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LONDON  
SE1 2QG

Application Ref: **2010/0389/P**  
Please ask for: **Neil McDonald**  
Telephone: 020 7974 **2061**

15 April 2010

Dear Sir/Madam

## **DECISION**

Town and Country Planning Acts 1990 (as amended)  
Town and Country Planning (General Development Procedure) Order 1995  
Town and Country Planning (Applications) Regulations 1988

### **Approval of Reserved Matters Granted**

Address:

**Kings Cross Central - Main site**

**Development Zone R4**

**(Land bounded by York Way and new proposed streets East Street and East Lane)**

**York Way**

**London N1**

Proposal:

Reserved matters in connection with the erection of a 15 storey building within Development Zone R4 to be used for residential purposes from upper ground level to level 14 (total of 117 units comprising 78 general needs social rented, 24 shared ownership and 15 mental health supporting housing), internal cycle parking and services area at lower ground floor level and retail/café /bar/takeaway uses (classes A1-A5), office (Class B1) and/or potential community and leisure uses (Classes D1-D2) at ground floor level on the York Way frontage, together with adjacent public realm and new road junctions; submission of associated details in compliance with condition nos. 3, 9, 10, 12, 16-24, 27-30, 43, 56, 60, 61, 62, and 64-67 of Outline Permission reference 2004/2307/P, dated 22nd December 2006 (for a comprehensive, phased, mixed-use development of former railway lands within the Kings Cross Opportunity Area).



Drawing Nos: Revised Parameter Plan KXC021 rev B

Landscape: TOWN279-16(08)5001 rev R05; TOWN279.16(08)5002 rev R04; 3001 rev R02; 7001 rev R03; 7002 rev R02; 7003 rev R03; 7004 rev R03; 6101 rev R01; 6102 rev R01; 6103 rev R01; 6104 rev R01; 6105 rev R01; 6106 rev R01; 6301 rev R01; 6302 rev R01; 6402 rev R02; 6403 rev R01.

Infrastructure: 23302/001/SK04 rev A; SK-C-057 rev C; SK-C-060; SK-C-062 rev D; SK-C-065 rev C.

Infrastructure: 23302/001/SK04 rev A; SK-C-057 rev C; SK-C-060; SK-C-062 rev D; SK-C-065 rev C.

Architectural drawings: A6308- 2.3-001; 2.1-002; 2.3-115 rev A; 2.3-116 rev A; 2.1-101 rev A; 2.1-102 rev A; 2.3-103; 2.1-104; 2.3-105; 2.3-106; 2.3-107; 2.3-108; 2.3-109; 2.3-110; 2.3-111; 2.3-112; 2.3-113; 2.3-114; A6208-1-0-006; A6308- 2.1-301; 2.1-302; 2.1-303; 2.3-201; 2.3-202; 2.3-203; 2.3-204; 2.3-205; 2.3-206; 2.3-207; 2.1-208; 2.3-250; 2.1-209; 2.1-210; 2.1-211.

Supporting Documents: Covering letter from RPS dated 19/01/2010; Compliance Report; Urban Design Report; Details of Proposed Residential Accommodation; Environmental Sustainability Plan; Access and Inclusivity Statement; Earthworks & Remediation Plan; Daylight and Sunlight Report.

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

Condition(s) and Reason(s):

- 1 Prior to the commencement of the relevant part of the development hereby permitted (or as otherwise specified in the relevant subsection below), the following details shall be submitted to and approved in writing by the Local Planning Authority:
  - (a) Details including samples panel of all external materials and finishes. The materials as approved under this condition shall be displayed in the form of a samples board to be retained on site for the duration of the relevant works.
  - (b) Details including samples panel of typical paving, setts, cobbles and other hard landscape surface treatments across the site. The materials as approved under this condition shall be displayed in the form of a samples board to be retained on site for the duration of the relevant works: the samples to demonstrate all materials and typical variations of pattern relationships within those materials.
  - (c) Full scale sample panel of a whole bay one grid wide and one storey high, to include brick piers, expressed floor plate, windows and metal spandrel and to be retained on site for the duration of the relevant works.
  - (d) Details of benches and seats within the public realm demonstrating compliance with current best practice accessibility criteria.
  - (e) Details of location and design of wildlife attracting features such as swift bricks and bat boxes within the building.
  - (f) Details of lighting within the public realm, to include location, design, specification, fittings and fixtures.

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

Reason: In order to fully comply with the requirements of the Revised Development Specification of the Kings Cross Central Outline Planning Permission (2004/2307/P) and to accord with policies SD1, SD6, SD9, B1, B6, B7 and N5 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 2 Full details of the design and layout of the York Way Recreation Space shall be provided prior to any works on this aspect of the development commencing. Such details to include a design strategy; details including samples where appropriate of materials, finishes, play equipment, seating, hard and soft landscaping and boundary treatments. A samples board of the approved materials shall be retained on site for the duration of the relevant works and the development shall not proceed other than in accordance with the details thus approved.

Reason: In order to fully comply with the requirements of the Revised Development Specification of the Kings Cross Central Outline Planning Permission (2004/2307/P) and in the interests securing a well designed and attractive play space that is safe and accessible to all in accordance with policies SD1, SD6, and B1 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 3 No car parking shall take place within the site unless otherwise approved by the Council as local highways or planning authority.

Reason: To safeguard the amenities of the development and in the interests of highway safety, the free flow of traffic and sustainable transport principles in accordance with SD1, T1 and Appendix 6 (parking standards) of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 4 Any unit used for Class A3 - A5, or D1 -D2 purposes as defined by the Town & Country Planning Use Classes (Amendment) Order 2005 shall not be open for use by visiting members of the public outside the hours of 0730-2330 unless otherwise approved by the local planning authority in writing.

Reason: To safeguard the amenities of the adjacent residential occupiers of the premises and the area generally in accordance with the requirements of policies SD1 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 5 The development hereby permitted shall be carried out in accordance with the following approved plans:  
Architectural drawings: A6308- 2.3-001; 2.1-002; 2.3-115 rev A; 2.3-116 rev A; 2.1-101 rev A; 2.1-102 rev A; 2.3-103; 2.1-104; 2.3-105; 2.3-106; 2.3-107; 2.3-108; 2.3-109; 2.3-110; 2.3-111; 2.3-112; 2.3-113; 2.3-114; A6208-1-0-006; A6308- 2.1-301; 2.1-302; 2.1-303; 2.3-201; 2.3-202; 2.3-203; 2.3-204; 2.3-205; 2.3-206; 2.3-207; 2.1-208; 2.3-250; 2.1-209; 2.1-210; 2.1-211.  
Landscape drawings: TOWN279-16(08)5001 rev R05; TOWN279.16(08)5002 rev R04; 3001 rev R02; 7001 rev R03; 7002 rev R02; 7003 rev R03; 7004 rev R03; 6101 rev R01; 6102 rev R01; 6103 rev R01; 6104 rev R01; 6105 rev R01; 6106 rev R01; 6301 rev R01; 6302 rev R01; 6402 rev R02; 6403 rev R01.  
Infrastructure drawings: 23302/001/SK04 rev A; SK-C-057 rev C; SK-C-060; SK-C-

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

Informative(s):

1 Reasons for granting planning permission:

The proposed development is in general accordance with the policy requirements of the London Borough of Camden Replacement Unitary Development Plan 2006, namely SD1 - Quality of life, SD6 - Amenity for occupiers and neighbours, SD7B - Noise/vibration pollution, SD8 - Disturbance from demolition, SD9 - Resources and energy, H1 - New Housing, H2 - Affordable housing, H7 - Lifetime homes and wheelchair housing, H8 - Mix of units, B1 - General Design Principles, N4 - Providing public open space, N5 - Biodiversity, T1 - Sustainable transport, T2 - Capacity of transport provision, T3 - Pedestrians and cycling, T8 - Car free housing, T12 - Works affecting highways, T13 - Adoption of highways, C3B - Play facilities, SKC1-SKC4 - Kings Cross Opportunity Area strategic policies, KC1-7 Kings Cross site policies. and with the relevant conditions attached to the outline permission (ref 2004/2307/P dated 22nd December 2006), namely conditions 3, 9, 10, 16, 17, 19, 20- 24, 27-31, 33-36, 39, 42, 42A, 43-46, 48, 49, 51, 56-58, 60-62 and 64-67 inclusive and all the relevant clauses of the accompanying Section 106 Planning Obligation. More particularly it accords with the specific parameters set by the outline planning permission with regard to the following; addresses the Borough's housing needs through the provision of 117 units of affordable housing; provides a well thought out design of building that responds to the needs of its future occupiers, is sustainable and energy efficient and will make a positive contribution to the emerging townscape of the area; furthers the creation of a new mixed use balanced community and, subject to further details that will be required, helps realise part of a wider strategy for provision of a fully inclusive, safe and accessible public realm.

2 The following conditions on the main outline permission (ref 2004/2307/P) relating to the relevant subject areas described in this reserved matters and approval of details application are now partially or wholly discharged:- 3, 9, 10, 12, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30, 43, 56, 60, 61, 62, 64, 65, 66 and 67. You are however reminded of the need to comply with all the ongoing requirements of the controlling conditions of the outline permission, and where relevant, the recommendations of the various method statements and reports which have been approved pursuant to conditions.

3 It should be noted that the approved residential mix for subzone R4 as stated in the description of development will be considered for monitoring purposes under the relevant thresholds and triggers of the Kings Cross Central (Main Site) Section 106 Agreement and outline planning permission (ref. 2004/2307/P) as the equivalent of 132 residential units in total, with the 15 proposed supported housing units being the agreed equivalent to 21 Specialist Social Rented Units and the 10 rent to buy/shared ownership units being the agreed equivalent of 19 Key Worker Sub-market Rented studios.

- 4 For the avoidance of doubt, this approval of reserved matters relates to the areas of public realm shown within the submission boundary on submitted drawing TOWN279-16(08)5001 Rev R05, namely East Lane, the northern part of York Street and the northern part of East Street, between the junctions with York Way and East Lane. The remaining portion of East Street to the south of East Lane, defined as R1 on the 'Principal Access and Circulation' parameter plan KXC007 of the Outline Planning Permission (ref. 2004/2307/P), is required to be part of a wider Urban Home Zone as defined in the 'Main Site Revised Development Specification', dated September 2005. As is acknowledged in writing by the applicant (email from Argent dated 17 March 2010), a subsequent submission of reserved matters details for the relevant Urban Home Zone routes within Development Zone R, including the southern portion of East Street will be submitted either independently or as part of proposals for a subsequent, related sub-zone.
- 5 In relation to the two commercial units fronting York Way as shown on the drawings hereby approved, you are reminded that under part LL of the Kings Cross Central Section 106 Agreement the Council's further written approval is required prior to any first occupation of these units within Classes A4 or A5 of the Town and Country Planning (Use Classes) Order, or for any A3 use if the unit to be occupied shall exceed 250sqm Gross Internal Area in floorspace.
- 6 The proposals for the junction of East Street with York Way and the service layby to the front of the building will be subject to a section 278/38 agreement for works to the public highway and the adoption of new highways, and other consents from the Council and other bodies relating to Infrastructure, utilities and drainage. It is the applicant's responsibility to ensure that all relevant consents or licenses are applied for. The detail shown on the drawings are approved for planning purposes only and should not be taken to supersede the reasonable requirements of the matters raised by officers in relation to these outstanding consents.
- 7 The applicant should liaise with Transport for London in relation to the proposed relocation of the bus stop on York Way and the modelling for the proposed traffic signalled junction to East Street in order to resolve these matters prior to commencement of the development of building R4 and adoption of the highway alterations.
- 8 The applicant or their appointed contractor should contact the Environmental Health Team (contact Anona Arthur, tel 020 7974 2990) before any intrusive investigations are undertaken at the site to provide details of the scheme. This is to ensure that the development is not delayed as a result of unsatisfactory methodology or sampling design. It is the responsibility of the applicant to ensure that the contractors or subcontractors they appoint are aware of the standards which must be met when undertaking intrusive investigations or the remediation of contaminated sites. The 'Contaminated Land Guide for Developers' is available on the Council website or can be obtained from the Environmental Health Team.
- 9 This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory

functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended). In particular your attention is drawn to the need to obtain permission for any part of the structure which overhangs the public highway (including footway). Permission should be sought from the Council's Highways Engineering Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 4444) or email [highwayengineering@camden.gov.uk](mailto:highwayengineering@camden.gov.uk)

- 10 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Planning and Public Protection Division (Compliance and Enforcement Team), Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 5613 or by email [ppp@camden.gov.uk](mailto:ppp@camden.gov.uk) or on the website [www.camden.gov.uk/pollution](http://www.camden.gov.uk/pollution)) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 11 The applicant is requested to liaise with the King's Cross team and the KX Construction Impact Group on the likely timing of construction implications for local residents and all potential users of the routes affected by construction.
- 12 You are advised that condition 4 above means that no customers shall be on the premises and no activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.
- 13 You are reminded of the need to confirm the proposed programme of works for the York Way Recreation Space in accordance with condition 10 of the outline planning permission (ref. 2004/2307/P). Such programme should be submitted as part of the details of this space required by condition 2 of this reserved matters approval. The Council would wish to see delivery of the space in time for occupation of the R4 building.

### **Disclaimer**

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