

6 PLANNING ISSUES

Principles of Development

- 6.1 The principle of development must be considered with regard to Section 38(6) of the Planning & Compulsory Purchase Act 2004 which requires that determination of a planning application should be made in accordance with the Development Plan unless material considerations indicate otherwise.

Design, Scale & Bulk

- 6.2 The design scale and bulk of the proposed development are dictated by three main factors. The actual developable site area; the site's proximity and impact upon the setting of the grade II listed Derby Lodge and surrounding buildings that form part of the Kings Cross Conservation Area.
- 6.3 Full details in regard to design aspects are provided in the 'Design and Access Statement' which accompanies this Supporting Statement.
- 6.4 The site is sandwiched between Britannia Street and Wicklow Street in an area which is also located adjacent to a London Underground railway cutting and a Network Rail tunnel. Although the site area amounts to a gross area of approximately 0.127 hectares, technical constraints dictate that it is not feasible to develop all of the existing site area. This is primarily due to the presence of the Network Rail below the western extent of the site. Piling is not permitted within 1m of the extent of the existing Network Rail tunnel structure, meaning that the proposed building would need to be cantilevered from pile foundations. There are obvious design limitations that reflect the extent that the frontage of the building can be cantilevered. The majority of the proposed development must therefore be located to the eastern extent of the site where more traditional construction methods can be optimised. Please refer to the Design and Access Statement that accompanies this planning application for more detailed information.

The Relationship of the Proposed Development with Derby Lodge

- 6.5 The site is located within the Kings Cross Conservation Area. The London Borough of Camden Conservation Area Statement 22 identifies that the immediate context of the site makes a positive contribution to the area and is generally considered industrial in character and appearance. Derby Lodge lies to the east of the site and is a Grade II listed building. Derby Lodge consists of a series of residential blocks which are located to the north east and south east of the site with frontages on both Britannia Street and Wicklow Street.
- 6.6 It is considered that the site neither preserves nor enhances the setting of Derby Lodge. However, the proposed residential development would introduce a new building into the streetscape which would make use of an important under utilised brownfield site and undoubtedly enhance the setting of Derby Lodge and the character of the Kings Cross Conservation Area. The proposed height, materials and position of the proposed new development would relate favourably to the setting of the listed building and character of the Kings Cross Conservation Area. The proposal ensures

that Derby Lodge would maintain a prominent position within the streetscape by situating the frontage of the building in line with the frontage of Derby Lodge. This would ensure that the proposed building would not protrude beyond the building line of Derby Lodge. This subservient approach is also taken in regard to the proposed height of the building. It is proposed that a 5-storey frontage would complement that of its neighbour Derby Lodge and that the proposed height would be integral to complement the size and scale of the neighbouring building. Furthermore, although the proposed building is 5-storeys in height, Derby Lodge would be noticeably taller and more prominent within the streetscene.

- 6.7 In regard to design, sympathetic materials have been used to enhance the relationship between the buildings. The proposed development would make use of red stock and dark grey facing brickwork with coloured mortar joints and aluminium windows coloured charcoal grey which would create a juxtaposition in relation to existing brickwork, large sash windows, balconies, and chimneys of Derby Lodge.

- 6.8 In relation to the Britannia Street frontage the proposed development would complement the setting of the existing light industrial building located at 7-11 Britannia Street. It is considered that the proposed 4-storey building which would front Britannia Street would be of a design that is not too dissimilar to the existing buildings located on the street. The opportunity to introduce larger windows and make use of red stock facing brickwork has been optimised to ensure that the proposed building on this elevation will assimilate well with the neighbouring building and the existing former industrial units opposite.

Proposed Demolition Works

- 6.9 It is proposed to demolish the existing vent shaft, pier area adjacent to the rear of 7-11 Britannia Street, and a limited area of boundary wall adjacent to Derby Lodge located to the south of the site on Wicklow Street.

- 6.10 The proposed demolition works are necessary to ensure that enough space is available for the proposed development. The existing vent shaft which is currently located in a central position is approximately 5m high and 15m in diameter. The vent is of brick construction and services the Network Rail tunnel below. Given that the footprint of the proposed building will extend partially over the area of the existing vent shaft it is proposed to reduce the vent at ground level and cap it off (subject to approval by Network Rail). This would also enable free movement to the proposed external stores, cycle stores, play area, bin store and recycling facilities. In addition, the removal of the vent would also provide additional amenity space.

- 6.11 In regard to the demolition of the existing pier area located to the rear of 7-11 Britannia Street, it is proposed to remove a small section of wall pier to ensure there is sufficient space for the exterior walls of the proposed development. This is primarily due to the unusual site space and constraints to which the scheme has been designed. (Please see the Technical Issues Relating to the Design Brief Section below.)

- 6.12 It is also proposed to demolish an area of boundary wall which lies adjacent to the Grade II listed building, Derby Lodge, located on Wicklow Street. The area of wall to be demolished is clearly indicated in Drawing No. F368/sk7/100A-Option 7: Ground Floor Plan by the overlay of existing and proposed walls. Although the existing

boundary wall is in contact with Derby Lodge if viewed from Wicklow Street, a degree of separation from the western exterior wall of Derby Lodge and the existing site boundary wall is provided due to the shape of Derby Lodge which is angled in a northerly direction to provide an approximate separation distance of 0.5m at the northern extent of the building. Listed building consent is therefore sought to demolish this limited area of boundary wall. It is proposed to replace the line of the boundary wall with the eastern exterior wall of the proposed building. It is proposed to ensure that the original line of the boundary wall is maintained. The new building's exterior wall will be joined with the existing area of boundary wall and provide separation from the private gardens of Derby Lodge and the residents' communal area situated to the rear of the proposed development.

Density

- 6.13 In terms of density, Government guidance within PPS3 encourages a greater intensity of development.
- 6.14 The gross site area is approximately 0.127 hectares. This will ensure that the proposed scheme will achieve a residential density of 181 dwellings per hectare and 528 habitable rooms per hectare.

Affordable Housing

- 6.15 Government planning policy guidance seeks to ensure that an amount of affordable housing is provided as part of appropriate new residential development schemes. This development proposal presents the council an opportunity to provide planning consent to a 100% affordable housing scheme supplied by a Registered Social Landlord.
- 6.16 The Borough Council through its UDP place an emphasis on meeting the housing needs of the Borough. This is expressed as one of the UDP's main aims - 'Meeting the housing needs of Camden's population', which states that;
- "Housing is the priority land use of the UDP. The Plan seeks to increase the supply of housing in the Borough and secure more accommodation that is affordable to those on middle and low incomes. It also seeks to meet the housing needs of groups with special needs and provide a range of housing in terms of size and type to meet the needs of Camden's diverse communities".*
- 6.17 Policy H1 – New Housing states that the council will seek to meet and exceed the strategic housing target for the Borough and grant planning permission for development that increases the amount of land and floor space in residential use and provides additional residential accommodation, provided that the accommodation reaches acceptable standards. The policy then goes on to highlight that the council will seek to secure the fullest possible residential use of vacant and underused sites and buildings, and may require suitable sites to be developed for primarily or wholly residential use.
- 6.18 In regard to Affordable Housing Policy H2 the council will expect all residential developments with capacity for 15 or more dwellings and residential development sites of 0.5 ha or more to make a contribution to the supply of affordable housing. The

proposed development consists of a 100% affordable scheme within an area identified for growth.

Amenity Space

- 6.19 Policy N4 requires the provision of 9 sq m of open space per person. The proposed development will provide 455sq m of open amenity space which will include a dedicated play area for under 5's and is also in accordance with policy C3B of the UDP. In addition the following surveys have been undertaken to assess effect on amenity;

Sunlight and Daylight Report

- 6.20 Policy SD6 aims to ensure developments avoid harmful effect on amenity. A Sunlight and Daylight Report accompanies this planning application.

Noise Survey

- 6.21 The Applicant's Noise Survey Consultant, Noise.Co.Uk, carried out a survey between 29 and 30 November 2006. The survey comprised a 24 hour assessment taken from three free field positions 1.7m from the ground on top of the wall overlooking the railway cutting running along the side of the site. A full copy of the Consultant's report and related Appendices is attached to the application papers.

- 6.22 The conclusions of the survey indicated that the predicted sound pressure levels of the proposed façade position show the site can be classed within the Noise Exposure Category (NEC) C for daytime and NEC Category C for night time. The site therefore is considered developable providing attention is paid to the noise effects and that thus noise mitigation should be considered. It indicates that a suitable glazing option should be used. The report's recommendations upon the relevant glazing standard should be required and appended information is provided in respect of the performance of a variety of potentially suitable glazing's and their installation.

- 6.23 We would suggest that this matter is dealt with by way of a condition with the following wording:-

"Prior to the commencement of works on-site detailed plans shall be submitted to and approved by the Council to show that the building is so designed that it will comply with the Council's criteria in respect of noise levels in new residential developments."

Vibration Report

- 6.24 The Applicant's Consultant, noise.co.uk, carried out a survey over the 29 and 30 November 2006 comprising a 24 hour survey. A full copy of the Consultant's report accompanies this supporting statement together with its associated appendices.
- 6.25 Essentially the scope of the report was to present the results of the vibration survey findings during a typical week day period. In doing this, a detailed triaxial assessment

was undertaken of the peak particle velocity levels and frequency content caused by train movements using the tunnel under the proposed development site. The report makes reference to British Standard BS6472 (BSI 1992) which was developed to assess annoyance as a factor of human response. The exposure is measured for a particular event as a Vibration Dose Value (VDV), an index that takes account of vibration level, the frequency at which the peak occurs and the duration of exposure. This is then used to determine the estimated vibration exposure for the day and night time periods (eVDV).

6.26 The standards therefore predict the likely reaction of residents close to the train and Underground lines that abut the Application site.

6.27 The standard recognises that human responses to vibration depends on a number of factors including the time of day of the use made of occupied space in buildings. Thus, night time is a more sensitive period than during the day. Once values of VDV have been determined for a particular set of conditions, BS6472 provides a table that can be used to assess the resulting degree of adverse comment.

6.28 The conclusions of the vibration survey indicate that the peak vibration dosage levels recorded are within the "adverse comment possible". As such, due to the close proximity of the rail cutting and the tunnel, the survey recommends that consideration is given to mitigating the vibration impact on the building based on the levels recorded.

6.29 In order to isolate the building structure from the vibration from the tunnel, the proposals comprise the two foundation structures to be separated by high performance vibration pads. These are considered the necessary measures required to mitigate the vibration, with full details being set out within page 5 of the accompanying Design and Access Statement.

6.30 We would suggest that this matter is dealt with by way of a condition with the following wording:-

- *"Prior to the commencement of works on site, detailed plans shall be submitted to and approved by the Council to show the building to be designed so that it will comply with the Council's criteria in respect of vibration levels in new residential development as set out within the Unitary Development Plan.*
- *Prior to occupation, the Applicant will submit to the Council written certification to the effect that the acoustic insulation and vibration mitigation measures have been correctly installed, whilst the formal residential occupation of the building commences, a consultant's report on noise and vibration levels within the building shall be submitted to and approved by the Council."*

Ecology

6.31 Policy Nnew expects schemes to have considered conserving and enhancing biodiversity, including by creating wildlife habitats. A 'phase one' ecology report has been completed by the applicant's ecologist – Thomson Ecology and recommends that provision of the provision of nest spaces and the introduction of bat boxes. Origin

would welcome any such condition imposed requiring the placement of such measures.

Sustainability

- 6.32 The SPG states that the council seeks a BREEAM rating of "very good" and that an application should be accompanied by a pre-assessment carried out by a qualified BREEAM assessor. The pre-assessment energy strategy prepared by RYB: KONSULT accompanies this planning application and confirms that the proposed development achieves the desired 'very good' standard.
- 6.33 A Sustainability Statement has also been prepared which assesses the proposed development against UDP policy, and accompanies this planning application.

Transport Statement

Trains and London Underground

- 6.34 The nearest tube station is Kings Cross and St Pancras which is 0.3 miles (0.5km) from Wicklow Street and 0.2 miles (0.3) km from Britannia Street. This is on the Northern, Victoria and Piccadilly lines.
- 6.35 The nearest railway station is Kings Cross Thames Link Railway Station, which is 0.2 miles (0.3 km) away. This station offers services to Brighton, as well as many Greater London destinations.
- 6.36 Kings Cross Railway Station offers frequent services to the north and Scotland. Destinations include Newcastle, Leeds, Cambridge, Edinburgh, Hull and Peterborough.

Buses

- 6.37 The following table lists the bus routes serving Gray's Inn Road and Penton Rise, which are adjacent to Wicklow and Britannia Street.

- 6.38 Buses Serving Gray's Inn Road (Monday – Friday):

Bus Route	First Bus	Last Bus	Frequency (mins)
17	0511	0102	6-10
45	0454	0054	7-10
46	0534	2354	6-10
63	0549	0048	5-8

- 6.39 Buses Serving Gray's Inn Road (Saturday):

13 BRITANNIA STREET & 146-146A WICKLOW STREET, LONDON, W1

Bus Route	First Bus	Last Bus	Frequency (mins)
17	0511	0102	7-10
45	0454	0054	12-15
46	0534	2354	8-10
63	0549	0048	7-10

6.40 Buses Serving Gray's Inn Road (Sunday):

Bus Route	First Bus	Last Bus	Frequency (mins)
17	0626	0102	13-15
45	0454	0054	15-18
46	0619	2354	12-15
63	0549	0048	10-13

6.41 Buses Serving Penton Rise (Monday-Friday)

Bus Route	First Bus	Last Bus	Frequency (mins)
30	0556	0114	6-10
73	0611	0122	3-6
205	0523	0045	9-11
214	0017	0005	6-10
476	0602	0010	7-11

6.42 Buses Serving Penton Rise (Saturdays)

Bus Route	First Bus	Last Bus	Frequency (mins)
30	0556	0114	9-12
73	0622	0122	5-8
205	0523	0045	9-13
214	0017	0005	7-10
476	0602	0010	11-15

6.43 Buses Serving Penton Rise (Sundays)

Bus Route	First Bus	Last Bus	Frequency (mins)
30	0556	0114	10-13
73	0622	0122	6-10
205	0623	0045	10-13
214	0017	0005	9-12
476	0602	0010	11-15

Cycle Routes

6.44 No cycle routes were found for Camden on Transport for London's website.

Car Clubs

6.45 Camden's first car club was launched at the 02 Centre, Finchley Road, in 2003. Camden is part of a consortium of seven London Boroughs (Brent, Ealing, Islington, Kensington and Chelsea, Lambeth and Merton). This consortium has come together to introduce car clubs to London on a wider scale. Car club members in Camden will be able to use cars from these other boroughs.

6.46 Car club companies which operate in Camden include:

- City Car Clubs
- StreetCar
- WhizzGo

6.47 For a membership fee of £12 a month, members will have access to any of the car club vehicles.

Planning Obligations

6.48 Origin Group agree to enter into an appropriate Section 106 planning obligation in accordance with Circular 05/2005 (Planning Obligations), to ensure delivery of:

- A residential travel plan;
- Car club;
- Open Space

6.49 These significant undertakings will provide benefits to both the immediate locality and to the entire Borough. These requirements have been considered at an early stage and carefully costed. Origin Group are keen to confirm Heads of Terms of the Section 106 agreement at as early a stage as possible.

7 CONCLUSIONS

7.1 The redevelopment of this sustainable brownfield site achieves a number of key planning objectives and benefits:-

- The introduction of 23 high quality 100% affordable residential units.
- The development and regeneration of under utilised land to make a positive contribution to the area and enhance the character and appearance of the Kings Cross Conservation Area.
- The most efficient and sustainable use of this brownfield site ensuring a development approach that entirely satisfies existing and emerging Central Government planning objectives, UDP policy and supplementary advice.
- Aesthetic townscape improvements through quality design and construction, enhancing the streetscene and the setting of the neighbouring Grade II listed building (Derby Lodge) and Kings Cross Conservation Area.
- The provision of secure cycle storage facilities, 455 sq m of amenity space, and a dedicated under 5's play area

7.2 It is therefore respectfully requested that planning permission be granted for this high quality 100% affordable and well considered development proposal.