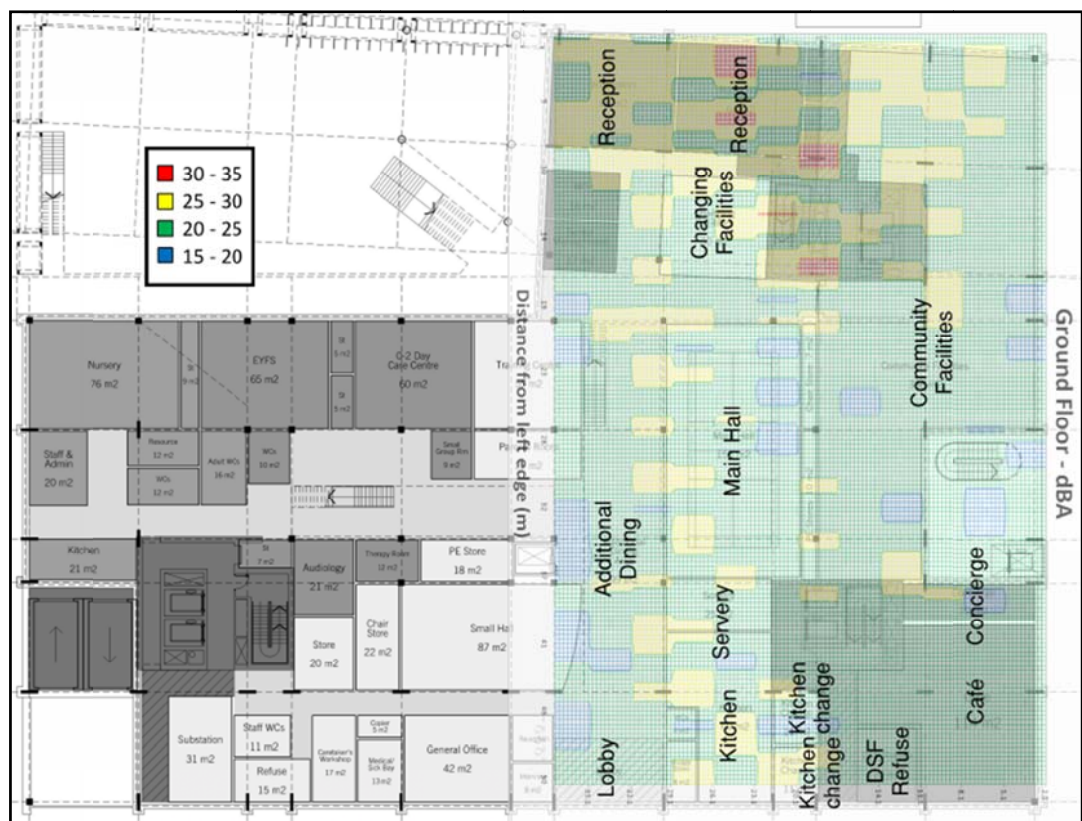


Figure 2 Coloured zone indicating where noise predictions have been carried out

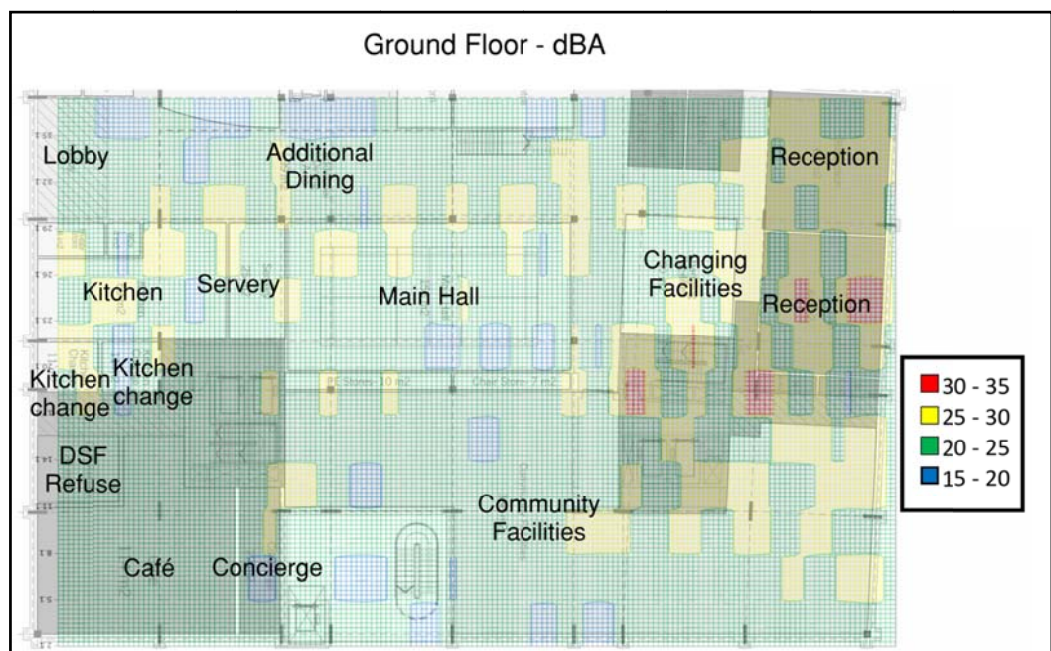


Figure 3 Predicted structureborne noise levels  $L_{Amax,S}$  (Ground floor)

Note that all predicted levels are below 35 dB  $L_{Amax,S}$ .



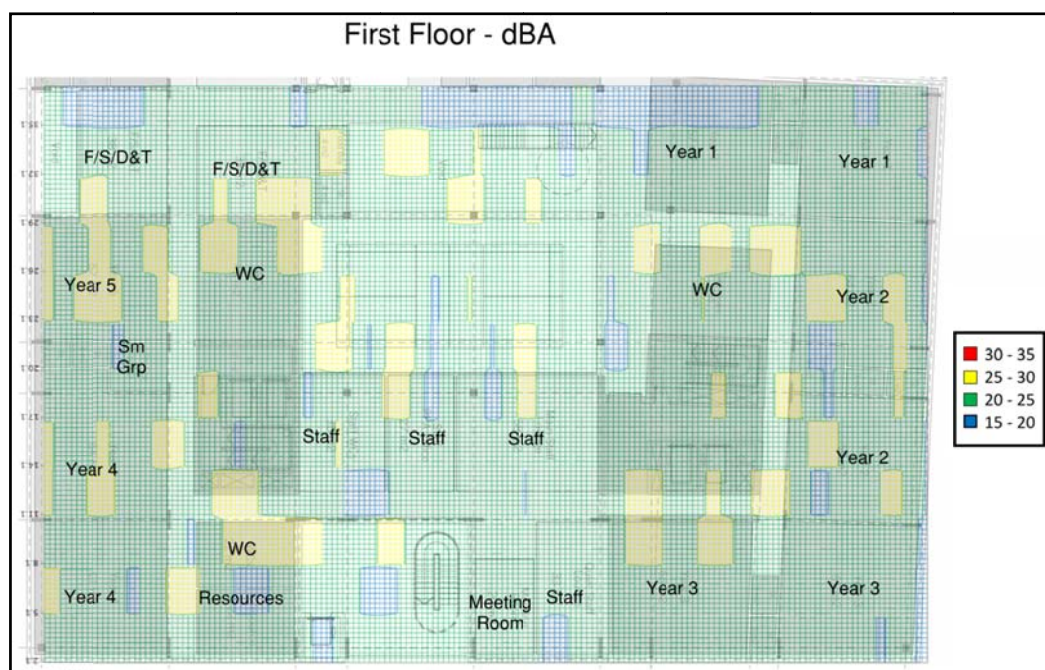


Figure 4 Predicted structureborne noise levels  $L_{Amax,S}$  (First floor)

Note that all predicted levels are below 30 dB  $L_{Amax,S}$ .

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## 35 Condition 64 and 65 (Amenity – Volume of Spoil Removal and Lorry Movements)

### 35.1 The conditions and their reasons state:

#### *Condition 64*

*“Unless otherwise agreed in writing by the local planning authority the volume of spoil removed from the site shall not exceed 270,000 cubic metres within any calendar year.*

*Reason: To safeguard the amenities of the development, the adjoining premises and the area generally and to ensure that the development is carried out in accordance with the Environmental Impact Assessment, in accordance with policies SD6, SD8, SD12, KC6 and TI2 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

#### *Condition 65*

*“Unless otherwise agreed in writing by the local planning authority the number of lorry movements removing spoil from the site shall not exceed 31,500 within any calendar year.*

*Reason: To safeguard the amenities of the development, the adjoining premises and the area generally and to ensure that the development is carried out in accordance with the Environmental Impact Assessment, in accordance with policies SD6, SD8, SD12 and TI2 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Conditions 64 and 65**

- 35.2 The question of managing spoil resulting from earthworks for Building P1 is covered in the Earthworks and Remediation Plan included separately with this submission to satisfy condition 18. As stated in our response to that condition, the necessary earthworks would remove up to 22,625m<sup>3</sup> of material from the site.
- 35.3 Where possible, suitable surplus material will be redeployed within Plot P1 or elsewhere on the KXC development, where fill is needed. Otherwise, surplus material will be transported away for appropriate disposal by lorry.
- 35.4 We have assumed that 100% of the excavation and soil export will take place in 2013, with the full amount being removed by lorry for off-site disposal. As such the figures below represent a worst-case scenario in terms of spoil removal and lorry movements. The net position over the relevant period for Building P1 and other zones where earthworks will be under way is summarised in Table 35.1. The table also includes the estimated spoil removal figures for the Building E1 and the Access Ramp (North), details of which were recently submitted to the Council. Those submissions, with references 2012/4147/P and 2010/4385/P respectively, are currently awaiting a decision.

Development Area	2012	2013
Eastern Goods Yard	0	3,000
Regent's Canal, Goods Way and the Boulevard ('SEFI')	6,850	0
Building T1	0	12,308
Zone B Basement	37,313	8,995
Building T6	6,945	0
Building J	10,712	0
Building B3	7,572	0
Building B1	45,260	4,500
Handyside Park	0	2,121
<i>Building E1</i>	<i>0</i>	<i>2,257</i>
<i>Access Ramp (North)</i>	<i>8,500</i>	<i>0</i>
<b><i>Building P1</i></b>	<b><i>0</i></b>	<b><i>22,625</i></b>
<b>Total</b>	<b>123,152</b>	<b>55,806</b>

Table 35.1: Anticipated net spoil exported from the KXC site (m<sup>3</sup>)

Notes

- 1 The Zone B basement is taken to include the communal service road and the basement service areas for B2, B4 and B6. It also includes the area within the E1 submission referred to as 'lower basement'. The figure excludes the basement/service areas for B3 and B1 which formed part of the separate submissions for those buildings.
- 2 Building R2, which would require around 33,000 cubic metres of spoil to be removed, is not anticipated to form part of the current phase of works and has therefore been excluded from the above table.
- 3 The table excludes completed projects, or those which are nearing completion, which do not give rise to any further spoil removal. These includes Buildings R4 and R5 North, Station Square, the Great Northern Hotel, the Shared Service Yard and Interim Service Road.

35.5 The annual removal figures are all plainly much lower than the annual site-wide limit for spoil removal of 270,000m<sup>3</sup> specified by condition 64.

- 35.6 In the table below these figures are converted to lorry movements, based on the Environmental Statement assumption of 8.5m<sup>3</sup> of load for each lorry:

<b>Development Area</b>	<b>2012</b>	<b>2013</b>
Eastern Goods Yard	0	353
Regent's Canal, Goods Way and the Boulevard ('SEFI')	806	0
Building T1	0	1,448
Zone B Basement	4,390	1,058
Building T6	817	0
Building J	1,260	0
Building B3	891	0
Building B1	5,325	529
Handyside Park	0	250
<i>Building E1</i>	<i>0</i>	<i>266</i>
<i>Access Ramp (North)</i>	<i>1,000</i>	<i>0</i>
<b><i>Building P1</i></b>	<b><i>0</i></b>	<b><i>2,662</i></b>
<b>Total</b>	<b>14,489</b>	<b>6,566</b>

*Table 33.2: Anticipated net spoil exported from the KXC site (lorry movements)*

- 35.7 As with the volume assessment, the lorry totals for each year demonstrate that the annual lorry numbers will be much less than the maximum for any given year specified by condition 65 of 31,500 lorries.

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## **36**      **Conditions 66 and 67 (Amenity – Lorry Movements Importing Infrastructure and Construction Materials)**

### **36.1**      The conditions and their reasons respectively state:

#### *Condition 66*

*“Unless otherwise agreed in writing by the local planning authority the number of lorry movements importing infrastructure materials to the site shall not exceed 8,300 within any calendar year.*

*Reason: To safeguard the amenities of the development, the adjoining premises and the area generally and to ensure that the development is carried out in accordance with the Environmental Impact Assessment, in accordance with policies SD6, SD8, SD12, KC6 and T12 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

#### *Condition 67*

*“Unless otherwise agreed in writing by the local planning authority the number of lorry movements importing construction materials and plant to the site shall not exceed 73,000 within any calendar year.*

*Reason: To safeguard the amenities of the development, the adjoining premises and the area generally and to ensure that the development is carried out in accordance with the Environmental Impact Assessment, in accordance with policies SD6, SD8, SD12, KC6 and T12 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

### **Response to Conditions 66 and 67**

- 36.2**      Infrastructure materials are not defined in the condition or elsewhere in the planning permission document, but adopting a consistent approach with previous Reserved Matters submissions, they are taken to include road/paving build-up, kerbs, lighting poles, manholes/gullies, utility pipes and ducts and associated backfill and bedding provisions, landscape build-up and trees/planting and piling mats.

36.3 Since infrastructure materials make up only a small element of the incoming materials for the Building P1 development, it is considered appropriate in this case to combine this aspect covered by condition 66 with the construction materials covered by condition 67, both conditions being similarly constructed. Taking the two elements together, the numbers of lorries delivering infrastructure and construction materials to the P1 development, together with deliveries to other approved or submitted works in KXC, will be as follows over the projected construction period:-

Development Area	2012	2013	2014	2015
Eastern Goods Yard	1,750			
Regent's Canal, Goods Way and Boulevard ('SEFI')	1,500			
Building T1	2,440			
Zone B Basement	4,100	2,446	2,430	
Building B2	433	676		
Building B6		486	1,437	656
Zone B Public Realm		100	100	
Station Square	67	23	19	
Great Northern Hotel	585			
Building T6	12,000	1,800		
Building J	3,540	1,820		
R5 North	3,515			
Building B3	2,756	3,010	997	
Building B1		4,358	3,631	
Handyside Park and Wharf Road		354	288	
<i>Building E1</i>		1,111	168	
<i>Access Ramp (North)</i>	2,270	1,250		
<b><i>Building P1</i></b>		<b>4,260</b>	<b>3,385</b>	<b>1,285</b>
<b>Total</b>	<b>36,146</b>	<b>22,693</b>	<b>12,455</b>	<b>1,941</b>

Table 36.1: KXC projected lorry movements for infrastructure and construction materials

Notes:

- 1 The Zone B basement is taken to include the communal service road and the basement service areas for B2, B4 and B6. It also includes the area within the E1 submission referred to as 'lower basement'. The figure excludes the basement/service areas for B3 and B1 which formed part of the separate submissions for those buildings.
- 2 Building R2, which would require around 12,900 lorry movements, is not anticipated to form part of the current phase of works and has therefore been excluded from the above table.
- 3 The table excludes completed projects, specifically Buildings R4 the Shared Service Yard and Interim Service Road.

36.4 The figures for any one year are clearly only a small proportion of the overall combined limit of 81,300 lorries (8,300 plus 73,000) for infrastructure and construction materials under conditions 66 and 67 for the KXC site as a whole for any one calendar year. The conditions, therefore, are fulfilled.







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