

Delegated Report		Analysis sheet		Expiry Date:		16/11/2007	
		N/A		Consultation Expiry Date:		NA	
Officer				Application Number(s)			
Gavin Sexton				2007/4748/P: Conditions 2,3,4 and 11 2007/4389/P: Condition 12			
Application Address				Drawing Numbers			
Kings Cross Goods Yard York Way London N1 0AU				2007/4748/P: K15a; 17 a; Report on Ground Investigation at Kings Cross; Report on Ground Investigation at York Way, 3x photos; 2007/4389/P: Landscape & ecological restoration proposals (August 2007)			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
<p>2007/4748/P: Details of ground investigation reports, landscaping and building and structure elevations pursuant to conditions 2, 3,4 and 11 of the planning permission dated 25th June 2004 (ref. 2004/1304/P) for the erection of a replacement batching plant and aggregate storage building together with ancillary facilities and accommodation)</p> <p>2007/4389/P: Approval of details of a landscape management plan, including design objectives, management responsibilities and maintenance schedules for all landscaped areas pursuant to condition 12 of the planning permission dated 25/06/04 (2004/1304/P) for the erection of a replacement batching plant and aggregate storage building together with ancillary facilities and accommodation.</p>							
Recommendation(s):		Approve Discharge of Conditions 2, 3, 4, 11 and 12.					
Application Type:		Approval of Details					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		N/A					
CAAC/Local groups* comments: <small>*Please Specify</small>		N/A					

Site Description

The application site comprises land at the northwest end of the Goods Yard site towards the western edge of the King's Cross Railway Lands. The site borders a cement plant (Castle Cement) that contains 3 silos and associated rail transshipment and office facilities. To the north of the subject site is an internal road which provides access onto York Way for a number of properties including the Council depot.

The site is within the King's Cross Opportunity Area, but outside the King's Cross or the Regent's Canal Conservation Areas.

Relevant History

The Channel Tunnel Rail Link Act (CTRL) 1996 provides the powers and outline permission for the designs and works required to build the high speed link to St Pancras. These works include new and enlarged London Underground facilities at King's Cross and St Pancras Stations, the new St Pancras International Terminal, realignment of York Way and a myriad of railway lines, road works, temporary structures amongst others. In addition to this, the writers of the Act foresaw the displacement of the three on-site concrete/cement facilities (Hanson, Tarmac and Castle) due to conflict with the proposed alignment of new railway lines.

The retention of sites for these cement facilities was therefore engineered into the CTRL Act. This is contained within Section 51(1) of the Act which states *'planning permission shall be deemed to be granted under Part III of the Town and Country Planning Act 1990 for the construction of concrete batching facilities on land at St Pancras in London within the relevant limits'*. Furthermore, Section 51 (2) notes that *"the planning permission deemed by subsection (1) above to be granted shall be deemed to be granted subject to a condition specifying the siting, design, external appearance and landscaping of the development as reserved matters for the subsequent approval of the local planning authority"*.

2004/1304/P: Permission was granted in June 2004 for the erection of a replacement batching plant and aggregate storage building together with ancillary facilities and accommodation subject to conditions.

Relevant policies

Camden Replacement Unitary Development Plan 2006

SD10b Hazards – Contaminated land and uses

B1 General Design Principles

SD6 Amenity for occupiers and neighbours

N5 Biodiversity

Assessment

Planning permission was granted subject to conditions.

Condition 2. *No development shall take place until:*

- a) The applicant has submitted a programme of ground investigation for the presence of soil and groundwater contamination and landfill gas for approval by the Council; and*
- b) The investigation has been carried out in accordance with the approved details and the results and remediation measures (if necessary) have been submitted to and approved by the Council. All approved remediation measures shall be implemented strictly in accordance with the approved details.*

All approved development on site has been completed and the Council has been encouraging the applicant to submit the relevant contaminated land documents for some time. Environmental Health have commented that “the site is suitable for the proposed industrial use. Although slight contamination was found the concentrations were not above guideline values. Therefore the contamination condition may be released.” **Condition 2 is therefore discharged.**

Condition 3. *Before any part of the site is operational details shall be submitted and approved by Council showing the hardstanding areas, line marking, stormwater disposal and hard and soft landscaping (including the provision of replacement wasteland habitat). Development shall be carried out in accordance with the approved details.*

Condition 12. *A landscape management plan, including design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved by the local planning authority prior to the site becoming operational. The landscape management plan shall be carried out as approved.*

The submitted drawing identifies the hardstanding and parking areas, clearly demarcated along the periphery of the site under or adjacent to the railway overpass. The settling pond for surface water runoff is also clearly identified. The submitted report (Landscape & ecological restoration proposals) identifies the landscaping and ecological objectives in greater detail, with accompanying location plan setting out planted and hard landscaped areas. This document was produced in close consultation with Camden’s Parks and Open spaces team and on final consideration the team response is “Everything is as discussed and amended as requested on the final application to discharge the landscaping and ecological restoration proposals for the Tarmac landscaping project”. The number of parking places identified on the plans is consistent with the limited number allowed by condition 13. **Conditions 3 and 12 are therefore discharged.**

Condition 4. *The details of the elevations, facing materials and finishes to be used on the batching plant, aggregate storage building and all ancillary buildings and structures shall not be otherwise than as shall have been submitted to and approved by the Council before any work is commenced on the relevant part of the development. [Such details shall include proposed slab levels of the building in relation to the existing and proposed levels of the site and the surrounding land.] These parts of the development shall not be carried out otherwise than in accordance with the details thus approved.*

Condition 11. *The details of the elevations of the aggregate storage building showing the inclusion of the emergency staircase shall not be otherwise than as shall have been submitted to and approved by the Council before any work is commenced on the relevant part of the development.*

The submitted elevation drawings show all elevations of the aggregate storage building and the emergency staircase. Photos from the applicant show that all buildings on site are in light grey, dark grey and blue. These colours have been the subject of discussion and agreement with Camden officers in the past. The details of the staircase external to the building are also contained on the elevations. **Conditions 4 and 11 are discharged.**