

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>05/04/11</b>	
		N/A		<b>Cons. Expire:</b>		<b>10/03/11</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Angela Ryan				2011/0711/C			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Kings Cross Central - Main site Land between Euston Road, St Pancras Station, Midland Main Line, The New Channel Tunnel Rail Link, York Way and Kings Cross Station.				Letter from Hogan Lovells dated 7 <sup>th</sup> February 2011.			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Details relating to wall adjacent to Camley Street Nature Park located adjacent to the south-east corner of Camley Street Nature Park (item no.15) pursuant to condition 2(b) of conservation area consent granted subject to a section 106 legal agreement dated 22nd December 2006 (ref. 2004/2320/C) for demolition of buildings in the King's Cross site.							
<b>Recommendation(s):</b>		<b>Grant</b>					
<b>Application Type:</b>		<b>Approval of Details</b>					
<b>Conditions or Reasons for Refusal:</b>		N/A					
<b>Reasons for Conditions:</b>		N/A					
<b>Informatives:</b>		N/A					
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>0</b>	No. of responses	<b>0</b>	No. of objections	<b>0</b>
<b>Summary of consultation responses:</b>		<u><b>English Heritage:</b></u> No Comments received <u><b>C &amp; UD:</b></u> No comments received					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>		N/A					
<b>Site Description</b>							
The Wall adjacent to Camley Street Natural Park is located adjacent to the south-east corner of Camley Street Natural Park, to the south of the Regent's Canal and to the north of Goods Way.							
<b>Relevant History</b>							
2004/2307/P- outline planning permission was granted for redevelopment of the entire site for a comprehensive, phased, mixed-use development on the former railway lands within the king's Cross Opportunity Area, which is now known as King's Cross Central main Site. <b>Approved 22<sup>nd</sup> December 2006</b>							
2004/2320/C- conservation area consent was granted for the demolition of various buildings and structures on the king's Cross Central Main Site. <b>Approved On 22<sup>nd</sup> December 2006</b>							
<b>Relevant policies</b>							
Set out below are the LDF Core Strategy and Development Policies that the proposal have primarily been assessed against together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan <u>taken as a whole</u> together with other material considerations.							
<b>CS14-</b> Promoting high quality places and conserving our heritage							
<b>DP25-</b> Conserving Camden's Heritage							

## Assessment

On 22<sup>nd</sup> December 2006 conservation Area consent was granted for the demolition of various buildings and structures located on the King's Cross Central Main Site (Ref:2004/2320/C). The wall adjacent to Camley Street Nature park is listed as no.15 on the relevant consent. The applicant seeks to discharge condition 2(b) as far as it relates to the wall adjacent to CSNP.

Condition 2(b) attached to the consent requires a contract to be placed for the demolition works and evidence of such contract to be submitted to the Council.

The Outline application for King's Cross Central was granted subject to a S107 agreement of which section CC carries obligations relating to the Triplet Gas Holder Guide Frames. Clause 23.2 (b) in part 1 of the S106 is relevant in this case as it gives the Developer the option to provide certification from an appointed solicitor that a contract has been placed and to certify that the contract:

- i) does not contain conditions such as would prevent the carrying out of the relevant works;
- ii) is not terminable other than in the case of the non performance by the appointed contractor; and
- iii) is entered into in good faith with the objective of securing the specified work in accordance with the agreed method statement programme.

The contract is based on the industry standard form JCT Design and Build Contract 2005 (Revisions 2 2009, with certain agreed amendments. This is a popular form of procurement for construction work which is well established and widely used by developers/builders.

The letter dated 7<sup>th</sup> February from the appointed solicitor certifies that to their knowledge and belief that the contract will comply with the requirements of clause 23 (b) i to iii.

The applicant has satisfactorily complied with condition 2(b) attached to the above referenced conservation area consent. The wall ranges in height between 2.5m to 5m. It also complies with current policy (although the scheme was assessed by policies contained in Camden's previously approved 2006 UDP) in that the demolition of the wall has been assessed and the supporting statement indicated that the walls had no heritage or architectural merit, which the Council agreed with, hence it was not considered worthy of retention. Its replacement is proposed to be the site for the relocated gas governor (structure 5), as shown on Parameter Plan KXC005 submitted as part of the outline permission for KXC.

Given the above, it is recommended that the condition is hereby discharged.

### **Disclaimer**

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