
APPENDIX 1

Copy of Officer's Report and Decision Notice

P/A 1799/3-01

Website Address: <http://www.planning.camden.gov.uk>
 Email Address: env.devcon@camden.gov.uk



ENVIRONMENT

Development Control
 Planning Services
 London Borough of Camden
 Town Hall
 Argyle Street
 London WC1H 8ND
 Tel 020 7278 4444
 Fax 020 7974 1975

GHM
 (Ref SRFcb/09429/PM1799/)
 Wheathampstead Place
 Wheathampstead
 Herts
 AL4 8SB

Application No: PS9904306/R2
 Case File: L15/11/F

12 JUL 2000

Dear Sir(s)/Madam

FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION

Town and Country Planning Act 1990
Town and Country Planning (General Development Procedure)
Order 1995
Town and Country Planning (Applications) Regulations 1988

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address : 13 Britannia Street, & 146/146A Wicklow Street, WC1

Date of Application : 16/05/2000

Proposal :

The erection of a part 5 storey/part 6 storey building for residential use providing 26 housing units with associated disabled parking bays and landscaping together with roof terraces on the roof and at fourth floor level.

(As shown on drawing nos. A119/002-004; Photographs; PM1799/:-SK08D; SK09E; SK10E; SK11A; SK12B; SK13C; SK14B; SK15B; SK16 and 1 unnumbered colour plan)

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below AND the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact Aiden Brooks in the Legal Department on 0207 314 1947.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.





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Conditions and informatives (if applicable)

Standard condition:

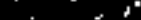
The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.

Standard Reason:

In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

Additional conditions:

- 1 The facing materials to be used on the building shall not be otherwise than as shall have been submitted to and approved by the Council before any work on the site is commenced.
- 2 No development shall take place until full details of hard and soft landscaping and means of enclosure of all unbuilt, open areas have been submitted to and approved by the Council.
- 3 The 8 cycle stands shall be provided on site prior to the occupation of the residential units, and retained in situ thereafter.
- 4 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, as expressed in its (draft) Unitary Development Plan.
- 5 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 in the (draft) Unitary Development Plan.
- 6 After construction, the developer shall submit to the Council written certification to the effect that the acoustic insulation and vibration mitigation measures have been correctly installed.
- 7 Before any residential use commences on the site, a consultants report on noise and vibration levels within the building shall be submitted to and approved by the Council.
- 8 Conditions as requested by London Underground in respect of the safeguarding measures to protect the railway lines/tunnel.



- 9 The opaque glazing for the balconies and terraces hereby approved shall be in opaque glazing as shown on the approved drawings before the building is first brought into use.
- 10 The colour scheme of the elevations shall not be otherwise than as shown on drawing PK1799/SK/16, such colours to be maintained permanently on the building.

- 1 To ensure that the Council may be satisfied with the external appearance of the building.
- 2 In order that the Council may give consideration to the details of the proposed development.
- 3 To ensure the availability of the facilities in accordance with the approved scheme.
- 4 To ensure that works can be carried out without detriment to the amenity of the surrounding premises or local area by reason of noise and vibration.
- 5 To safeguard the amenities of the adjoining premises and the area generally.
- 6 To ensure the approved scheme conforms to the Council's standards in terms of noise and vibration.
- 7 To ensure the approved scheme conforms to the Council's standards in terms of noise and vibration.
- 8 So that the Council may be satisfied that the Underground lines may be adequately safeguarded.
- 9 In order to safeguard the privacy and amenities of adjoining occupiers.
- 10 In order to safeguard the setting of adjoining listed buildings and so that the Council may be satisfied with the external appearance of the building.

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Informatives (if applicable)

- 1 It should be noted that by granting planning permission for this scheme, the residential units hereby created are not to be considered as replacement housing for Culross Buildings. The Culross site remains identified for housing purposes.
- 2 It is recognised that up to 75% of the units will be offered to long term residents of Culross Buildings. Funding for the surplus units may be available through Social Housing Grant, subject to the Council acquiring nomination rights under standard procedures. You are advised to contact the Housing Initiatives and Regeneration Team, Bidborough House, Bidborough Street, WC1, to discuss the matter further.
- 3 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted.
- 4 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 5 The details required pursuant to additional conditions 1, 2, 4, 5 & 7 should be submitted with the attached approval of details application form together with 5 sets of drawings and any other supporting information.

This application was dealt with by Scott Bailey on 020 7974 2257.

Yours faithfully
M.W. Gilks

Environment Department

(Duly authorised by the Council to sign this document)

Legal106



PM 1799/3.01

6

Ward: Kings Cross

Officer: Sue Foster

Kings Cross Conservation Area

Address : 13 Britannia Street, & 146/146A Wicklow Street, WC1

Date of Application : 23/07/1999

Application Number: PS9904306 Case File: L15/11/F

Proposal :

The erection of a part 5 storey/part 6 storey building for residential use (Class C3) providing 31 housing units with associated disabled parking bays and landscaping, as shown on drawing numbers A119/002, C03, C04, 011E, 012E, 013E, 014E, 015E, 016E, 017, 020D, 021C, 022E, 023C, SK2, SK3 & SK4.

11 check
affordable
omitted.

RECOMMENDATION SUMMARY : Grant Planning Permission (conditions)

Applicant

Agent

London & Continental Stations & Prop Ltd
Montagu Evans
(Ref. EJC/AF/PD5440)
44-48 Doyer Street
London
W1X 4JX

Analysis Information

<u>Land Use Details</u>		Sq Metres
Existing		1000
SG	Sui-generis	
Proposed		
C3	Dwelling House	2362
<u>Parking</u>	PG = general parking spaces PD = disability parking spaces	
Existing :	PD 0	
Proposed :	PD 2	

OFFICER REPORT:

1. SITE

- 1.1 Vacant site of approximately 0.1 hectare in size, located between Britannia Street and Wicklow Street. The site is adjacent to the open Metropolitan Line railway and is, in part located above the Thameslink tunnel. An airshaft is also located within the site boundary. The site lies within Kings Cross Conservation Area. It is adjacent along the eastern boundary to Derby Lodge, a Grade II Listed Housing Development and to 7-11 Britannia Street, in office use. The site is currently used for car-parking.

2. PROPOSAL

- 2.1 Original Part 5 storey/part 6 storey redevelopment providing 31 housing units. The scheme submitted by Union Railways is intended to re-house a specific client group - the existing tenants of Culross Buildings - to be displaced by the CCR works. The proposal involves a lightweight structure, of contemporary design set along the eastern element of the site, parallel to the railway. Private amenity space is provided at ground floor level along with 2 car parking spaces, bin and cycle stores.

Supplementary information in respect of noise and vibration impact and a daylighting study were submitted.

- 2.2 Revision 1 Amendments to the elevational treatment of the Wicklow Street elevation and its junction with Derby Lodge.

3. RELEVANT HISTORY

- 3.1 No relevant planning history.

4. RELEVANT POLICIES

- 4.1 The following policies are relevant to this application:

RE*/EN1 (Residential amenity)
 EN16 (Design of new development)
 EN16(new) (Setting of new development)
 EN17 (Landscaping)
 EN19 (Site layout)
 EN27 (Neighbour amenity)
 EN28 (community safety)
 EN33 (Character and appearance of the Conservation Area)
 EN43 (Preservation of Listed buildings)
 EN74 (Re-use of vacant sites)
 TR17 (Parking at residential development)
 HG1/HG11 (Residential floorspace - welcome increase)
 HG13 (Residential density)
 HG14 (Affordable housing)

HG19 (Variety of housing)
 HG20 (Housing mix)
 DS1 (Residential Density)
 DS5 (Visual privacy)
 DS6 (Noise and Vibration)

5. CONSULTATIONS

5.1 Statutory Consultee Comments

English Heritage: Setting of Listed Building: no comments received

London Underground: No objections subject to standard conditions

5.2 Conservation Area Advisory Committee Comments

Kings Cross CAAC: Object to the design approach. The long facade is considered harsh and the use of stock bricks would be preferable to the cladding and painted render. The 6th floor element, on the original scheme is unrelated to Derby Lodge.

5.3 Culross Residents Association: Support the scheme in principle. Minor design changes suggested.

Derby Lodge Residents Association: No objection in principle to the scheme.

Kings Cross Partnership: Support the scheme as beneficial development of a difficult site in the SRB area

5.3 Adjoining Occupiers

Number Notified	53
Replies Received	01
Objections	01
In support	00

Site notices posted

One objection received from local resident objecting to the scheme on the basis of loss of privacy and view.

6. ASSESSMENT

6.1 The proposal involves the re-use of a vacant site for housing. The application has been submitted by Union Railways to provide housing specifically for residents due to be displaced from Culross Buildings (to the rear of Kings Cross Station) in 2001 by the CTRL works. There is a requirement on them under CTRL Act 1996 to offer replacement accommodation to longterm residents displaced by the CTRL.

- 6.2 The main policy considerations include the suitability of the site for housing purposes; the overall bulk, design and footprint of the scheme; its impact on the Conservation Area and Derby Lodge; the density, mix and layout of the residential units; and the level and form of the affordable housing provided.

Principle of residential use on the site

- 6.3 The site has been used as a car-park since 1969, prior to which it was used for light industrial purposes. In accordance with UDP policies HG1 and HG11, its re-use for residential purposes is both acceptable in principle and welcomed as an appropriate re-use of the site.

Development adjacent to railway lines and tunnels

- 6.4 The site is a complex parcel of land to redevelop. The close proximity of the Metropolitan lines and the Thameslink tunnel under part of the site, dictates the form and location of the new building. The development has been designed to take account of the close proximity of the railway and a method statement setting out the noise and vibration implications of the site has been submitted. Environmental Health officers have indicated that they are satisfied with the report conclusions if the identified noise and vibration levels can be achieved. Appropriate conditions will need to be imposed to ensure a residential scheme can be achieved which would conform to the Council's standards for residential sites adjoining railways (DS6).

Design Issues

- 6.5 The footprint of the building is dictated by the specific site constraints. Its orientation and depth is considered appropriate for the site and context. It follows the existing building depth of the adjoining buildings, enclosing the Derby Lodge courtyard on the western elevation. The proposal is set back from the rear site boundary to minimise amenity concerns and create a small private garden space. The scheme provides an internal layout which allows an adequate residential arrangement to be achieved.
- 6.6 The bulk of the building is consistent with the development to the east, relating in height and scale to Derby Lodge and 7-13 Britannia Street. The development steps up from a ground plus 4 storey development, to an additional 5th floor extension on Wicklow street frontage. Given the context of the site and the development constraints presented, the proposed bulk is considered acceptable in terms of the appearance and character of the conservation area and the visual integrity of the site. Building full height against the side elevations of the existing buildings, results in no specific harm. Both the side facades of Derby Lodge and 7-13 Britannia Street, are currently flank elevations of little interest.

6.7 Minor amendments to the Wicklow Street elevation, in terms of facade changes along with the introduction of a set back to articulate the building line, has overcome the over domination of the additional storey, and its relationship with the listed building. The revised scheme no longer overwhelms the Derby Lodge and is considered acceptable in terms of the setting of the Listed Building.

6.8 The elevational treatment of the building has in part been dictated by the need for a lightweight structure. The proposed facades on both road frontages are considered acceptable. They pick up design elements from the adjoining building. The long elevation fronting the railway, appears unrelieved and fairly harsh. It was suggested by officers that balconies may soften the building and provide useful amenity space. Although explored by the applicants, structural constraints mitigated against their introduction. The proposed materials, large glazed panels with lightweight metal and terrecotta cladding, is considered appropriate for the site, but their imaginative use will be required to give contextural and visual interest. It is proposed that the form and colour of the facing materials are fully considered as a reserved matter.

Amenity

6.9 The development raises potential amenity concerns due to its proximity to existing residential development. In terms of its potential effect on daylight to the habitable rooms facing the courtyard, it is important to recognise that an existing 6m high boundary wall is the main factor determining light levels. Any additional light loss to the Derby Lodge residents is considered to be minimal as a result of this scheme. A daylighting study, submitted by the applicants has confirmed this conclusion. Although some loss in daylight to the flats adjacent to the new development would result, the levels would in all but one case be minimal and the daylight levels would remain above the B.R.E. minimum standards. The living room window at rear 1st floor level on Wicklow Street would fall just below the standard, but as the room has a dual aspect, that reduction is not considered material.

6.10 The new development has been designed to ensure no direct overlooking between existing and proposed residential units occurs. The new occupiers on the upper floors will overlook the shared Derby Lodge courtyard, but this will not result in any significant additional loss of privacy.

Residential Standards

6.11 The scheme provides a density level (725hrh) which exceeds the Council's current density range for the Central Area (617hrh). However, it is considered that an exception to our density standards can be justified in this case, when

considered in the light of HG13. The number of habitable rooms is considered sustainable in that location, given the client group, level of amenity space provided and the proximity of public transport nodes. The high density level is also consistent with new advice contained within the Planning Policy Guidance no.3.

- 6.12 The proposed residential mix does not conform to the requirements of HG20, which indicates that the Council would welcome schemes which provide 50% or more of the units as 3 or more bedrooms. In the case of this scheme the mix is dictated by the specific client group. The scheme proposes:

No of bedrooms	No of persons	TOTAL
1	2	20
2	4	9
3	5/6	2

An analysis of the Culross resident group identifies that their requirements would be:

No of bedrooms	No of persons	TOTAL
1	2	14
2	3/4	7
3	4	1

The proposal provides an acceptable mix for the tenants needs, it also provides a residue of units (potentially 8) which can be utilised as general affordable housing. At present the mix for the surplus units is indicated as 6x1 bed; 2x2bed and 1x3bed. This mix may be appropriate for the site, given the specific constraints it imposes. However, it is a mix that may be reconsidered when a partner housing association is brought on board.

- 6.13 The overall space standards and internal layout of the units are considered acceptable and conform to the Councils residential standards.

Affordable Housing

- 6.14 The submitted scheme provides 31 housing units for rent. However, it is important to recognise that the form of housing provided is not necessarily consistent with the Council's normal affordable housing procedures.

- 6.15 The proposal seeks to provide housing for a specific group of residents currently living in Culross Buildings, in order that Union Railways can fulfil their parliamentary undertaking towards the client group. Housing officers have indicated that under the Council's existing procedures, given the

responsibility of Union Railways to reprovide accommodation for the residents, the tenants would not, individually or collectively, be allocated affordable housing provided by the Council itself or a RSL (Registered Social Landlord). Therefore, although the housing may, in planning terms, be counted as "affordable", under the Council's Housing procedures, the scheme is counted as "privately rented" stock.

6.16 Despite this anomaly, the scheme does provide a surplus of units (at least 25%) which could be secured as "affordable" in a form which conforms to our normal requirements ie: units provided by a RSL agreed by the Council which achieves nomination rights at locally agreed levels and provides housing at rent levels on or below those pegged by the Housing Corporation. Subject to a legal agreement and relevant heads of terms, the scheme is considered to conform to the UDP policy HG14 in terms of its affordable housing contribution and therefore is welcomed as providing a contribution towards the Council's affordable housing targets.

6.17 It is important that the housing provided as a result of this scheme is not considered as a replacement for Culross Buildings. It needs to represent a net gain in housing provision. Culross buildings will not be demolished as part of the CTRL works although its proximity will necessitate its vacation for at least 5 years. Following the works it would be expected that re-use for residential purposes be reinstated or re-provided.

Car-parking

6.18 The scheme does not provide car-parking for the individual units and therefore does not conform to the Council's carparking standards for residential development. Two communal parking bays for disabled users are indicated on the site. This arrangement is welcomed. It ensures a level of private amenity space is achieved. In accordance with policy TR19, the scheme will be car-free, secured through a legal agreement.

6.19 Cycle parking bays are provided externally. The number of stands (8) exceeds the Council's standards.

External works

6.20 The scheme involves landscaping to provide communal amenity space for the residents. The revised scheme also includes boundary works, ensuring a safe site is achieved. The submitted information is considered acceptable, although further details and samples may be required.

7. LEGAL COMMENTS

7.1 Members are referred to the note from the Legal Division at the start of the Agenda

8. CONCLUSION

- 8.1 The proposal involves the re-use of a difficult parcel of vacant land for residential use. It enables the applicant, Union Railways to fulfill their parliamentary obligations in respect of existing long-term tenants in Culross buildings. The scheme also contributes towards the Councils affordable housing targets.
- 8.2 Although the proposal raises a number of contextual issues in terms of its impact on adjoining sites and does not fully accord with Council policy in terms of residential standard and mix, the overall benefits presented by the scheme are considered to justify a recommendation for approval.

8. RECOMMENDATION

That conditional planning permission be granted subject to the satisfactory completion of a legal agreement. The heads of terms of the agreement would be as follows:

Principal Terms

1. A minimum of 25% of the residential units shall be provided by an RSL, as approved by the Council. They shall be allocated on the basis of nomination rights as agreed by the Council and be provided for rent, at or below the levels as pegged by the Housing Corporation. The units shall be ready for occupation before the remainder of the residential units are occupied.
2. That the units hereby proposed to be granted planning permission are designated as car free in accordance with policy TR17 of the proposed Unitary Development Plan.
3. Two disabled carparking bays shall be provided on the site. They shall be reserved in the first instance to residents with physical disabilities, allocated on the basis of need. If the bays are not required for residents, they shall be provided as visitor parking bays solely reserved for disabled orange badge holders.

Condition(s)

1. The facing materials to be used on the building shall not be otherwise than as shall have been submitted to and approved by the Council before any work on the site is commenced. (CD02)
2. No development shall take place until full details of hard and soft landscaping and means of enclosure of all unbuilt, open areas have been submitted to and approved by the Council. (CE02)

3. The 8 cycle stands shall be provided on site prior to the occupation of the residential units, and retained in situ thereafter.

4. 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 development as set out in the (draft) Unitary Development Plan. (CG06)

5. Prior to the commencement of works on site detailed plans shall be submitted to and approved by the Council to show that 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 in the (draft) Unitary Development Plan. (CG07)

6. After construction, the developer shall submit to the Council written certification to the effect that the acoustic insulation and vibration mitigation measures have been correctly installed.

7. Before any residential use commences on the site, a consultants report on noise and vibration levels within the building shall be submitted to and approved by the Council.

8. Conditions as requested by London Underground in respect of the safeguarding measures to protect the railway lines/tunnel.

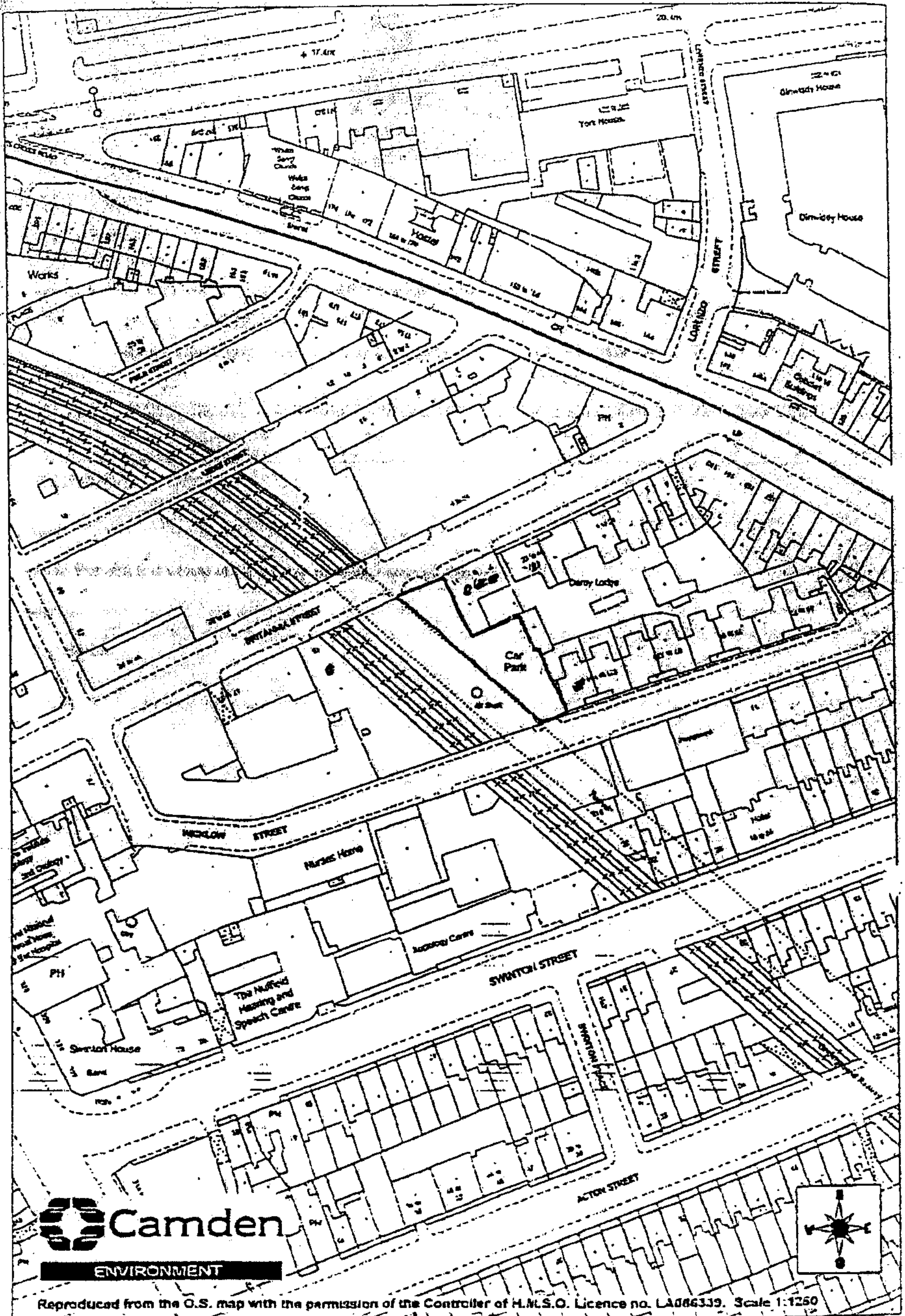
Informative(s):

1. It should be noted that by granting planning permission for this scheme, the residential units hereby created are not to be considered as replacement housing for Culross Buildings. The Culross site remains identified for housing purposes.

2. It is recognised that up to 75% of the units will be offered to long term residents of Culross Buildings. Funding for the surplus units may be available through Social Housing Grant, subject to the Council acquiring nomination rights under standard procedures. You are advised to contact the Housing Initiatives and Regeneration Team, Bidborough House, Bidborough Street, WC1. to discuss the matter further.

3. Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. (IH06)

4. The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939 (IH07)



Camden
ENVIRONMENT

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13 Britannia St • 144/146a Wicklow Street
a125

PS9904301