

Argent (King's Cross) Limited
Miss Alexandra Woolmore
4 Stable Street
London
N1C 4AB

Application Ref: **2013/1573/P**
Please ask for: **Conor McDonagh**
Telephone: 020 7974 **2566**

7 June 2013

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988

Approval of Details Granted

Address:
Building R5 (South)
King's Cross Central
York Way
London
N1C

Proposal:

Submission of Reserved Matters relating to Development Zone R5 South to construct a part 8 / part 16 storey block providing a total of 76 residential units on upper floors and a 379sqm unit for either retail/café/drinking establishment/take away uses (Class A1/A3/A4/A5), business and employment use (Class B1) and/or community use (Class D1) at ground floor level, 2 levels of basement to accommodate 38 car parking spaces, 3 car parking spaces at ground floor (for the Extra Care housing in R5 North), 90 cycle parking spaces, associated servicing and refuse areas together with new public realm linking Cubitt Park with East Street. Matters addressed by this submission entail associated details in compliance with condition nos. 3, 9, 10, 14, 16-24, 27-28, 31, 33-39, 42-43, 45-46, 48-49, 51, 56, 57, 60, 62, and 64-67 of the outline planning permission for a comprehensive, phased, mixed-use development of former railway lands within the Kings Cross Opportunity Area (Ref: 2004/2307/P granted subject to s106 agreement on 22 December 2006).

Drawing Nos: MLA/219/P/002 A, MLA/219/P/012 A, MLA/219/P/118, MLA/219/P/119,



MLA/219/P/120 A, MLA/219/P/121 A, MLA/219/P/122 A, MLA/219/P/123 A, MLA/219/P/124 A, MLA/219/P/125 A, MLA/219/P/126 A, MLA/219/P/127 A, MLA/219/P/128 A, MLA/219/P/129 A, MLA/219/P/130 A, MLA/219/P/131 A, MLA/219/P/132 A, MLA/219/P/133 A, MLA/219/P/134 A, MLA/219/P/135 A, MLA/219/P/136 A, MLA/219/P/314, MLA/219/P/315, MLA/219/P/210, MLA/219/P/211, MLA/219/P/212, MLA/219/P/213, MLA/219/P/214, MLA/219/P/410, MLA/219/P/411, MLA/219/P/412, MLA/219/P/413, MLA/219/P/414, MLA/219/P/415, MLA/219/P/416, MLA/219/P/417, MLA/219/P/418, MLA/219/P/013 A, MLA/219/P/310, MLA/219/P/311, MLA/219/P/312, MLA/219/P/313.

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Supporting Documents: Urban Design Report by Maccleanor Lavington Architects; Compliance Report by Quod; Earthworks & Remediation Plan by Hoare Lea; Access and Inclusivity Statement by All Clear Designs Ltd; Daylight & Sunlight Report by Hoare Lea; Environmental Sustainability Plan by Hoare Lea; (all dated March 2013).

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

Condition(s) and Reason(s):

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: MLA/219/P/002 A, MLA/219/P/012 A, MLA/219/P/118, MLA/219/P/119, MLA/219/P/120 A, MLA/219/P/121 A, MLA/219/P/122 A, MLA/219/P/123 A, MLA/219/P/124 A, MLA/219/P/125 A, MLA/219/P/126 A, MLA/219/P/127 A, MLA/219/P/128 A, MLA/219/P/129 A, MLA/219/P/130 A, MLA/219/P/131 A, MLA/219/P/132 A, MLA/219/P/133 A, MLA/219/P/134 A, MLA/219/P/135 A, MLA/219/P/136 A, MLA/219/P/314, MLA/219/P/315, MLA/219/P/210, MLA/219/P/211, MLA/219/P/212, MLA/219/P/213, MLA/219/P/214, MLA/219/P/410, MLA/219/P/411, MLA/219/P/412, MLA/219/P/413, MLA/219/P/414, MLA/219/P/415, MLA/219/P/416, MLA/219/P/417, MLA/219/P/418, MLA/219/P/013 A, MLA/219/P/310, MLA/219/P/311, MLA/219/P/312, MLA/219/P/313. TOWN279.18.1(08)5001 01, TOWN279.18.1(08)3001 01, TOWN279.18.1(08) 5002 01, TOWN279.18.1(08) 7001 00, TOWN279.18.1(08) 6101 00, TOWN279.18.1(08) 6102 00, TOWN279.18.1(08) 6301 01, TOWN279.18.1(08) 6302 01, TOWN279.18.1(08) 6401 00, TOWN279.18.1(08) 6402 00, TOWN279.18.1(08) 1001 00, TOWN279.18.1(08) 1002 00, TOWN279.18.1(08) 1003 00.

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

- 2 Prior to commencement on the relevant part of the development hereby approved, the following details shall be submitted to and approved in writing by the Local Planning Authority:

(a) Details including sample panels of all external materials and finishes, including ceramic panels, balustrades and screening.

(b) Details including samples panel of typical paving, setts and other hard landscape surface treatments. The samples to demonstrate all materials and typical variations of pattern relationships within those materials.

Thereafter, the relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved. The materials as approved under this condition shall be displayed in the form of a samples board to be retained on site until the relevant works have been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden LDF Core Strategy, DP24 and DP25 of the London Borough of Camden LDF Development Policies (2010).

- 3 The ground floor commercial units if used for Class A3, A4, A5 or D1 purposes as defined by the Town & Country Planning Use Classes (Amendment) Order 2005 shall not be open for use by visiting members of the public outside the hours of 07.30-23.30.

Reason: To safeguard the amenities of the adjacent residential occupiers of the premises and the area generally in accordance with the requirements of policies CS5 of the London Borough of Camden LDF Core Strategy, DP26 and DP28 of the London Borough of Camden LDF Development Policies (2010).

- 4 Prior to commencement on the relevant part of the development hereby approved details of bird and bat box locations and types, and an indication of species to be accommodated, shall be submitted to and approved in writing by the local planning authority. Thereafter, the relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved. The works shall be permanently retained and maintained thereafter.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of policy CS15 of the London Borough of Camden LDF Core Strategy (2010).

- 5 Prior to commencement on the relevant part of the development hereby approved details of all external lighting to include location, design, specification, fittings and fixtures (including means of reducing light spillage) shall be submitted to and approved in writing by the local planning authority. Thereafter, the relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area and to conserve biodiversity by minimise light pollution in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden LDF Core Strategy (2010), DP24 and DP25 of the London Borough of Camden LDF Development Policies (2010).

Informative(s):

- 1 The following conditions on the outline permission (ref 2004/2307/P) relating to the relevant subject areas described in this reserved matters and approval of details application are now partially or wholly discharged: 3, 9, 10, 14, 16-24, 27-28, 31, 33-39, 42-43, 45-46, 48-49, 51, 56, 57, 60, 62, and 64-67. You are however reminded of the need to comply with all the ongoing requirements of the controlling conditions of the outline permission, and where relevant, the recommendations of the various method statements and reports which have been approved pursuant to conditions.
- 2 It should be noted that the approved residential mix for R5 South, as stated in the description of development, will be considered for monitoring purposes under the relevant thresholds and triggers of the Kings Cross Central (Main Site) Section 106 Agreement and outline planning permission (ref. 2004/2307/P) as the agreed equivalent of 76 residential units in total.
- 3 The applicant is requested to liaise with the King's Cross Team at the London Borough of Camden and the King's Cross Construction Impact Group on the likely timing of construction implications for local residents and all potential users of the routes affected by construction.
- 4 In relation to the flexible use commercial units as shown on the drawings hereby approved, you are reminded that under part LL of the Kings Cross Central Section 106 Agreement the Council's further written approval is required prior to any first occupation of these units within Class A4 and A5 of the Town and Country Planning (Use Classes) Order.
- 5 You are advised that condition 3 above means that no customers shall be on the premises and no activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.
- 6 You are advised to contact the Council to agree any supplementary ground investigations which you intended to undertake prior to work on them commencing. If the investigations uncover any previously unidentified ground contamination then you will need to agree appropriate remediation measures with the Council. You are reminded that you are required to give the local planning authority written notification of the commencement of any remediation works. Following the completion of any remediation measures, you are required by Section 16.9 of the Environmental Statement and in line with UK standard industry practice to produce a verification report that demonstrates the effectiveness of the remediation carried out. This would need to be submitted to the Council for its approval following completion of the earthworks and prior to the construction of any buildings or hard landscaping on the site (contact Anona Arthur, Environmental Health Team on tel. no. 020 7974 2990).
- 7 The Council's Nature Conservation Officer has advised that the bird and bat boxes should be integrated or embedded into the structure or façade rather than free hanging as this prolongs their longevity (condition 4).

- 8 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 9 Reasons for granting planning permission.
The proposed development is in general accordance with the policy requirements of the London Borough of Camden's Core Strategy and Development Policies Development Plan documents, namely: CS5 - Managing the impact of growth and development, CS6 - Providing quality homes, CS8 - Promoting a successful and inclusive Camden economy, CS9 - Achieving a successful Central London, CS10 - Supporting community facilities and services, CS11 - Promoting sustainable and efficient travel, 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 and encouraging biodiversity, CS16 - Improving Camden's health and well-being, CS17 - Making Camden a safer place, CS18 - Dealing with our waste and encouraging recycling, DP1 - Mixed use development, DP2 - Making full use of Camden's capacity for housing, DP3 - Contributions to the supply of affordable housing, DP4 - Minimising the loss of affordable homes, DP5 - Homes of different sizes, DP6 - Lifetime homes and wheelchair housing, DP7 - Sheltered housing and care homes for older people, DP10 - Helping and promoting small and independent shops, DP12 - Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses, DP13 - Employment premises and sites, DP15 - Community and leisure uses, DP16 - The transport implications of development, DP17 - Walking, cycling and public transport, DP18 - Parking standards and limiting the availability of car parking, DP19 - Managing the impact of parking,
- 10 Reasons for granting planning permission continued.
DP20 - Movement of goods and materials, DP21 - Development connecting to the highway network, DP22 - Promoting sustainable design and construction, DP23 - Water, DP24 - Securing high quality design, DP25 - Conserving Camden's heritage, DP26 - Managing the impact of development on occupiers and neighbours, DP28 - Noise and Vibration, DP29 - Improving access DP30 - Shopfronts, DP31 - Provisions of, and improvement to, open space and outdoor sport and recreation facilities, DP32 - Air quality and Camden's Clear Zone. The development and complies with the relevant conditions attached to the outline permission (ref 2004/2307/P dated 22nd December 2006), namely 3, 9, 10, 12, 14, 16-24, 27-28, 31, 33-36, 39, 42-43, 45-46, 48-49, 51, 56, 60, 62, and 64-67. Furthermore it accords with the specific policy requirements in respect of the following principal considerations: compliance with the parameters set by the

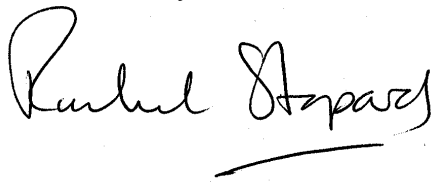
outline planning permission; that the design and materiality of the building properly respects its existing and emerging context; that the building achieves a high level of sustainability; that the development meets the relevant standards for transport and servicing arrangements; that the street layout and building access meets the Council's accessibility requirements; and that the development pays suitable regard to all relevant clauses in the Section 106 Planning Obligation relating to the outline permission referred to above.

- 11 You are reminded of the importance of robust arrangements for the servicing of R5 (South), including supermarket and other deliveries and furniture delivery/removals specifically related to the residential flats. These arrangements should be considered as part of the design of the perimeter route around Cubitt Park labelled LP1 on Parameter Plan KXC007 as well as other routes coming forward within development zone R.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully



Rachel Stopard
Director of Culture & Environment

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It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: www.camden.gov.uk/dmfeedback. We will use the information you give us to help improve our services.