

Delegated Report		Analysis sheet		Expiry Date:		09/09/2014	
		N/A / attached		Consultation Expiry Date:		28/08/2014	
Officer				Application Number(s)			
Amanda Peck				2014/4621/P			
Application Address				Drawing Numbers			
Part of Cubitt Park Kings Cross Central York Way London N1C				Refer to draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Temporary installation of bathing pond and associated outbuildings, and hard and soft landscaping.							
Recommendation(s):		Grant Planning Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	212	No. of responses	02	No. of objections	01
				No. electronic	00		
Summary of consultation responses:		<p>A site notice was displayed between 6 August and 27 August and a press notice was in place between 7 August and 28 August. The following responses were received:</p> <p>Objection Flat 39 Saxon Court - I object to the proposed installation on the following grounds: 1) It would increase already existing problems with anti-social behaviour in the area, 2) It is likely to cause excessive noise and litter, 3) It would have negative impact on the quality of life of the elderly and disabled residents of Roseberry Mansions (extra-care sheltered housing).</p> <p>Support Flat 80 Saxon Court – This looks great. I look forward to using it.</p>					
CAAC/Local groups comments:		<p>LBC arts and tourism – We're pleased to confirm this piece as part of the ongoing public art programme at KX. As part of the s106 agreed at earlier planning stages, this temporary art work builds on previous commissions to provide new views on the development and opportunities for engagement. The Arts and Tourism team have worked with the commissioners on the overall programme and this specific artwork. The location of the work, within an active development site, creates an unexpected oasis, and the contrast and active uses of the site are what make this piece art, as well as being a sustainable swimming facility. The operational and</p>					

events plans will encourage a wide range of users from swimmers to event observers, and its location will spread awareness of the full site. As a temporary piece it is designed to last for the agreed period, and its removal will reveal the full park. Other temp works have been removed as planned without undue concern, and its temporary nature will be made clear from the onset.

Safety Advisory Group meeting - 26 Feb 2014

Discussion of safety monitoring and access. Positive discussion with conclusion that the application appeared to be putting in place well thought through plans.

Thames Water:

- Waste Comments: There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
- Swimming Pools - Where the proposal includes a swimming pool Thames Water requests that the following conditions are adhered to with regard to the emptying of swimming pools into a public sewer to prevent the risk of flooding or surcharging: - 1. The pool to be emptied overnight and in dry periods. 2. The discharge rate is controlled such that it does not exceed a flow rate of 5 litres/ second into the public sewer network.
- Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

London Underground Ltd: No response

Network Rail: This revised location of the proposed pond is an acceptable distance from Network Rail's tunnels and infrastructure; therefore Network Rail has not further observations to make.

Metropolitan Police – security measures (including dedicated security personnel, 2m high fencing, locking gates, night time closure and possibility of CCTV) are appropriate.

Regents Network: No response

Regents Canal CAAC: No response

Kings Cross CAAC: No response

London Borough of Islington – No comment

Site Description

The application site is located towards the north of the Kings Cross Development Site and is not within a Conservation Area. The site is currently vacant however it will be developed as Cubitt Park as a piece of public realm within the wider Kings Cross Central Masterplan, which is not due to be developed until after 2015. The park is now scheduled to be provided in phases with the southern part of the park being provided in spring 2015 and the northern part after the bathing pond use has been removed (expected to be complete in spring 2017).

The site is to the north of Cubitt Square and the Coal drops (future public realm and retail), to the east of plots S4 and S2, to the west of the Western Transit Shed and Zone R (offices and residential) and to the east of plot P2 (future cultural centre). The site is also close to plots T6 (student accommodation), R5 (residential and sheltered housing) and R4 (residential) which are either partially complete or occupied.

Relevant History

2014/1866/P: Temporary installation of bathing pond and associated outbuildings, and hard and soft landscaping. Granted 29 May 2014.

2004/2307/P: Outline application for a comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area, as set out in the Revised Development Specification. The development comprises business and employment uses within the B1 use class; residential uses (including student accommodation), serviced apartments and hotels; shopping, food and drink and financial and professional services within the A1, A2, A3, A4 and A5 use classes; the full range of community, health, education, cultural, assembly and leisure facilities, within the D1 and D2 use classes; night clubs; multi storey and other car parking; re-erection of the linked triplet of gas holder guide frames to enclose new residential and other development, on the site of the Western Goods Shed; re-erection of the guide frame for gas holder no 8, alongside the re-erected triplet, to enclose new play facilities and open space; relocation of an existing district gas governor; works of alteration to other existing buildings and structures, to facilitate their refurbishment for specified uses; new streets and other means of access and circulation; landscaping including open space; new bridge crossings and other works along the Regent's Canal; the re-profiling of site levels; and other supporting infrastructure works and facilities (R1). **Granted 22/12/2006**

As part of the above permission the current application site will be developed as Cubitt Park. Approvals have been granted as follows:

2014/2366/P Submission of reserved matters relating to Cubitt Park and Cubitt Square as required by conditions 9, 10, 12, 16, 18-21, 31, 45, 51, 56, and 64-67 for planning permission Ref 2004/2307/P for a comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area. Granted 3 July 2014.

2013/6446/P Details of enabling works comprising site preparations works, earthworks and remediation, and installation of utilities for public realm areas Cubitt Square and Cubitt Park pursuant to conditions 18, 25, 31, 56, 64-68 of outline permission granted on 22/12/2006 (ref: 2004/2307/P for a comprehensive, phased, mixed-use. Granted 14 November 2013

Relevant policies

National Planning Policy Framework 2012

London Plan 2011

LDF Core Strategy and Development Policies

CS1 – Distribution of growth

CS2 – Growth area

CS5 – Managing the impact of growth and development

CS11 – Promoting sustainable and efficient transport

CS13 – Tackling climate change through promoting higher environmental standards

CS14 – Promoting high quality places and conserving our heritage

CS15 – Protecting and improving our parks and open spaces & encouraging biodiversity

CS17 – Making Camden a safer place

DP14 – Tourism development and visitor accommodation
DP15 – Community and leisure uses
DP17 – Walking, cycle and public transport
DP18 – Parking standards and limiting the availability of car parking
DP22 – Promoting sustainable energy and construction
DP23 – Water
DP24 – Securing high quality design
DP25 – Conserving Camden's heritage
DP26 – Managing the impact of development on occupiers and neighbours
DP29 – Improving Access
DP31 – Provision of, and improvements to, open space and outdoor sport and recreation facilities

Camden Planning Guidance 2013

CPG1- Design

Assessment

Background

Planning permission was granted for a temporary art installation, being an outdoor bathing pond and associated facilities and landscaping in May 2014 on part of the Kings Cross site just to the south of the current application. The applicant has reconsidered the location of this bathing pond and the proposal is now to use part of the Cubitt Park part of the site. The timing of the provision of the bathing pond has also changed with the pool opening towards the end of 2014 and being open for 24 months until the end of 2016. It will then take 1 month to de-install.

Since the previous application was assessed (May 2014) there have been no significant changes in policy except for updates to National Planning Practice Guidance. Given that the previous application was considered against the same policy background the officer report has been included as an appendix to this report for reference purposes.

Proposal

The original officer report, included as an appendix to this report, outlines the proposal in section 1 and this remains unchanged, except for the fact that the pool is on an adjacent plot with an amended layout.

Assessment

The original officer report assessed the principle of the use (section 2), Design (section 3), management of the facilities and neighbour amenity (section 4), landscaping (section 5), access (section 6), transport (section 7) and sustainability (section 8) and updates only will be given below.

Principle of the use – The only change is that the application site is to be developed as part of the public realm for the wider Kings Cross development. The original intention was that Cubitt Park would be provided as a single element in Spring 2015. The inclusion of a temporary bathing pond on the northern part of the park will delay the provision of this part of the park by 2 years. This is considered acceptable as the development plots around the application site are largely vacant and the final delivery of the buildings scheduled to surround the park will not be completed until at least Mid-2017. This means that the public realm will be delivered in phases in line with the phased increase in population on the development site.

Design - The proposal retains all the same elements as before with the same design ethos (pond, landscaping, fencing, lighting, toilets, changing rooms, lockers, entrance desk and information board, lifeguard station, outdoor showers, plant areas, bins). The only difference is that the entrance is relocated from the north eastern corner of the site to the north western corner and that the lockers, changing rooms and showers are relocated from the east of the pool to the north. The landscaping, and access ramps have also been amended. These changes are considered acceptable as the principle of a raised bathing pond surrounded by landscaping, with associated equipment and facilities remains the same.

Management of the facilities and neighbour amenity – The applicant has submitted an operations and

management manual as per the previous application and the proposals are identical to before. The main difference is that the site is adjacent to and to the west of the previously approved location on plot S4. It is therefore closer to the existing residential accommodation in plots R5 and R4 (Saxon Court/Roseberry Mansions and Rubicon Court) and further away from the student accommodation in plot T6.

Specifically the pool will be located between 18m and 30m from the eastern elevation of the closest residential block (Saxon Court/Roseberry Mansions) and approximately 70m from Rubicon, with the boundary of the site being 7m from Saxon Court/Roseberry Mansions. The pool was previously located approximately 60-80 from the eastern elevation of the Saxon Court and Roseberry Mansions (the previous report referred to the boundary of the site being 50m from Saxon Court/Roseberry Mansions and 100m from Rubicon). It is acknowledged that the pool is closer to the existing residential units, which include sheltered accommodation, however this is not considered to be an issue because the opening hours; night time closure; on site management; and lack of lighting, music and food sales will help to ensure that the plot will not become a focal point for anti-social behaviour. As such, the management of the facility accords with policy DP24 and DP26 of the LDF in terms of community safety and neighbour amenity. Given the nature and location of the proposal it is not considered to have an impact on neighbour amenity in terms of loss of privacy, overlooking, outlook, daylight, or sunlight.

Landscaping – the amended hard and soft landscaping scheme is considered acceptable.

Access - As before a ramped approach is provided within the landscaping to enable access to the pond albeit provided with stepping stones rather than rough cobblestones as before. This is not ideal but provides easy access to some of the grass area and is therefore considered acceptable. The proposed entrance steps are of a suitable pitch and provide a central handrail for support. The same conditions are recommended as before to ensure the provision of accessible surfaces, handrails and grab rails.

Transport – The only change is that the emergency vehicle access is provided from the south east and north eastern corners of the site.

Sustainability – There are no changes proposed.

Recommendation: Grant Temporary Planning Permission

Appendix – previous officer report

Delegated Report		Analysis sheet		Expiry Date:		07/05/2014	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		24/04/2014	
Officer				Application Number(s)			
Amanda Peck				2014/1866/P			
Application Address				Drawing Numbers			
Plot S4 Kings Cross Development Site Kings Cross Central London N1C 4AH				Refer to draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Temporary installation of bathing pond and associated outbuildings, and hard and soft landscaping.							
Recommendation(s):		Grant Planning Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	212	No. of responses	06	No. of objections	03
				No. Electronic	00		
Summary of consultation responses:		<p>Letters were sent between 26 March 2014 and 16 April 2014. A press notice was in place between 3 April and 24 April 2014 and a site notice was erected between 28 March and 18 March 2014</p> <p>Objection <u>Flat 71 Rubicon Court; and Flats 39, 81 Saxon Court</u></p> <ul style="list-style-type: none"> The bathing pool will be on a first come first served basis which means the locals won't get first refusal. OFFICER COMMENT: Refer to paragraph 6.2. There appears to be only a suggestion that the bathing pool will be monitored. There is existing anti-social behaviour caused by occupants of Rubicon Court, Saxon Court and the Arthouse and their friends and the bathing pond could increase this in the area (more noise, sexual activity, violence, breaking into the bathing pond at night, litter) and have a negative impact on existing residents including the extra care sheltered housing at Roseberry Mansions. Residents at Saxon Court rely on opening their windows due to insufficient ventilation and are particularly sensitive to noise levels. OFFICER COMMENT: Refer to paragraphs 4.1 and 4.2. The still water the breeding grounds for various insects that will be a nuisance 					

	<p>for local residents. OFFICER COMMENT: The pond includes filters and pumps to keep the water circulating, refer to paragraph 1.1.</p> <p>Support <u>Flats 33, 98 Saxon Court</u></p> <ul style="list-style-type: none"> • Support the planning application and hope it will encourage people to see more the development whilst exercising and having fun. • This project is absolutely fantastic: it increases the attraction of the entire Kings Cross area for residents and visitors alike. • It will set an example for other UK redevelopments in providing the first public self-sustained swimming pond. • The landscaping aspects fit in well with the already existing skip garden. • Comment that priority access should be given to local residents. OFFICER COMMENT: Refer to section 6.2. <p>Comment <u>Flat 102 Saxon Court</u></p> <ul style="list-style-type: none"> • The pond seems like an innovative way of using the 'spare' land, • Annoyed at the developers' attitude to noise which seems to be "you live in a noisy area so it doesn't matter if we add to that noise - including your current quiet periods". They should be saying "you live in a noisy area and we will try to protect your quiet times - particularly the vulnerable residents of Roseberry Mansions". Children + water = lots of screaming. Residents at Saxon Court rely on opening their windows due to insufficient ventilation and are particularly sensitive to noise levels. One such solution would be to have adult only sessions in evenings OFFICER COMMENT: The bathing pond is not proposed to be open in the evenings. Refer to paragraph 4.1.
<p>CAAC/Local groups comments:</p>	<p>Arts and Memorials Panel – 13 May 2014 The artwork and memorial panel's recommendation to approve the Kings Pond Club was approved by Councillor Siddiq, who commented that she was keen to ensure that there were opportunities for local schools to benefit from the installation. The only comment received from the panel was from the Access Officer regarding handrails and laying of the granite setts and these have been addressed by the applicant (OFFICER COMMENT: Refer to paragraph 1.7).</p> <p>Safety Advisory Group meeting - 26 Feb 2014 Discussion of safety monitoring and access. Positive discussion with conclusion that the application appeared to be putting in place well thought through plans.</p> <p>Thames Water:</p> <ul style="list-style-type: none"> • <u>Waste Comments:</u> There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site. • <u>Swimming Pools</u> - Where the proposal includes a swimming pool Thames Water requests that the following conditions are adhered to with regard to the emptying of swimming pools into a public sewer to prevent the risk of flooding or surcharging: - 1.The pool to be emptied overnight and in dry periods. 2. The discharge rate is controlled such that it does not exceed a flow rate of 5 litres/ second into the public sewer network. • <u>Surface Water Drainage</u> - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.

When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

London Underground Ltd: No comment to make on this planning application

Network Rail: No observations to make on this application

Metropolitan Police – I note in this application that there is a 1.9m high perimeter and in section 2.4.4. There will be security personnel employed and on hand. Therefore no objections to this application.

Regents Network: No response

Regents Canal CAAC: No response

Kings Cross CAAC: No response

London Borough of Islington: No response

Site Description

The application site is located towards the north of the Kings Cross Development Site and is not within a Conservation Area. The site is currently vacant however it will be developed as plot S4 of the wider Kings Cross Central Masterplan, which is not due to be developed until after 2015. The site is directly adjacent to the proposed Cubitt Park, which will be to the east and is due to be provided between summer and the end of 2014, and is close to plots T6 (student accommodation), R5 (residential and sheltered housing) and R4 (residential) which are either partially complete or occupied.

Relevant History

2004/2307/P: Outline application for a comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area, as set out in the Revised Development Specification. The development comprises business and employment uses within the B1 use class; residential uses (including student accommodation), serviced apartments and hotels; shopping, food and drink and financial and professional services within the A1, A2, A3, A4 and A5 use classes; the full range of community, health, education, cultural, assembly and leisure facilities, within the D1 and D2 use classes; night clubs; multi storey and other car parking; re-erection of the linked triplet of gas holder guide frames to enclose new residential and other development, on the site of the Western Goods Shed; re-erection of the guide frame for gas holder no 8, alongside the re-erected triplet, to enclose new play facilities and open space; relocation of an existing district gas governor; works of alteration to other existing buildings and structures, to facilitate their refurbishment for specified uses; new streets and other means of access and circulation; landscaping including open space; new bridge crossings and other works along the Regent's Canal; the re-profiling of site levels; and other supporting infrastructure works and facilities (R1). **Granted 22/12/2006**

As part of the above permission the current application site will be developed as plot S4. Reserved matters approval has not yet been granted for plot S4.

2013/3615/P Submission of reserved matters for public realm works to Tapper Walk between Building R5 North and development plot S5 as required by conditions 3, 9, 10, 12, 16, 18-21, 31, 45, 51, 56, and 64-67 respectively of planning permission granted on 22/12/2006 (Ref2004/2307/P for the outline application for a comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area, as set out in the Revised Development Specification.) **Granted 16 August 2013.**

Relevant policies

National Planning Policy Framework 2012

London Plan 2011

LDF Core Strategy and Development Policies

CS1 – Distribution of growth

CS2 – Growth area
CS5 – Managing the impact of growth and development
CS11 – Promoting sustainable and efficient transport
CS13 – Tackling climate change through promoting higher environmental standards
CS14 – Promoting high quality places and conserving our heritage
CS15 – Protecting and improving our parks and open spaces & encouraging biodiversity
CS17 – Making Camden a safer place
DP14 – Tourism development and visitor accommodation
DP15 – Community and leisure uses
DP17 – Walking, cycle and public transport
DP18 – Parking standards and limiting the availability of car parking
DP22 – Promoting sustainable energy and construction
DP23 – Water
DP24 – Securing high quality design
DP25 – Conserving Camden's heritage
DP26 – Managing the impact of development on occupiers and neighbours
DP29 – Improving Access
DP31 – Provision of, and improvements to, open space and outdoor sport and recreation facilities

Camden Planning Guidance 2011

CPG1- Design

Assessment

1. Proposal

1.1 Planning permission is sought for a temporary art installation, being an outdoor bathing pond and associated facilities and landscaping. The bathing pond will be built at a height of 2.1m above ground level at the centre of plot S4 and will be surrounded by hard and soft natural landscaping. The pond will be in place between Summer 2014 and November 2015. During first summer it will be surrounded by vacant sites and during 2015 it will be adjacent to Cubitt Park as the park is due to be completed by the end of 2014. This will be the UK's first man-made bathing pond, but there are over 900 within Europe. The bathing pond is built to emulate natural ponds and lakes without using chemicals to kill micro-organisms in the water. In such a natural pond the cleaning work is carried out by the natural purifying properties of the plants and micro-organisms. The pond system has a series of surface skimmers and external pumps to circulate the water at specific rates. There is a degree of self-cleansing as well as daily water tests and maintenance of the pumps and filters and removal of any detritus. The bathing pond will be covered in nets at night time to prevent animals falling in.

1.2 The bathing pond will be accessed by pedestrians via a dedicated public footway running from Tapper Walk. This can be accessed from York Way via Tapper Walk or Beaconsfield Street. For visitors coming from the south it can also be accessed via the footpath that runs to the south of the resident blocks at Rubicon Court and Saxon Court/Roseberry Mansions and links up with Handyside Street. An emergency entrance/exit is located to the south east corner of the site with an emergency route around the south and west of the site.

1.3 Visitors will need to pay to access and use the bathing pond and the proposed opening hours are 7:45am to dusk 5 or 6 days a week (the pool will be closed 1 or 2 days a week to maintain water quality). At times when the bathing pond is not open for bathing (e.g. in the winter or during the necessary 'non swimming days' when the pond needs to be kept clear to assist the natural biological water purification process), the site will still be open for visitors to see the bathing pond and landscaped areas; for tours; and for dedicated talks. Following best practice in respect of hygiene for these sort of bathing ponds the maximum capacity is 163 people bathing in the pond per day. Capacity will be managed through a ticketing system with different swimming sessions during the day and tickets being available on line and at the entrance gate. Ticket prices will be similar to the price of an adult swim at the new pool being provided in plot B3.

1.4 The site will be surrounded by 2m high mesh fencing. The associated facilities will include changing rooms, lockers and showers; toilets; a lifeguard station; and an entrance desk to the north east corner of the site.

1.5 Part 2, section Q of the S106 for the Kings Cross Development Site identifies specific obligations with regard to public art, specifically that "The Developer shall undertake the commissioning and programming of public art within the Public Realm Areas". The bathing pond is part of the Kings Cross Public Arts Programme. The first curated programme (RELAY) uses the constant state of flux at the development site and highlights the rapidly changing nature of the site and wider area. Three projects were delivered between 2011 and 2013: "Identified Flying Object" (the giant birdcage) which aimed to join together locations; "Black Maria" (timber stair structure) which aimed to join together communities; and "Across the Buildings" (silver geometric shapes on buildings) which aimed to join together architecture. The bathing pond project is the fourth and final installation

under the RELAY arts programme and the aim is to join together the nature of environment and sustainability.

1.6 The principle considerations material to the determination of this application are:

- Principle of the use;
- Design;
- Management of facilities and neighbour amenity.
- Landscaping;
- Access;

1.7 The applicant has revised the proposals during the assessment of the application to provide a grab rail in one of the showers and a central handrail to the step access around the pool. They have also confirmed that the granite setts will be suitable laid and provide accessible surfacing. Further information has also been provided with regard to the toilet design.

2. Principle of the use

2.1 The proposal is for provision of a public bathing pond and associated facilities and landscaping for a temporary period of 18 months. As stated above the site is earmarked for the delivery of permanent development as part of the Kings Cross development. Policy CS8 states that the Council will support the development of Camden's tourism sector. Policy CS10 states that the Council will work in partnership with a wide range of institutions and various community groups to deliver art and cultural projects and encourage public art installations. Policy DP14 states that tourism development should be located in Central London, particularly in the growth areas and that tourism development should be easily reached by public transport. Policy DP15 states that community and leisure uses should make space available for local community groups to use or hire at a discounted rate.

2.2 The current proposal does not represent permanent provision of sports facilities but would be an additional interim facility on the site which is welcomed. The current proposal is for a temporary period of 18 months. It is considered unlikely that the construction works will start on this site to implement plot S4 within the next 2 years, therefore the proposed time scale is considered to be appropriate. It is recommended that planning permission be granted subject to a condition requiring the removal of the temporary structures within 20 months of permission being granted (to allow 2 months for dismantling).

3. Design

3.1 The proposed bathing pond will be an oval shape aligned north/south to the centre of the plot and will measure approximately 100m x 10m. The deepest swimming area is located to the south at a depth of 2.8m and an area of 137sqm. A shallower area is located towards the middle at a depth of 1.35m and an area of 79sqm. The shallow area also includes a deck submerged at a depth of 50cm close to the accessible ramp to allow children and less able visitors to use the bathing pond. The submerged deck will have an underwater wall and handrail which separates it from the deeper waters. It will be banked and landscaped on all sides at a height of 2.1m above ground level with landscaped slopes.

3.2 A range of equipment is proposed on site as follows, all of which is considered to be of an appropriate design and size:

- Perimeter fencing – This is proposed around the plot and alongside the pedestrian access walkways to demark the site from the rest of the construction site. The fencing is proposed to be 2m high 'heras' fencing re-used from other parts of the construction site that will be sunk into the ground and painted red. There will also be climbers planted alongside the fencing. This sort of fencing is not normally appropriate for permanent installation given its temporary appearance, however in this instance, given the temporary nature of the proposal, the desire to re-use existing fencing on site, and the use of climbers it is considered acceptable.
- Lighting – No external lighting is proposed as the opening hours are during daylight hours only.
- Toilets – a public toilet block previously used for the Kings Cross Roller Rink at the west handside canopy is to be provided to the north of the site. The block provides 3 female, 1 disabled and 2 male cubicles and measures 8.6m x 3.3m x 2.6m high.
- Changing rooms – A row of 4 red and white striped timber framed changing rooms, clad in triple layered polycarbonate are proposed along the eastern boundary of the site (5.15m x 1.64m and 2.38m high). One accessible sized changing room is proposed.
- Lockers – A row of 48 wire mesh lockers are proposed within a timber framed structure clad in triple layered polycarbonate are proposed along the eastern boundary of the site (11m x 0.63m and 2.2m high)
- Entrance desk and information board – These are located at the north east corner of the plot and include a 1.2m high red and white striped timber framed desk, clad in triple layered polycarbonate; beach umbrellas;

and a 2.2m high timber notice board.

- Lifeguard station - To the centre of the site adjacent to the shallow area of the bathing pond and including a red and white timber 'high chair' and red and white beach umbrella.
- Outdoor showers – A row of 4 stainless steel showers and 1 tap are proposed along the eastern boundary of the site
- An area for plant is located within the landscaped area to the north west of the site. The intention is that any plant/equipment designed for permanent pool installation (pumps and filters) will be available for reuse by the pool manufacturers at the end of the installation period.
- Bins – 9 red bins are proposed around the edge of the site mainly close to the entrance area, shower area and changing areas.

4. Management of the facilities and neighbour amenity

4.1 The applicant has submitted an 'Operations and Management Manual' which confirms that the bathing pond will be accessible via a ticketing system and will be manned by 2 lifeguards at all times, dedicated security and 2 'hosts' to man the entrance booth. Tickets will be sold online and at the Kings Cross Visitors Centre, with a small amount available on the gate on the day (with signs at the entrance and at the end of the pedestrian access walkway indicating how many tickets are available on that day or whether they are sold out). Tickets will then be swapped for a wristband, with different colours for different sessions during the day.

4.2 The daylight operations hours are considered reasonable and would ensure that the proposed use would not cause disturbance in terms of noise to residents at building R5 (Saxon Court and Roseberry Mansions) and R4 (Rubicon Court) which are located approximately 50m and 100m respectively from the eastern boundary of the site. The management plan states that there will be no amplified music, no lighting and no food for sale on site. A condition is recommended ensuring compliance with the management plan. The plot will be secured overnight with gates and there will be 24 hour security presence, initially with a security guard and regular patrols and possibly with CCTV in the future. The opening hours; night time closure; on site management; and lack of lighting, music and food sales will help to ensure that the plot will not become a focal point for anti-social behaviour. As such, the management of the facility accords with policy DP24 and DP26 of the LDF in terms of community safety and neighbour amenity. Given the nature and location of the proposal it is not considered to have an impact on neighbour amenity in terms of loss of privacy, overlooking, outlook, daylight, or sunlight.

5. Landscaping

5.1 The proposal includes a range of hard and soft landscaping and water plants. Salvaged granite cobblestones (salvaged from elsewhere on the Kings Cross site) are to be used for the hard landscaping including dedicated steps cut into the banking at the side of the pond to provide direct access from the showers, lockers and changing rooms. A bound gravel ramp is also located around the north of the pond providing a graded access route to the bathing pond. The soft landscaped banking will be sloped from the bathing pond down to ground level and can be climbed and walked through to access the bathing pond. Soft landscaping includes a turfed lawn around the southern part of the site and wildflower meadows around the northern part of the site. Climbers are also proposed long the perimeter fence. The bathing pond includes a range of water plants in three zones at the north of the water area; a 'plant filter zone' including water mint and Norfolk reeds; a 'regeneration zone' including water lilies, pondweed and waterweed; and a 'marsh zone' including rushes and marsh marigolds.

6. Access

6.1 Planning policy DP29 requires the space to be inclusively designed. The proposal includes steps and ramp access from the changing facilities to the bathing pond, an accessible size changing room, an accessible WC, a submerged deck in the shallow water area, and temporary ramped slope into the pool and pool chair on request. The applicant has also confirmed that the main stepped route through the landscaping to the pool will have a central handrail and one of the showers will be fitted with a grab rail. These are to be secured with a condition. A condition is also recommended requiring that the granite setts are suitably laid and pointed to provide an accessible surface.

6.2 Local residents have queried whether there could be any priority access for local residents and the applicant has confirmed that they will explore ways to prioritise local access. This includes through a postcode offer in their 'construction newsletter' which is sent to 4,000 local addresses; specific sessions such as family swimming and early morning fitness; and with talks specifically aimed at the local community. They have confirmed that discounts and free use are potentially acceptable, but this is dependent on how successful the pool is as many overheads are met from ticket payments. It is not considered appropriate to secure these measures with a S106 agreement given the temporary nature of the use and fact that the facility is being provided as a S106 requirement already.

7. Transport

7.1 The site is within walking distance of Kings Cross Station and bus routes along York Way and the pedestrian access routes will be clearly signposted. In line with policy no car parking is proposed. There are existing blue badge public parking spaces located within development zone R. The proposal does not include any additional cycle parking as the intention is to use the existing Sheffield stands with 28 spaces on Tapper Walk. These were approved for visitors to Cubic Park and future development of plots such as S5 and have not as yet been allocated to a specific building. (2013/3615/P). Given the fact that the pool will be provided prior to the future development of the nearby plots and that the park will be provided in 2015 it is considered that acceptable cycle parking provision is provided in line with policies DP17 and DP18. Emergency vehicle access is via a 3m wide gate at the south east or the north west corners of the plot.

8. Sustainability

8.1 Water to fill the pool will be extracted from the main water supply. A period of 4 weeks has been allowed to decommission the pool to allow for the reuse of the water by the estates/construction teams. As the pool does not use any chemicals any water released into the main drainage system will be chemical free. Thames Water has requested a condition restricting the emptying of the pool to overnight and dry periods only and controlling the discharge rate to a flow rate of 5 litres/ second into the public sewer network. This has been included as a condition.

9. Recommendation: Grant Temporary Planning Permission