

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>06/01/2012</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>01/12/2011</b>
<b>Officer</b>		<b>Application Number(s)</b>		
Neil McDonald		2011/4347/P 2011/4353/C		
<b>Application Address</b>		<b>Drawing Numbers</b>		
1-11 Euston Road London NW1 2SA		Transport Assessment by BWB Consulting dated June 2011; Planning Design & Access Statement by Metropolis PD dated August 2011; Sustainable Design & Construction Statement by Metropolis Green dated August 2011; Energy Strategy by Metropolis Green dated August 2011; Daylight and Sunlight Report by Waterslade dated 14/07/2011; Archaeological Desk Based Assessment by MOLAS dated July 2006; Noise Assessment by Bickerdike Allen Partners dated 13/04/2011; Justification for Demolition and Replacement Parts 1-3 by Eleni Makri dated December 2008 (part 1 revised March 2011); Opinion by Mrs Harriet Townsend dated 25/07/2011; Addendum Note from Metropolis. P100, P101, P102A, P103, P104A, P105A, P106A, P107A, P108A, P109A, P110A, P111A, P112A, P113A, P114, P115, P116, P117, P118, P119A, P120, P121 (existing floor plans), P121 (demolition), P123, P124, P125, P126, P127, P128, P129, P130, P131, P132, P133, P134, P135, P136, P137, P138, P139;		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Erection of a 7-storey building with basement to provide a hotel with 167 bedrooms (Class C1) with reception off Crestfield Street and ancillary bar/restaurant in basement; commercial floorspace on ground floor for flexible retail (Class A1), financial/professional services (Class A2) and restaurant/cafe (Class A3) uses on Euston Road frontage; 7 residential units (6 x 2 bed, 1 x 3-bed Class C3) on Birkenhead Street; plus associated highway and hard landscaping works (following the demolition of existing buildings).				
<b>Recommendation(s):</b>	Refuse Planning Permission Refuse Conservation Area Consent			
<b>Application Type:</b>	Full Planning Permission Conservation Area Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	238	No. of responses	32	No. of objections	30
			No. electronic	00		
Summary of consultation responses:	<p>A site notice was displayed from 04/11/2011 – 25/11/2011 and press advertisement from 10/11/2011 – 01/12/2011</p> <p>32 responses received from occupiers largely beyond the immediate adjoining consultation area, but that can still be described as local to the Kings Cross area. These include several respondents from within LB Islington. 30 of these object to the loss of the existing buildings and/or the design of the replacement. The 2 commenting (and a small number of objectors) see an opportunity in the site being redeveloped but believe that the scheme proposed misses the opportunity for a better building of architecture that is imaginative and sympathetic to the area and that any redevelopment scheme should provide more to the area in terms of public realm benefits.</p> <p>Of the 30 objections the following issues were raised:</p> <ul style="list-style-type: none"><li>- loss of the existing historic buildings</li><li>- unsympathetic nature of the proposed replacement building</li><li>- proposal clashes with the other recently completed and currently on-going regeneration schemes in the area and would detract from the elegance to the area which they would bring</li><li>- impact on the setting of surrounding listed buildings including the 19<sup>th</sup> century streetscape of Argyle Square and Birkenhead Street</li><li>- poor quality design unsuitable for an internationally high profile gateway to London Borough of Camden</li><li>- narrowness of the footway in front of the proposal is unsafe –it should create space to the area not overcrowding of pavement and road</li><li>- proposed building is too large/high for the site</li><li>- the accuracy of the drawings/perspective simulations is doubted</li><li>- The Town Hall building on Argyle Street is not a precedent</li><li>- the proposed façade treatment is incongruous</li><li>- lack of softening greenery or trees to the front of the site</li><li>- no consideration given to improving the streetscape, pavements, access in the area has been given</li><li>- increased traffic and late night nuisance relating to the hotel use would affect the residential feel of Crestfield Street and Birkenhead Street</li><li>- more residential should be included in the proposal</li><li>- there should be more consultation undertaken on the proposal</li><li>- the demolition and construction on site would increase air pollution which already breaches EU legal limits for NO2 particulates</li><li>- the existing historical buildings should be restored and enjoyed.</li></ul>					
CAAC/Local groups* comments: *Please Specify	<p><b>Statutory consultees:</b></p> <p><u>English Heritage</u> – Object</p> <ul style="list-style-type: none"><li>- The loss of the buildings would cause substantial harm to the significance of the conservation area and to the setting of the various designated heritage assets in the area. It is considered that the applicants have not demonstrated any convincing justification for demolition as would be required by PPS5 and the Council’s own policies. The replacement building, by virtue of its design, would cause harm to the character and appearance of the conservation area and to the setting of its various designated heritage</li></ul>					

assets.

- The buildings at nos 9-11 dating from the 1820s are rare in respect of being the earliest surviving domestic properties fronting Euston Road and therefore considered to make a strong positive contribution to the history of the conservation area dating from the initial period of its development.
- The existing buildings form a coherent and attractive historic townscape with the grade II listed lighthouse building and a sweep of similar four-storey terraced properties on Grays Inn Road. As surviving domestic properties they serve as a reminder of the rapid change in the area resulting from the building of the station and move to a more commercial scale of building that now marks the rest of Euston Road. The buildings therefore have group value and historic associations and together with other listed and positive contributor buildings make a strong positive contribution to the setting of the grade I listed Kings Cross Station.
- The existing buildings are in reasonable condition and no convincing argument for lack of viability has been presented. However even if such a case were to be made, the replacement development would not respond in any tangible form to its historic context. The blank nature and unprecedented use of translucent cladding, increased height, lack of reference to both the materials and appearance of the conservation area and setting of listed buildings would make the scheme wholly unacceptable.

English heritage Archaeology Advisor – has commented that even though this area is outside an Archaeological Priority Area there is a likelihood of some intact deposits being found at the back of this site which should be investigated further.

London Underground Limited (LUL) – No objection subject to a condition being attached requiring details of drawings and method statements for all underground structures associated with the development. An informative should also be attached advising the applicant to contact LUL at key stages during the works.

Crossrail Ltd (CRL) – No objection but require a condition relating to design/method statements for all ground floor and below ground structures and an informative advising of the need to contact CRL prior to commencement of such works.

Transport for London (TfL) – No objection but makes the following comments and recommendations to limit impact upon the road network including the A501 Euston Road which forms part of the TfL Road Network:

- A car-free development is supported in this location as is the suggested 'no coach agreement' although TfL questions the enforceability of the latter. It suggests coaches may use the existing dedicated coach bay facility in York Way if necessary. The proposed provision of 54 cycle parking spaces should be secured in full and adequate staff changing and shower facilities should also be provided for hotel and commercial units staff.
- A delivery and servicing plan should be submitted with the expectation being that no loading take place on Euston Road at any time.
- A travel plan be secured by s106 in line with TfL guidance.
- In pre-app discussions between the applicant and TfL it was agreed that a section of the applicant's land fronting Euston Road would be safeguarded to allow potential future improvements/widening to Euston Road. This land is illustrated in the submitted application drawings (P/119/A) and it is TfL's intention that this be adopted. Any section 106 entered into in the event of approval of the application would need to secure an appropriate S278/S38 Agreement for such adoption – which in any event should include pavement widening regardless of the proposed carriageway widening scheme.
- TfL also advise of the need for an over-sailing license due to the adopted section of site frontage, and the need for a construction management plan and special restrictions on construction-related and other highway licensed activities during the Olympics.

Environment Agency – No objection in principle but there is concern that any piles

below basement level may penetrate the aquifer which is only 18m below the ground level of the site and provide a pathway for groundwater contamination. Conditions would be required securing a ground investigation scheme and remediation, and details of piling demonstrating there is no unacceptable risk to groundwater.

Thames Water – Request conditions/informatives relating to a piling method statement, groundwater discharge licensing and other developer responsibilities in relation to proper provision for surface water drainage. Large water mains are known to run adjacent to the development and these should be protected. Early contact with Thames Water is recommended.

#### **Other consultees**

Commission for Architecture and the Built Environment (CABE) – comment that the height is appropriate to the evolving setting along Euston Road and in the context of the new plaza fronting Kings Cross Station but that the detailed expression of the façade is insufficiently resolved, namely;

- the translucent skin, whilst being an interesting concept is questionable in terms of the success of this concept, its quality, or its appropriateness to this prominent location opposite Kings Cross Station and within the conservation area. The lack of articulation is a concern and it is questioned whether the submitted visualisation would be an accurate portrayal of the façade. Further detailed information is needed.
- It is questioned whether it is appropriate for the translucent skin to extend across the residential frontage and how this would affect outlook/ventilation. The design of the residential element should perhaps be more aligned to that of the existing residential properties in Birkenhead Street.
- Furthermore, CABE are not convinced that the relationship between the proposed development and the terraced properties to the rear of the site along Crestfield Street and Birkenhead Street is successful. The angled stepping back of the proposal does not resolve this situation. The relative narrowness of the pavement in front of the building is also questioned.
- Planning permission should not be granted until these issues are resolved. CABE have noted that their comments relate only to the proposed building and are not commenting as the appropriateness or otherwise of the demolition of the existing terrace.

Met Police Crime Prevention Design Advisor – comment that the development should be built to a security standard that would satisfy Secured by Design.

#### **Conservation Area Advisory Committee**

Kings Cross CAAC – Objects to the application being totally against the demolition of a terrace of buildings which makes such an overwhelmingly positive contribution to the Conservation Area. The existing buildings have stood for nearly 200 years should be cherished; not destroyed to make way for a proposed replacement that would be lucky to survive two decades blighting this corner of the neighbourhood in the process. An application for listing of the buildings at 1-11 Euston Road has been made.

Notwithstanding the CAAC's complete opposition to the demolition of the existing buildings the following comments are made on the proposed design submitted for their replacement:

- Scale being wholly inappropriate rising to twice the height of surrounding houses and in excess of both Kings Cross and St Pancras Station main facades (it is noted that no context drawings showing the station buildings have been submitted).
- It will dominate in the most carbuncular manner the setting of the historic railway stations and the late-Georgian surrounding domestic architecture and will have a seriously deleterious effect upon the setting of the nascent

Kings' Cross Square. Similar detriment will be given to the light-house building which currently terminates views east and provides a delicate balance to the St Pancras clock-tower. It is out of keeping in terms of massing, scale of elevation treatment and materials and has nothing of the architectural quality that marks recent (and not so recent) developments elsewhere along Euston Road.

- The proposed curtain wall and mesh cladding, covered with a cobweb of random cables, bears no relation to anything that may be regarded as context. As well as being visually hostile this treatment would be hard to maintain, particularly in an environment dominated by traffic fumes and litter and will rapidly lead to a shabby and unattractive appearance further compounding the harm caused to the character and setting of the Conservation Area.

### **Local residents' and business groups**

Kings Cross Development Forum – Objects for the following reasons:

- There is nothing in the application that relates to either Camden's place shaping report for the Kings Cross area, or the plan for Kings Cross Square. No attempt to engage with the public has been made by the developer since their involvement in a Council=organised Development Control Forum held in March 2006 which is unacceptable for such an important site in the conservation area.
- Building height, being taller and bulkier than its surroundings. Camden Town Hall Annexe is too far away to form a precedent, not constituting part of what will be considered as forming Kings Cross Square. Any new buildings on this southern stretch of Euston Road should relate to the building heights on the south and east sides of the Square, including the Islington part of the now regenerated "Regents Quarter".
- Building set back would leave scope for little pavement widening if at all and would lead to a hemmed-in feeling for pedestrians below the overhanging upper storeys. By contrast the adjacent stretches of footway are far wider. There is also concern about cyclist safety at the junction, yet the scheme proposed would leave limited scope for better provision of cycle lanes.
- Scale and massing is excessive and the Forum shares the view expressed by CABE in a letter that the width of the pavement in front of the building is questionable for this scale of building and suggests any new building should be set back to the same extent as those on either side –which would still be beyond and above the upper storeys of the existing houses on the site.
- The justification for demolition on grounds of non-viability of retaining the existing buildings is questioned because this assumes a 10% yield which is rather high, especially given the much lower yields reported from Regent's Quarter, which would give a higher capitalisation value if applied to the application site; rental assumptions appear equally pessimistic; and the site value quoted of £7 million appears arbitrary.
- The new facades are questioned as a concept being of sufficient quality and if the late Georgian houses are to be demolished they should at least be replaced by something worthy of the site.

Friends of Argyle Square – Object to the demolition of these rare surviving examples of the original residential buildings that once lined the south side of Euston Road. However the building proposed would be equally opposable whatever it were replacing. The proposal is to demolish about 9 separate and distinct buildings of varying heights and replace them with a single monolithic block. Its design appears to be thrown together from the drawings for a number of different applications, e.g. is the giant Buddha shown in the design report part of the design or something left over from wherever the design was lifted from? Ditto for the branding of the building "Cartier". The justification for the proposed building focuses almost entirely on Kings Cross Square, almost ignoring the side roads to the block and the extreme contrast in height it proposes. The proposed 'screen' and its lack of articulation of floors and windows that might enable it to be read in

	<p>context with any other building in the vicinity would make the building appear an anonymous alien block dumped on the street. The absence of parking within the scheme is welcome but there is concern about the impact of lorry deliveries in Crestfield Street. There are already lorries delivering to McDonalds and further vehicles of such size would be unacceptable. As well as a guarantee of no coaches there should also be a restriction on service vehicles above the size of a standard white van. But the over-riding concern is that the existing buildings be retained.</p> <p><u>Howard House &amp; Cleveland Street (north) Neighbourhood Watch</u> – Object: This proposal appears to run counter to the many worthy schemes in the area which the ‘neighbourhood watch’ has previously supported. The success of the area’s regeneration will stem from the acknowledgement of the area’s historical development and legacy leading to full restoration. It is only after those criteria are fulfilled that careful cherry picking of select sites should be allowed for redevelopment. This is not such a site. This important, if subtle and half hidden, key landmark of the area’s character and history should be preserved. The proposed replacement building would be incongruous and inappropriate and more reminiscent of Croydon as a proposed first sight to greet travellers from Kings Cross Station. The removal of the single storey shopfronts would be a fitting aim to reveal the full attractiveness of the terrace proportions and enable a full understanding of the symbiotic and mutually reinforcing architectural dialogue between the Station and the nearby lodging houses which these were.</p> <p><u>Kings Cross Railwaylands Group</u> – Object: All sides of Kings Cross Square should be considered together and this proposal would represent a piecemeal approach contrary to good planning if granted. The proposal neither features in the Kings Cross place shaping report, nor the consultation for the north side of the square. The essence of Kings Cross Square is the range of Georgian buildings on the site and flowing round into Grays Inn Road and matched by the Lighthouse and Bravingtons. The case for removing the shopfront extensions is just as strong here as for the station. Given the need for increased pedestrian and cyclist safety and a long-term need to re-plan the junction, more space needs to be left open in front of the development.</p>
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## Site Description

The site comprises an unlisted four-storey terrace on the south side of Euston Road opposite Kings Cross Station (grade I listed). The terrace is made up of 6 townhouses, nos 1-11, thought to have been constructed during the 1820's although have undergone alteration from around the mid 19<sup>th</sup> century; nos 1-3 and 9-11 have been stucco faced with applied Italianate detailing whereas the 1820s brick façade in the middle section of the terrace (nos 5-7) is still largely unaltered save for having been painted. Projecting in front of the whole of the terrace are single storey shopfront extensions built over the former front gardens during the latter part of the 19<sup>th</sup> century. The terrace is identified within the Kings Cross Conservation Area Statement as making a positive contribution to the character and appearance of the conservation area.

The site is flanked on the north side by Crestfield Street and on the south side by Birkenhead Street. Both these streets still retain several original houses, mainly in well preserved terraces, which are listed grade II. No 61 Birkenhead Street (Centa House) is a 3-storey building of highly decorated blue stucco in the same manner as 1 Euston Road which adjoins it, but this is not included in the application site. Adjoining this to the south is 59 Birkenhead Street which is 3-storeys with a stuccoed ground storey and exposed brick upper façade and is listed grade II. Beyond this is the Kings Cross Methodist Mission (a hostel) comprising an assortment of 2 and 3-storey buildings which are unlisted. These form a single block which links through to Crestfield Street behind the site. The listed buildings beyond, including Argyle Square to the south, mark the transition into the Bloomsbury Conservation Area.

To the east of the site on the opposite side of the Birkenhead junction, more original 4-storey terraces similar and contemporary to those of the application site, wrap around the corner into Grays Inn Road. These have been altered to varying degrees and are not listed. In contrast, to the west, the buildings that occupy the blocks between Crestfield Street, Belgrove Street and Argyle Street are of 20<sup>th</sup> century construction and step up in scale west of Argyle Street to the 8-storey Extension to Camden Town Hall.

The existing land uses within the application site comprise an assortment of retail and service uses on the ground floor Euston Road frontage (namely an amusement arcade, Chinese restaurant/takeaway, Ladbrooks betting shop, fish & chips shop, and a bureau de change). On upper floors and rear ground/basement, uses comprise the Northumberland Hotel (1,621sqm) and offices (666sqm). Surrounding uses are mainly commercial on Euston Road and mixed residential, hostel and hotel uses within the listed terraces in the side roads to the rear. The buildings directly adjoining the rear of the site are Centa House (B1a offices) at 61 Birkenhead Street, and beyond this the Chinese Methodist Congregation at 59 Birkenhead Street (Class D1) and a hostel use (Kings Cross Methodist Mission) which links through to adjoin the back of the site on Crestfield Street.

Euston Road is part of the Strategic Road Network for which TfL has responsibility and the location is among the best served for public transport accessibility in London.

## Relevant History

Nos 1-11: various changes of use /alterations to shop-fronts at ground floor level granted since the 1960s

Nos 5-7: ref 8601582 change of use of the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors to offices and formation of access points from the adjoining building on each floor - granted 11/02/87

Nos 5-7: PS9904011 – Alterations to existing shopfronts to provide access to upper floors – granted 04/03/1999

## Relevant policies

### **LDF Core Strategy and Development Policies adopted 8<sup>th</sup> November 2010**

CS1- distribution of growth, CS3 – other highly accessible areas, CS5 – managing impact of growth, CS7 – promoting Camden's Centres and shops, CS8 – promoting a successful and inclusive economy, CS9 - achieving a successful Central London, CS10 - supporting community facilities and services, CS11- sustainable travel, CS13 - tackling climate change through promoting higher environmental standards, CS14 - promoting high quality places and conserving our heritage, CS15 – parks, open spaces and biodiversity, CS16 – improving health and well-being, CS17 – safer places, CS18 – waste and recycling, CS19 – delivering and monitoring the Core Strategy, DP1 – mixed use development, DP2 – making full use of Camden's capacity for housing, DP3 – affordable housing, DP5 – homes of different sizes, DP6 – lifetime homes and wheelchair homes, DP12 – supporting centres and managing the impact of food, drink and entertainment uses, DP13 – employment premises and sites, DP14 – Tourism development and visitor accommodation, DP15 - community

and leisure uses, DP16 - transport implications of development, DP17 - walking, cycling and public transport, DP18 - parking standards and limiting the availability of car parking, DP19 - managing the impact of parking, DP20 - movement of goods and materials, DP21 - development connecting to the highway network, DP22 - promoting sustainable design and construction, DP23 – water, DP24 – securing high quality design, DP25 - conserving Camden's heritage, DP26 - managing the impact of development on occupiers and neighbours, DP27 – basements and lightwells, DP28 - noise and vibration, DP29 - improving access, DP30 – shopfronts, DP31 – open space and outdoor recreation, DP32 - air quality and Camden's clear zone.

### Supplementary Planning Policies

Camden Planning Guidance 2011

Kings Cross Conservation Area Statement 2003

Food, drink and entertainment, specialist and retail uses in Central London (2007)

### Strategic and Government Policy

London Plan 2011

PPS1, PPS3, PPS4, PPS5, PPG13.

## Assessment

### Proposals description

1. The proposal is to demolish all the existing buildings on the site, and to erect in their place a new development comprising a 7-storey building plus basement for a 167 room hotel (Class C1) accessed from Crestfield Street; 7 x residential flats (6 x 2 bed, 1 x 3-bed Class C3) fronting Birkenhead Street; flexible-use commercial floorspace within Use Classes A1/A2/A3 (retail/ financial and professional /and restaurant/cafe uses) on the Euston Road frontage; plus associated highway works and hard landscaping.
2. A breakdown of the existing and proposed floorspace is set out in the schedule below:

#### Land Use Details

	Use Class	Use Description	Floorspace (gross internal)
Existing	<i>Hotel (C1)</i>		<i>1,621m<sup>2</sup></i>
	<i>Restaurant/food &amp; drink (A3/A5)</i>		<i>938 m<sup>2</sup></i>
	<i>B1a Business – Office</i>		<i>666m<sup>2</sup></i>
	<i>Retail (A1)</i>		<i>278 m<sup>2</sup></i>
		<b>Total</b>	<b>3,503 m<sup>2</sup></b>
Proposed	<i>Hotel (C1)</i>		<i>6,033 m<sup>2</sup></i>
	<i>Residential (C3)</i>		<i>770 m<sup>2</sup></i>
	<i>Flexible commercial uses (A1/A2/A3)</i>		<i>473 m<sup>2</sup></i>
		<b>Total</b>	<b>7,276 m<sup>2</sup></b>

3. It should be noted that an addendum has been submitted with the application pointing out the some of the supporting consultants reports had been undertaken in respect of a previous version of the proposals which included Community Care Units. This element has been replaced by the residential component and therefore the relevant reports should be considered on this basis.
4. The proposed building is rectilinear in form and unashamedly modern in design, a key feature of which is proposed to be a translucent skin cladding across all six of the upper floor facades on the street-fronting elevations. This is designed to provide a “formal mute presence” to the heavily articulated St Pancras and the more austere Kings Cross Station as well as being an environmental buffer from the noise and pollution to the uses within. Set above this skin-clad main façade would be a further set-back (7th) floor.
5. At ground level, the front building line is proposed to be set back to accommodate a safeguarding zone in reflection of pre-application discussions with TfL. The first floor of the building and above would partly overhang this setback by approx 1.5m but would still be approx 1.5m inside of the line of the existing shopfronts where they address the existing footway to Euston Road. However a proposed realignment to Euston Road that would be undertaken by TfL as part of the planned reworking of the public realm for Kings Cross Square would see the footway itself set back by approx 3 metres.
6. The main considerations arising from these proposals are considered to relate to the following issues:

- principle of demolishing the existing buildings which have been indicated as making a positive contribution to the Conservation Area
- the design, height and form of the replacement building
- the acceptability of the proposed mix of uses in land use terms having regard to relevant policies in the LDF including those relating to provision of housing and affordable housing
- transport implications including strategic objectives around the redesign of the highway layout in relation to the Kings Cross Square public realm proposals
- amenity related issues both in terms of the impact of the existing environment on the quality of life offered for the occupants of the development and the impacts of the development on existing adjoining occupiers
- sustainability building principles and energy generation
- other issues including expected contributions arising in connection with development proposals of such scale and nature.

## **Demolition**

7. The buildings at 1-11 Euston Road are identified within the Kings Cross Conservation Area Statement (2003) as making a positive contribution to the character and appearance of the conservation area. The buildings are described in this statement as follows:

*“The properties at nos. 1-11 Euston Road form an attractive unlisted four-storey terrace probably dating to c1840, which are a vestige of the original Euston Road frontage buildings, which remained almost intact in this area until the early 20th century.”*

8. A document entitled ‘Justification for demolition & replacement’ dated December 2008 and revised March 2011 by Eleni Makri has been submitted to support the scheme. Ms Makri queries the Council’s assessment of the origins of the buildings and uses this assertion to re-assess the contribution that the buildings make to the character and appearance of the conservation area.
9. The Council’s own expert in built heritage and conservation officers has also undertaken an assessment of the history of the buildings in light of documentary and map evidence, and undertaken an external site inspection of the buildings and their environs. Ms Makri’s analysis suggests that nos. 5-7 “...retain the original Georgian elevations of the Georgian housing that first lined New Road in mid-18th century” (3.5.9). This may be a typographical error, however it would seem clear from the stylistic appearance of the less altered section of terrace at nos 5-7 and an assessment of historic maps that the terrace is likely to have been constructed in the 1820s. This would make it contemporary with the terraced development continuing into Grays Inn Road and the first stages of development in the streets to the south of the site which are known to have been largely filled by houses by the 1840s. The facades of the surviving late Georgian buildings along these streets give an idea as to the appearance of the buildings at nos.1-11 Euston Road prior to their later remodelling, albeit built to a smaller scale.
10. The Act of Parliament consenting this initial development required that no buildings should be erected within 50 feet of the New Road as the Euston Road was then known. This resulted in the large front gardens that characterised the original terraces that lined it. However by the late 19th century the early origins of the buildings on Euston Road had begun to be obscured. Nos. 1-3 have been stucco faced and painted, with intricate Italianate stucco detailing, including window surrounds, rustication to the 1st floor elevation and a heavy cornice and balustrading. Nos. 9-11 have had more sober alterations, with painted stucco to the façade and stucco embellishment to the window and door openings. Nonetheless, the early 19th century origins of the buildings are still evident in their scale, proportions, fenestration hierarchy and arched window surrounds at 1st floor level, linking them stylistically with neighbouring buildings of the same date, and those slightly later around Argyle Square (completed by 1849).
11. The site is located prominently in the heart of the Kings Cross Conservation Area, directly opposite the Grade I listed Kings Cross station. Many of the adjacent sites along Euston Road were re-developed during the 20th century –Belgrove House nos. 13-21 (1930s), nos. 29-31 (1930s), Camden Council’s Town Hall Annexe (1974) and Camden Town Hall (1934-37). The buildings at nos. 1-11 therefore represent a surviving fragment of the original early 19th century residential development that once lined Euston Road. Nonetheless, when viewed from the west, the buildings are seen within the context of the prominent Lighthouse Block and other 4-5 storey buildings on York Way, Pentonville Road and on the corner of Grays Inn Road, forming an attractive and coherent 19th century townscape.

12. The buildings by virtue of their historic, architectural, evidential and townscape value are considered to be non designated heritage assets and their formal identification in the adopted Conservation Area Statement as making a positive contribution is considered justified.
13. Ms Makri's document confirms that the group of buildings at 1-11 Euston Road "*is a 'heritage asset'*" (para 2.2.2.7). PPS 5 is clear that local authorities should take into account "*...the particular nature of the significance of the heritage asset and the value that it holds for this and future generations*" (policy HE7.2) and "*...the desirability of sustaining and enhancing the significance of heritage assets and of utilising their positive role in place-shaping*" (policy HE7.4).
14. As a heritage asset within a conservation area, the proposed demolition of the building must be assessed against policy HE9.1, which outlines the presumption in favour of the conservation of designated assets (i.e. the Kings Cross Conservation Area) and the tests contained at policy HE9.2. Policy HE9.2 is clear that where an application will lead to substantial harm or total loss of significance, local planning authorities should refuse consent unless it can be demonstrated that:
- (i) *The substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss;*

This proposal is a private development seeking the maximisation of returns from the redevelopment of the site. The appellant has not submitted any convincing supporting information that any substantial public benefits would accrue from this development. On the contrary, the Council consider that the demolition of the existing historic buildings would deprive the Grade I listed Kings Cross station of part of its unique historic and architectural context and would cause harm to the established character and appearance of the area. Given the impending removal of the 1970s canopy to the station and the creation of a new public space directly in front of the station, the retention and refurbishment of the existing buildings would be considered to provide tangible public benefit.

PPS 5 policy HE1 is also clear that local planning authorities should identify opportunities to mitigate the effects of climate change, for example by seeking the reuse of heritage assets. The reuse of buildings that are approaching 200 years old would represent a prudent use of resources and would minimise the environmental impact of development and upgrading of the site, which is demonstrably in the public benefit.

or

- (ii) *(a) the nature of the heritage asset prevents all reasonable uses of the site; and (b) no viable use of the heritage asset itself can be found in the medium term that will enable its conservation; and (c) conservation through grant-funding or some form of charitable or public ownership is not possible; and (d) the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use.*

Ms Makri's report justifying the demolition of the buildings clearly states that they have been maintained and are in full use (para 1.1) and from an external inspection, appear to be in reasonable condition. Thus it cannot be argued that the substantial harm to the heritage asset could justify the benefits of bringing the site back into use.

No evidence has been submitted confirming that appropriate marketing of the property has been carried out or that reasonable endeavours have been made to seek grant funding. Given the desirable location of the properties it is not envisaged that public ownership would need to be explored in order to keep the buildings in use.

The buildings themselves were originally constructed as houses, with retail units inserted at ground floor level during the later 19<sup>th</sup> century. This pattern of development is common throughout London, with the upper floors supporting various uses such as office, hotel and residential, and does not pose any inherent obstacles to re-use. Although the buildings would benefit from updating and the ground floor shopfronts are currently rather unsightly with unsympathetic signage, the refurbishment of the upper floors and the upgrading and harmonisation of the appearance of the retail units would be a relatively standard and straightforward undertaking. The applicant has sought to demonstrate through submission of financial calculations that various re-use scenarios, including combinations of hotel, retail and office use would not be viable. However, in the face of the prevailing factors outlined above, the best case

scenario of an over £6.4million loss, and a worst case of over £9.5m loss would seem over inflated and unrealistic. It is also pertinent that the building is fully functioning and in full occupation, and, as Ms Makri states earlier in her report appears to be in reasonable condition.

15. Policy HE9.1 of PPS 5 is clear that the more significant the designated heritage asset, the greater the presumption in favour of its conservation. Any loss affecting a designated heritage asset should require clear and convincing justification. Policy DP25 of the Camden LDF is also clear that the demolition of a positive contributor should only be allowed where exceptional circumstances outweigh the case for retention. It is the view of officers that there is no compelling case for the demolition of the existing buildings at 1-11 Euston Road. The buildings make a clear contribution to the character and appearance of the Kings Cross Conservation Area and have self evident architectural, historic and cultural significance, as well as providing an appropriate historic setting for the Grade I listed station opposite.
16. Policy HE10 contains specific guidance regarding applications that affect the setting of designated heritage assets (in this case the Grade I listed Kings Cross and St Pancras stations and Grade II listed terraces at 1-5 Crestfield Street, 1-7, 54-58 and 59 Birkenhead Street). It is clear that local planning authorities should *"...treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application."* In this case the public benefit that would accrue from the uses proposed are by no means exceptional for an urban redevelopment scheme of this size and scale. Whilst the location can be described as exceptional the benefits or otherwise to be achieved in this regard would be more related to urban design and public realm which are discussed below. The loss of the existing buildings, which provide a modest yet appropriate setting for the surrounding listed buildings, in the absence of any clear over-riding public benefits accruing from the redevelopment of the site, would be contrary to this policy.

## **Design**

17. The design of the proposal is assessed both for the purposes of completing a full PPS5 assessment of the effects of demolition/redevelopment taken as a whole (HE10 and HE9.2); and the merits of the proposal in its own right as to whether it would meet with principles of good design as set out in relevant LDF policies. Even if the scheme were considered to be good design appropriate to the site and surrounding area, it would still need to be shown to enhance or better reveal the significance of the Conservation Area in comparison with retaining the existing positive contributor buildings in order to ultimately determine if a case can be made for the development in terms of PPS5.
18. In this regard attention needs to be paid to policy HE7.5 of PPS 5 in making it clear that that *"Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use."*
19. The Kings Cross Conservation Area statement includes further specific guidance regarding the area's character noting that *"The predominant architecture of the Conservation Area dates from the 19th century. Successful refurbishment and modern design should contribute positively to the character of the area. Appropriate design for the Conservation Area should complement the appearance, character and setting of the existing buildings, historic parks and gardens (including cemeteries) and the environment as a whole."*(para 7.4.1). With regard to new development, this should *"should respect the built form and historic context of the area, local views, existing features such as building lines, roof lines, elevational design, and where appropriate, architectural characteristics, detailing, profile, and materials of adjoining buildings"* (para 7.3.1).

## **Context**

20. Along with 13-31 Euston Rd and 345 Grays Inn Rd the site buildings form the southern enclosure to the new Kings Cross square. The clock tower of St Pancras to the west, the lighthouse building to the east and King Cross Frontage to the north are also key visual markers to the west, north and east that define this space. These three buildings are listed and have valuable landmark qualities.
21. The site forms part of a block of traditional 19C domestic scale buildings running from Grays Inn Rd through to Euston Rd, the Lighthouse Building island and Pentonville Road in LB Islington. This area of traditional height and grain forms a positive setting to the two stations.

22. The clock towers of the two stations and the tower of the lighthouse building are important townscape elements that form the backdrop to the new square and act as a visual draw in longer views from surrounding streets. The lighthouse terminates a view from further west along Euston Road. The St Pancras clock tower reveals itself as the Grays Inn Road curves gently into the Euston Road. Here the three towers can be seen compositionally together.
23. The site buildings are set back from Euston Road behind single storey shop extensions. The main façade line lines-up to those that wrap round into Gray's Inn Road and is reasonably consistent with those running towards the west up to the Town Hall and beyond. Although there is slight variation, from within the newly formed square the existing buildings along Euston Road would read as a consistent group in terms of height and building line.

#### *Building line*

24. The proposal relocates the main building line northwards towards the Euston Road. This causes it to step out from the largely consistent line that exists on either side. This will harm the consistency of enclosure and clarity of space relating to the proposed square and incongruously break the street pattern of the area.
25. The new building line will also mask views of the Lighthouse tower from the southern side of Euston Road as you approach from the west and would invade into views of St Pancras clock tower as you approach from Grays Inn Road. This would harm their setting and important local views.

#### *Height*

26. Euston Road is a main road which has taller buildings at points along its length. There is also a square opposite providing space. However in the area around the square, other than the stations, the existing scale is traditional Georgian/Victorian domestic. The increased height would result in an incongruous development of the south side of the square, and also compromise the setting of the listed structures as the building line does (referred to above). The abrupt relationship of the height and the conservation area buildings in the streets behind is also a concern which the proposed angled elements to the rear elevation do little to address.

#### *Design*

27. The design approach is unconvincing. The proposal relies solely on one flat glass screen system to achieve architectural interest. There is no attempt to introduce form onto an otherwise extruded footprint resulting in a monolithic object which lacks architectural interest. There is seemingly no attempt to contextualise the design. Tonally and textually the materials do not compliment the surroundings.
28. The applicant suggests that the wrapping of the building in a translucent screen would create a 'formal mute presence'. However, officers consider that the proposed screen would only serve to highlight the visual bulk and incongruity of the building. The lack of articulation would further reinforce this impression, as would it being lit at night from the light emanating from the building behind.
29. The overhang on the north façade is also a concern. Generally such spaces are recognised as poor in terms of public realm and amenity. The overhang also reduces the impact of the shop fronts which are already compromised by their low height. These shop fronts are unacceptably low and would be expected to be increased in height to relate both in terms of window height and signage zone to the neighbouring shop fronts.
30. In conclusion, the proposed building is overly dominant and assertive, built to a scale and with an elevational treatment that would disrupt the visual harmony between Kings Cross Station and the various other buildings which contribute to the space which is to become Kings Cross. It would fail to respond effectively to its historic context and would visually overwhelm the listed buildings to the south of the site. Consequently, the building is considered to harm the character and appearance of the Kings Cross Conservation Area, contrary to PPS 5 and policies CS14, DP24 and DP25 of the Local Development Framework.

#### **Land use issues**

31. The proposals would result in the replacement of 1,621sqm hotel and 666sqm office floorspace with new hotel accommodation of 6,033sqm. There is no objection in principle to the replacement and expansion of hotel accommodation on this Central London site. There is also no in-principle objection to the flexible A-class uses (Classes A1-A3) on the Euston Road ground floor frontage, which is designated Central London

frontage. However, there are two main land use issues raised by this aspect of the proposals, i.e. the loss of the existing offices and the need to have proper regard to the Council's mixed use policy –DP1.

#### *Mixed use and residential floorspace provision*

32. Dealing first with the matter of mixed use, Policy DP1 expects a mix of uses including up to 50% residential to be provided on sites where the (gross) additional floorspace would result in an uplift of more than 200sqm. The residential component should normally be provided on-site unless there are particular site constraints that make a site unsuitable for housing or mixed use development in which case provision on an alternative site in the same area may be accepted. In this application the proposed additional floorspace totals 3,773sqm generating a requirement for 1,886sqm of this to be residential. Under policy DP3 the sliding scale approach would require 357sqm of this to be affordable housing, again to be provided on site in the first instance.
33. The application includes 770sqm residential floorspace in the form of 6 x 2-bed and 1 x 3 bed market flats. This leaves a balance to find of 1,116sqm which the applicant proposes would be delivered off site.
34. The justification for this is set out chiefly in the 'legal opinion' supporting the application, and refers to the character of the site -its noise environment in particular, coupled with an 'overriding planning objective' for the site of realising its strategic relationship with the Grade 1 listed Stations by providing more floorspace in hotel and retail uses which could be said to make a much more appropriate use of the site's location.
35. Officers would wish to see a far fuller justification as to why the situation of this site is so exceptional in location terms, given that similar location arguments could be cited in many other Central London locations. Notwithstanding this point, not only would the on-site residential provision be deficient in terms of normal DP1 expectations, but the accompanying off-site offer identified as being at 8 Spring Place is uncertain at best, and possibly unacceptable given that it would rely on planning permission being approved for conversion of existing employment premises which was until recently known to be occupied in B1c use. No planning application for this has to date been submitted. The location of Spring Place (Kentish Town, NW5 –approx 3.5 kms to the north-west) also cannot be described as being in 'the same area' for the purpose of seeking a balanced mix of uses for this part of Central London.
36. On account of the inadequate provision of mix use including residential provided by the application as it currently stands, it is considered that this fails to address policy DP1 and is therefore unacceptable.

#### *Loss of employment*

37. Turning to the loss of employment issue, the relevant policies to consider are CS8 and DP13. The aim of these policies is to retain land and buildings that are suitable for continued business use and to resist change to non-business use unless it can be demonstrated that the site is no longer suitable for its existing business use and there is evidence that the possibility of re-using or redeveloping the site for alternative business use is not viable. An exception may be made to this approach where it can be demonstrated that the site is only suited to B1a office use, in which case residential or community use would be sought.
38. Camden Planning Guidance (CPG5) adds clarification as to the circumstances where a change of use from offices would be acceptable. More particularly this states that a change of use may be allowed in the case of older office premises since it is expected that new office accommodation coming on stream during the plan period will meet projected demand. The guidance (para 6.4) goes on to list various criteria to be taken into account when assessing applications for a change of use from B1 to a non-business use. These include factors such as the age and condition of premises; whether there are existing tenants in the building; location and whether there is evidence of demand. Marketing information may be requested to assist in making an assessment of the premises for its suitability for continued business use.
39. The office premises at the application site are located at nos 1-3 and 5-7, mainly on the upper floors. It appears to be fully, or almost fully occupied, with a solicitors office at 5-7 accessed from a doorway between the ground floor shopfronts and various small scale consultancies and a graphics firm at 1-3 accessed from Birkenhead Street. There is no information included with the application to address CPG5 which has been adopted by the Council since 1<sup>st</sup> September 2011. The occupancy of the building is evidence in itself of demand in the area and the suitability of the premises for meeting this demand. The business units in 1-3 are sublet by CENTA Business Services, which provides services to small businesses, including start-ups and SME's. CENTA have indicated to Council officers that they would like to be able to renew their 5 year lease which expires in June 2012 as they find the location attractive to new businesses and rents relatively affordable. In the absence of any evidence to the contrary from the applicant, it is

considered that the loss of the existing floorspace, would be harmful to the Council's objective of securing a healthy and diverse economy that provides local employment opportunities for all of Camden's community and is therefore contrary to policies CS8 and DP13 and CS5.

#### *Residential component*

40. As regards the proposed residential element itself the 7 flats are stacked vertically at the rear portion of the building on the Birkenhead Street frontage. The 2-bedroom 3 person units comply with the CPG internal space standard for this unit size, although would lend themselves more favourably to 2 persons sharing – and together with the 3-bedroom unit on the ground floor and basement, is considered to comprise an appropriate mix for this location and to address policy DP5. However there is concern over the quality of accommodation in terms of the single aspect outlook which is likely to be exacerbated by the translucent skin around the development. There is no information provided with the application to demonstrate what the effect on internal daylight conditions within the flats would be. In addition the scheme does not appear fully compliant with lifetime homes criteria –certainly in regard to the 3 bedroom unit and the need for an entrance level bedspace, kitchen and shower/wc facilities. The full dimensions for the bathroom to the 2-bedroom units would be required in order to verify whether this is capable of meeting with other lifetime homes criteria as this space would appear unduly constricted as currently shown. The residential component of these proposals as they stand are therefore also considered unacceptable in terms of their internal standards of amenity and accessibility contrary to policies DP26 and DP6.

#### *Retail and food and drink uses*

41. The Central London revised SPG (2007) for food, drink and entertainment, specialist and retail uses indicates that no further food, drink and entertainment should be developed in the eastern part of the frontage (east of Camden Town Hall), making reference to local street crime and disorder problems (Para 15.38) and to the unacceptable cumulative impact that can be associated with these uses. The SPG also refers to the important local retail role of this frontage which is showing signs of fragmentation (para 15.46). There are 2 food and drink premises on the frontage at present (with unknown floorspace breakdown), of 6 units in total (counting the double-fronted Ladbroke's as 2 units). The Council would therefore impose a restriction on any grant of flexible permission for the A1/A2/A3 uses sought to the effect that no more than one-third of the frontage length was in use for A3 purposes at any one time.

#### **Transport**

42. A transport assessment (TA) has been prepared for the development by BWB Consulting. This includes a Travel Plan Statement of measures which would reduce the need to travel, increase the attractiveness of walking, cycling and public transport and thereby minimise any exacerbation of the existing traffic related noise, congestion and pollution in the area.
43. Given the scale of the proposed development involves an uplift in excess of 1000 sq m, CPG8 (Planning Obligations) would require a financial contribution towards pedestrian, cycling and environmental improvements in the local area. It is noted from Table 5 in the draft TA that the net trip generation (excluding retail) has been predicted at 575 person trips per day. This can be broken down as 175 additional public transport trips and 404 additional walking trips (cycling trips are predicted to reduce from 1 to 0). In reality some trips can be expected to be made by bicycle (e.g. staff). Nevertheless, the predicted additional trips would have an impact on the surrounding footways and public transport facilities. A contribution of £200,000 would be considered reasonably related to the scale of development and would be used to help to mitigate such impacts while also helping to encourage sustainable transport choices. It should be secured by a Section 106 Agreement.
44. No on-site car parking is proposed with the development and the residential units would be designated as car free under a section 106 agreement. The applicant has indicated that they would accept a condition precluding coaches from servicing the hotel. Alternatively this issue could be covered as part of a service management plan.
45. Camden's cycle parking standards would require 30 spaces for the hotel and a further 8 spaces for the residential flats. It is unclear how the application proposes to deal with this requirement. The TA refers to a phased approach providing 10 spaces initially which would be unacceptable being contrary to policy DP17 which seeks to promote cycling through adherence to the required standards. The submitted plans appear to indicate that cycle parking would be provided on areas of private forecourt underneath the overhanging building frontages on Crestfield Street and Birkenhead Street. This would be unacceptable as the cycle parking would not be fully covered and secure as required by the parking standards set out in LDF

Appendix 2. Provision would also be expected for facilities such as changing rooms with showers and lockers to encourage cycling to work by hotel staff.

46. The TA includes a Service Management Plan. This describes the proposed servicing arrangements which would involve the provision of an off-street loading area at ground floor level, adjacent to Crestfield Street. This would require the introduction of a new vehicular crossover which would necessitate the loss of existing on-street motorcycle parking bays. This loss of on-street parking is unjustified in the absence of any mitigation proposals and is therefore unacceptable being contrary to DP19 (Managing the Impact of Parking). The SMP does not discuss the existing demand for such on-street parking or any mitigation measures such as relocating the on-street parking to be lost to other locations in the vicinity of the site. Furthermore the SMP lacks detail and does not fully comply with CPG7 (Transport). It is likely that TfL will not allow any loading/unloading activity to take place from Euston Road but this is not addressed in the SMP. As the site is located on the Strategic Road Network, a SMP would need to be approved by Camden and TfL prior to works commencing on site. In the absence of a satisfactory strategy for servicing the site the development must be considered unacceptable.
47. Similarly the draft Construction Management Plan in the TA also lacks detail and fails to comply with CPG7. It would also need to be approved by Camden and TfL prior to works commencing.
48. It is noted that the proposals include an offer to facilitate the future widening of Euston Road which would relieve traffic congestion in the westbound direction. The offer would involve TfL adopting approximately 4.0 metres of land currently under the ownership of the applicant. The proposed building would overhang the rear of the new footway by 1.4 metres for which an overhang licence from TfL would be required. Similar overhang licenses would be required from Camden in respect of the Crestfield Street and Birkenhead Street frontages.
49. Whilst it is acknowledged that the opportunity for an additional strip of land for road widening is a strategic benefit of the scheme (and would negate TfL having to acquire land through a costly and time consuming CPO), this would not lead to any increased width of the footway (unless TfL failed to undertake the road widening). The new footway would end up very similar in width to the existing (i.e. 4 metres including shopfront forecourt areas). The net benefit to the public realm also needs to be assessed in the context of the effect of the development as a whole including the building design and overhang of the footway. These aspects are assessed in full in the 'design' section above and are considered harmful to the visual amenity of the area as existing and the setting of surrounding listed buildings and the Kings Cross Conservation Area.
50. To summarise the transport impacts, therefore, the proposal is considered unacceptable due to the following:
- inadequate provision for cycle parking
  - lack of satisfactory servicing provision
  - lack of a satisfactory construction management plan
- and any otherwise acceptable scheme would need to be accompanied by a section 106 agreement to cover the following:
- Workplace and visitor travel plan
  - Car free housing
  - Contribution towards pedestrian, cycling and environmental improvements (resurfacing of footways)
51. Attention is also drawn to the comments of London Underground and Crossrail Ltd who whilst not objecting would require various conditions/informatives attached should an acceptable scheme be approved.

### **Amenity impacts**

52. A noise assessment was submitted with the application to set environmental noise criteria for the purposes of attenuating fixed plant and machinery within the development including cooking extraction equipment from A3 uses. The assessment is considered to be in accordance with relevant LDF policies and CPG and conditions would need to be attached to any grant of planning permission requiring technical specification details of plant when this is known accompanied by a further noise report to ensure compliance with the identified attenuation levels.
53. The traffic on Euston Road gives rise to a a high noise level environment. However the residential units are protected from the worst of this by being located to towards the back of the development on Birkenhead

Street. It is considered that noise levels here will be within acceptable bounds with mitigation.

54. A sunlight and daylight report was also submitted with regard to assessing any impacts on existing neighbouring residential occupiers. This refers to the BRE standards pertaining to neighbouring properties before and after the development. The residential property which stands to be most impacted upon is the Kings Cross Methodist Mission, which provides hostel accommodation.
55. Whilst hostels do not provide permanent residential accommodation, depending on the type of hostel their occupants can stay for some time and thus be entitled to a reasonable standard of amenity. Similarly, the proprietors of the hostel will stand to be affected if the quality of accommodation they are able to offer is substantially reduced. The hostel building has two out of its four main elevations facing the development. Assuming that each window serves a hostel room, which is likely, the BRE analysis suggests that the majority of rooms with windows facing the development will suffer a noticeable reduction in daylight, which in several cases (6 out of 20) is already well below the minimum recommended standard of 1% ADF for bedrooms. Overall 6 additional rooms which are currently at or near this minimum standard will suffer a reduction in daylight which will bring them significantly below the minimum recommended standard (i.e. less than 0.9% ADF) after the development. This is a significant impact. However of those 6, all but one of the rooms would remain at ADF values over 0.8%. Eight out of the 20 rooms would continue to enjoy above minimum ADF levels.
56. On balance whilst there would be a significant impact, the fact that this is not permanent residential accommodation, and the overall effect would still leave the hostel with a majority of rooms reasonably close to the minimum standard expected for a residential bedroom, it is considered that this would not be strong enough grounds for a reason for refusal in itself.
57. The other building tested was 2-5 Birkenhead Street (also a hostel). This was not significantly affected.

### **Sustainability**

58. The LDF policy DP22 and CPG3 require all non-domestic developments of over 500 sqm to submit a BREEAM pre-assessment with an expected target rating of 'Very Good' and obtaining 60% of the un-weighted credits in the Energy category, 60% in the Water category and 40% in Materials. The residential element would be expected to target Code for Sustainable Homes (Code) level 4 and obtain at least 50% of credits in each of the target categories mentioned above.
59. A BREEAM pre-assessment has been prepared by Metropolis Green which indicates that the 3 key target categories will attain the following scores: Energy – 69.6%; Water – 87.5% and Materials 58.9%. Overall the scheme is expected to achieve 71.7% of available credits which is rated as 'Excellent'. This is indicative of a building. Such scores are indicative of best practice being employed in many aspects of the development in terms of sustainable design and must be welcomed. The architectural screen acting as an environmental buffer for the building in this high noise low air quality environment has contributed to some extent in enabling the high performance of the building especially in the Health and Wellbeing category, and also in assisting thermal insulation and ventilation. A post construction review would need to be secured by S106 to ensure that these targets are achieved in the final design in an otherwise acceptable scheme.
60. It is not clear how the residential component is expected to inform with regard to the Code for Sustainable Homes. This would also need to be addressed in the context of an acceptable scheme.
61. The LDF (policy CS13) and CPG3 also require developments to contribute to the Borough's objective of meeting its 2050 target for achieving 80% reduction in CO2 emissions in order to help combat climate change. As part of this developments must consider renewable energy with Camden adopting the London Plan target for this purpose of 20% of energy requirements of any new development to be provided through on-site renewable sources.
62. The BREEAM pre-assessment for the purposes of meeting the Energy Category target objectives has indicated that the inclusion of a gas fired CHP on site will reduce CO2 emissions by 27.4%. This should form part of a package of measures in line with the London Plan energy hierarchy (1- use less energy, 2- supply energy efficiently and 3- use renewable energy sources). An Energy Strategy has been prepared to inform the applicant's approach in this regard.
63. The Energy Strategy details various measures through which the building fabric performance and its use of

energy will be made more efficient by various measures including through the double skin facade. These are expected to achieve an 18.7% reduction in CO2 emissions over the Part L 2010 Building Regulations Target Emissions Rate (TER) or 30.9% taking account of the 'whole energy' baseline including both regulated and unregulated energy (such as from appliances and IT equipment etc).

64. The choice of gas fired CHP for the second stage of the energy hierarchy has been chosen after having examined the preferred options of connecting to a district heat network and renewable powered CCHP/CHP. There are presently three existing district heating opportunities identified by the applicant within a 1km radius of the site, i.e. NUT Headquarters on Bidborough Street, Kings Cross Central and St Richards House on Ossulston Street/Phoenix Road. However the applicant considers that these are still too far away to make a connection feasible without prohibitively costly infrastructure works. It is noted that the planned Euston District Energy scheme at Phoenix House, Brill Place has not been addressed and this should be explored along with other opportunities in discussion with Camden's Corporate Sustainability Team. In any event it would be necessary for the proposed building services systems to be designed such as to enable connection with any heat distribution network that may become available in the future. The full details in this regard could be worked up and secured via S106 if the scheme were to be considered acceptable in other respects, although for the present it should be noted that the level of detail submitted so far is not to the Council's satisfaction.
65. Finally, consideration has been given to incorporating one or more of the various renewable technologies available in line with the third level of the energy hierarchy. This concludes that solar photovoltaics on the roof surfaces would be the most efficient and cost effective option achieving an additional CO2 reduction of 2.6%. Overall with the CHP and energy efficiency measures a cumulative CO2 reduction of 30% is likely to be achieved satisfying the London Plan 2011 requirement for a 25% improvement on the 2010 Building Regulations.
66. The proposals include an intensive green roof system designed to be compatible with the proposed PV panels. This would make a significant contribution to SUDS, energy use and biodiversity. Furthermore the high score in the BREEAM category for Water is reflective of the low water consumption expected of the development due to the intended use of greywater for all non-potable uses.
67. Attention is drawn to the comments of Thames Water and the Environment Agency in the 'consultation' section of this report who whilst not objecting to the proposal would require various conditions/informatives.
68. It is to be noted that the whole of Camden is an air quality management area and the Kings Cross area is known to suffer particularly from high levels of NO2 and fine particulate matter levels (PM10) which are in excess of national and EU air quality limits. However no air quality assessment was submitted with the application. Since the application is proposing the installation of CHP plant, an air quality assessment (AQA) would be essential. This should include additional information about the proposed CHP in order to enable a proper assessment in terms of its effects on air quality and possible mitigation. In the absence of an air quality assessment and proposed measures for mitigation the application is considered unacceptable.

### **Other matters**

69. Archaeology – An archeological desk based assessment by MOLAS was submitted with the application. It is identified that there is potential for survival of some archaeological remain towards the rear of the site where there is currently no basement. A further survey would be required to confirm the existing slab level here and depending upon the results of this an archaeological field evaluation before any development is commenced. English Heritage GLAAS should be consulted in the event of any subsequent application being submitted if the current scheme is refused in accordance with the officer recommendation below.
70. Accessibility - Policy 4.5 of the London Plan states that development for visitor accommodation should ensure that at least 10% of bedrooms are wheelchair accessible. The Design and Access Statement for the application does not make this clear, only indicating that two rooms per floor (i.e. 14 rooms) have been designed for disabled needs. To comply with policy at least 16 wheelchair accessible rooms should be provided and marked up plans submitted to demonstrate this is achievable, however it is likely this could have been dealt with by way of a condition in an otherwise acceptable scheme.
71. Employment plan and local procurement – an expanded hotel, in conjunction with the loss of office accommodation on the site would have an impact on the local economy and nature of employment in the

area. This should be addressed by a variety of employment and local procurement measures throughout the construction and operational phases; to include construction trade apprenticeships and hospitality industry apprenticeships within the completed development; employment plan to support recruitment from within the local area for construction and end-user jobs and to promote local procurement. These would need to be secured by a Section 106 legal agreement.

72. Public open space contribution - Policy DP31 requires proposals that generate an additional demand for public open space to make a contribution to offset the pressures the development would bring upon public open space in the area. The net increase in floorspace and additional hotel guests attracted to the area are likely to generate additional demands on available open space in the area and a contribution calculated in line with the methodology set out in CPG6 (amenity) would be sought. It is likely this would be spent on relevant public realm improvements in the area and would be secured by a section 106 agreement associated with an acceptable scheme.
73. Education contributions – would similarly be payable in respect of the residential units in accordance with policy CS10 and CPG8 (planning obligations).

### **Conclusion**

74. The proposals are considered unacceptable due to the demolition of positive contributor buildings within the Kings Cross Conservation Area and a replacement development that would be harmful to both the conservation area and key listed buildings within it. There are also in-principle concerns with regard to the land use composition, particularly the failure to make adequate provision for a mix of uses as required by policy DP1 and loss of office space currently occupied by a range of small businesses contrary to CS8/DP13. Despite some potential benefit accruing from helping facilitate road widening works by TfL, and the provision of a building which takes care to limit its impact on resources and the environment, it is considered that the overall harm from the loss of the existing buildings, combined with the new design and land use policy issues requires that the application be refused.

**Recommendation: Refuse planning permission and conservation area consent**

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