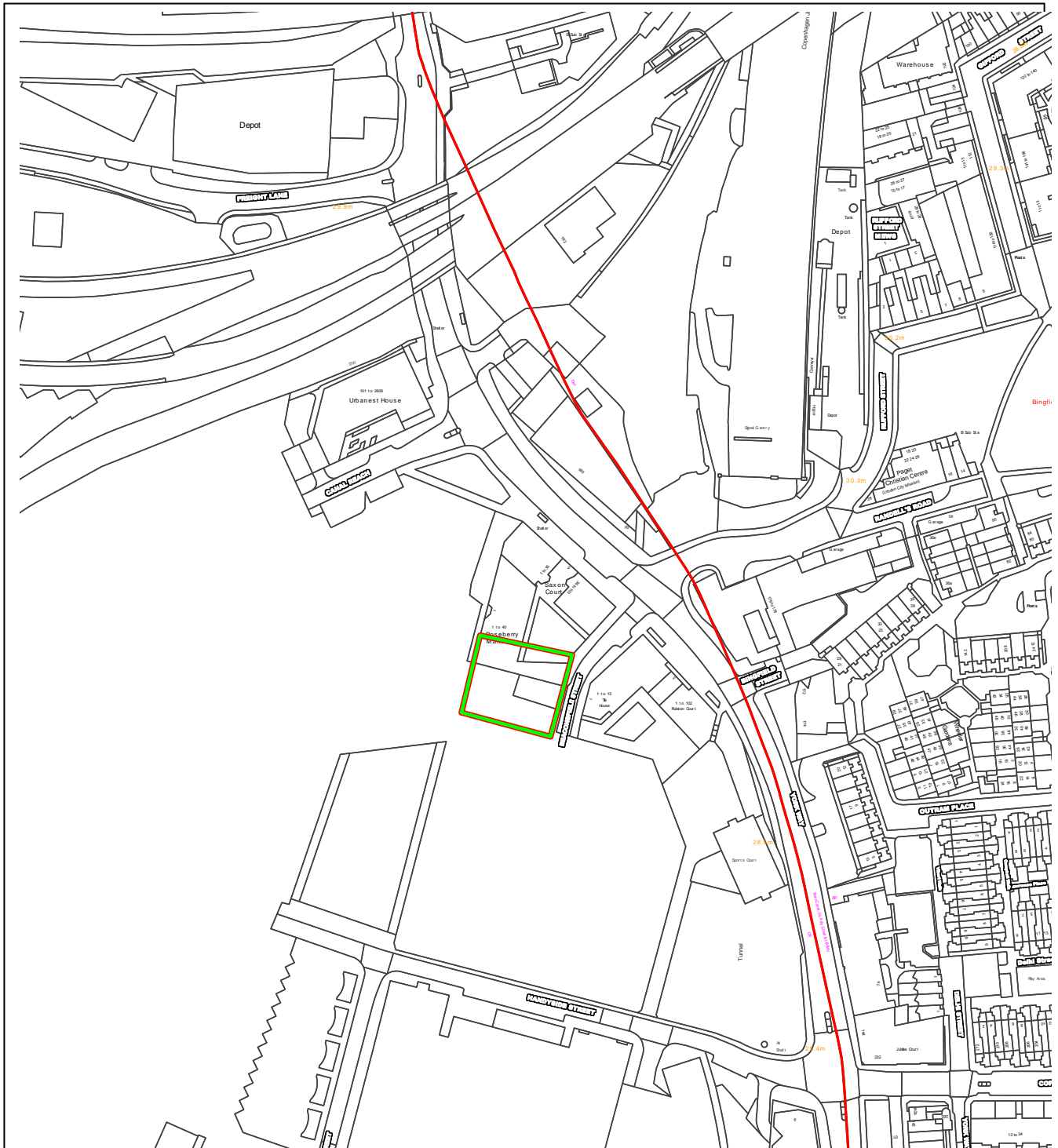


2015/2891/P - Building R5 (South), King's Cross Central Site location plan



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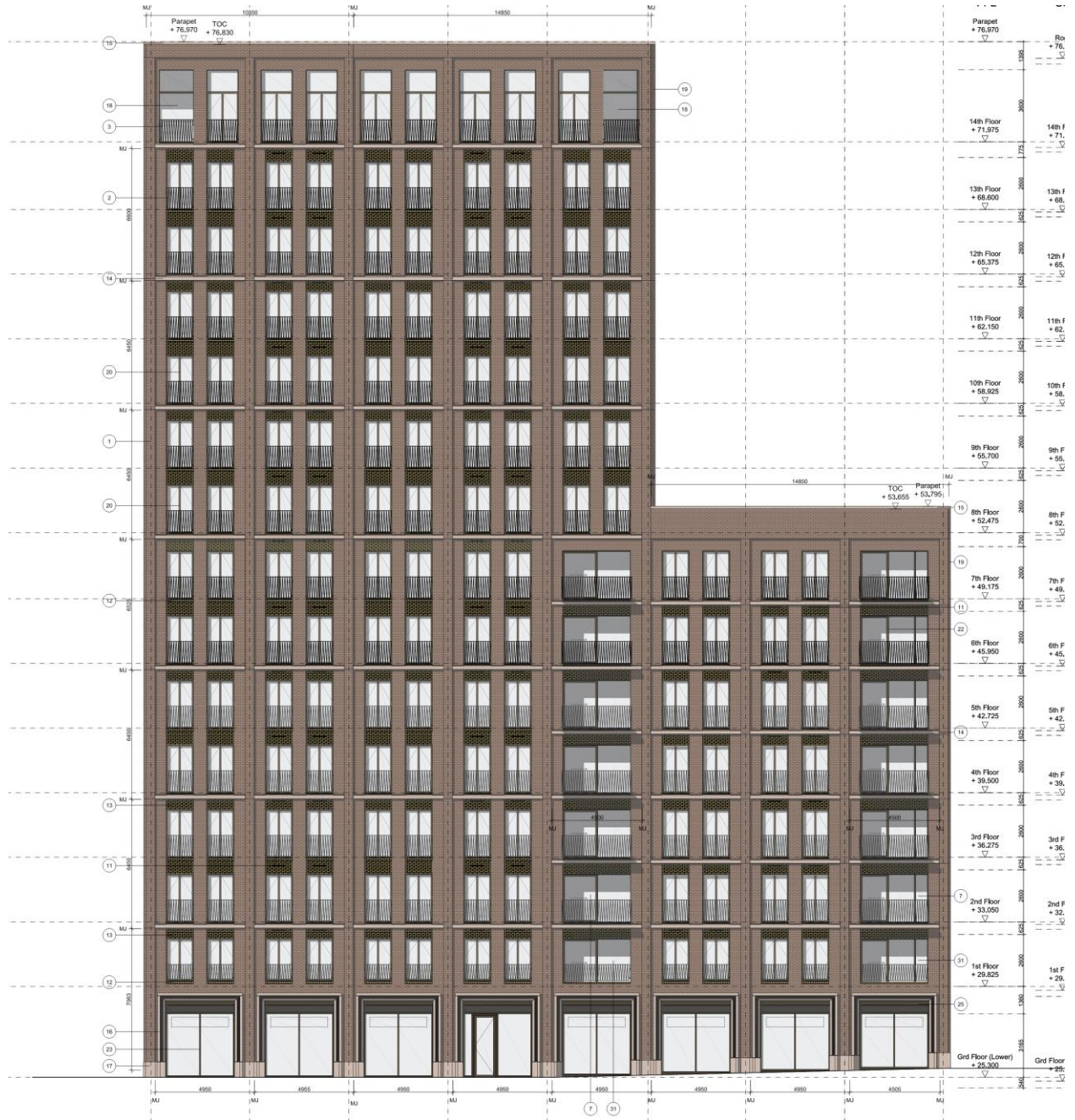
2015/2891/P - Building R5 (South), King's Cross Central

Elevation comparison (in place of photos)

South elevation as approved:



South elevation as proposed:



West elevation as approved:



West elevation as proposed:



Delegated Report		Analysis sheet	Expiry Date:	21/08/2015
(Members' Briefing)		N/A	Consultation Expiry Date:	19/06/2015
Officer			Application Number(s)	
Jenna Litherland			2015/2891/P	
Application Address			Drawing Numbers	
Building R5 (South) King's Cross Central York Way London N1C			Refer to draft decision notice.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Reserved matters in connection with Building R5 (south), including minor amendments to the original 2013 (granted 23/05/2013 ref: 2013/1573/P) for 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 at Development Zone R5 South, King's Cross Central. 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). The amendments relate to removal of the fifteenth floor and increased floor to ceiling heights on all other residential floors; alterations to the residential mix and layout (75 units now proposed); façade alterations; and addition of plant at roof level.				
Recommendation(s):		Approve reserved matters subject to conditions and approve conditional details.		
Application Type:		Approval of Reserved Matters		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	05	No. of responses	05	No. of objections	05
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed from 29/05/2015 until 19/06/2015 and a press notice was placed in the Camden New Journal on 04/06/2015 (expired 25/06/2015).</p> <p>5 letters of objection have been received from Nos. 39, 63, 86, 98 Saxton Court (R5 north) and one anonymous address.</p> <p>Objections are on the following grounds:</p> <ul style="list-style-type: none"> Impact on neighbour amenity in terms of daylight, privacy and noise. <p><i>Case officers' response: The height and bulk of the building and the general location of windows are the same as the previously approved scheme. As such, these matters have already been considered as part of the original reserved matters application and the original outline permission, details of which can be found in the history section of this report. Also see paragraphs 2.12, 2.19 and 2.20.</i></p>					
Statutory and non-statutory consultees	<p>Network Rail: No comments.</p> <p>Historic England (Archaeology Service): No comment.</p> <p>London Underground Limited: No objection.</p> <p>Thames Water: No comment</p> <p>Kings Cross Development Forum: No response to date.</p> <p>London Borough of Islington: No response to date.</p> <p>Designing Out Crime Officer (Metropolitan Police): No response to date.</p>					

Site Description

Sub-zone plot R5, within Development Zone R, is located to the north-eastern edge of the wider King's Cross Central masterplan site. The plot fronts York Way to the north, bounds Lewis Cubitt Park open space to the west, East Street to the east with R4 buildings across this street, and a proposed Zone R Pocket Garden to the south. This proposal relates specifically to the southern building at R5. R5 north has already been built out and comprises affordable homes and Extra Care units. R5 north is now called Saxon Court.

The site is located some distance away from the nearest conservation area, being the Regent's Canal Conservation Area commencing on the southern side of Plot R2 and encompassing the grade II listed Granary complex and adjacent parts of the Eastern Goods Yard. The Kings Cross Conservation Area is located to the south of Regent's Canal.

Relevant History

Plot R5 (south)

2013/1573/P: Reserved matters granted **23/05/2013** for: Erection of 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 at Development Zone R5 South, King's Cross Central. 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).

R5 and R3 (shared basement)

2015/2889/P: Reserved matters granted 29/07/2015 for: Reserved matters associated with the creation of a shared, single storey basement serving buildings R5 South and R3 and vehicular gated entrance/exit ramp off Beaconsfield Street within Development Zone R as required by conditions 3, 16-23, 27, 28, 31, 37, 38, 45, 48, 49, 51, 56, 60 & 64-67 of the outline PP 2004/2307/P, 22/12/06, and related S106 for comprehensive phased, mixed use development of former railway lands within King's Cross Opportunity Area.

Kings Cross Central –Outline permission

2004/2307/P granted **22/12/2006** for 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.

Relevant policies

National Planning Policy Framework 2012

London Plan 2015, consolidated with amendments since 2011

LDF Core Strategy (CS) and Development Policies (DP)

CS1 – Distribution of growth

CS2 – Growth areas

CS5 – Managing the impact of growth and development

CS6 – Providing quality homes

CS8 – Promoting a successful and inclusive Camden economy
CS7 – Promoting Camden’s centres and shops
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
CS19 – Delivering and monitoring the Core Strategy

DP1 – Mixed use development
DP2 – Making full use of Camden’s capacity for housing
DP3 – Contributions to the supply of affordable housing
DP5 – Homes of different sizes
DP6 – Lifetime homes and wheelchair housing
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
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
DP27 – Basements and lightwells
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

Supplementary Planning Policies

Camden Planning Guidance

CPG1 – Design (2015)
CPG2 - Housing (2013)
CPG3 – Sustainability (2015)
CPG6 – Amenity (2011)
CPG7 – Transport (2011)

Assessment

1. Proposal

- 1.1 This application is for minor amendments to the reserved matters approval for erection of 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 at Development Zone R5 South, King's Cross Central (reference: 2013/1573/P).
- 1.2 The form, massing, building height and arrangement of key spaces within the building remain the same as that previously approved.
- 1.3 The proposed amendments largely consist of internal alterations to layout and can be summarised as follows:
- removal of the fifteenth floor and increased floor to ceiling heights on all other residential floors;
 - alterations to the residential mix and layout reducing the total number of units from 76 to 75;
 - alterations to the layout at ground floor level including relocation of cycle storage from basement level to ground floor level;
 - alterations to the facades to reflect the reduced number of floors;
 - changes to the eastern façade material from light to dark brickwork; and
 - introduction of additional roof plant in a sunken plant area to facilitate additional cooling provision to the south and west facing dwellings.

2. Assessment

- 2.1 A reserved matters application is similar to, although wider ranging, than an approval of details application required by condition. The reserved matters deal with layout (except as set out in parameter plan KXC005), scale, appearance, access (except as set out in parameter plan KXC007) and landscaping. This application relates essentially to the external form of the buildings already approved subject to a range of parameters, many of which have a limit of deviation (LOD).
- 2.2 The application also addresses a number of conditions attached to the outline permission. Some of these conditions specify that certain supporting material must be submitted at reserved matters stage, others require the submission of details prior to implementation. These need to be formally discharged. Also addressed as part of the application are certain 'controlling conditions'. These do not explicitly require the submission of details for approval, but restrict the form or timing of the development in some way. The applicant has therefore provided supporting information where relevant so that compliance with these may be monitored.
- 2.3 The proposal relates to changes to the number and mix of units, internal layout, minor external alterations to elevations, and addition of plant. As such the main material considerations are: mix and quality of residential accommodation, design and amenity. The proposed amendments are not considered to impact on other material considerations which were taken into account in the assessment of the original proposal. For a full understanding of the assessment of the application please see the report for the original scheme, reference: 2013/1573/P.

Removal of the fifteenth floor and increased floor to ceiling heights on all other residential floors

- 2.4 The proposal will increase the height between floors from 3.075 meters to 3.225 metres at lower levels, and a 3.600 at penthouse level. This results in the loss of the upper floor of three penthouse duplexes and a reduction in the number of penthouse units from 3 to 2. The two remaining penthouse units (1 x 2 bed and 1 x 3 bed) would be located on one level rather than being duplex units. The size of these two units would also be reduced however, they would still exceed the floorspace standards set by the

outline permission.

- 2.5 The maximum height of the building would remain the same as the original approval. The increased floor to ceiling height allows for the introduction of cooling for the south and west facing units within the ceiling.

Changes to the unit residential accommodation

- 2.6 Residential mix - As stated above the number of units has been reduced from 76 to 65. The mix of units has also changed, the main difference being a reduction in the number of 2 bed units and an increase number of 1 bed and 3 bed units. All units would be open market housing consistent with the original permission. This will complement the affordable and Extra Care units which have already been brought forward immediately to the north of the site in R5 North (Saxon Court).

- 2.7 Mix as approved:

	Residential Type	No. of bedrooms per Unit			
		Studio	1	2	3
Proposed	<i>Flat/Maisonette</i>	7	6	48	15

- 2.8 Mix as proposed:

	Residential Type	No. of bedrooms per Unit			
		Studio	1	2	3
Proposed	<i>Flat/Maisonette</i>	8	19	27	21

- 2.9 In order to assess the acceptability of the revised mix it is necessary to consider the proposal against the revised development specification and condition 42A of the outline permission.

- 2.10 The revised development specification states that the development should achieve the following mix across the site: 37-42% studios/ 1 beds; 30-35% 2 beds; 18-22% 3 beds and 5-11% 4 beds. Looking at this scheme in isolation it achieves 36% studios and 1 beds; 36% 2 beds; 28% 3 bed units. It is important to note that the targets set in the revised development specification refer to the development as a whole and as such, it is not necessary for each zone to provide this specific mix of units within it. However, the mix is generally in accordance with the specified mix and has improved from the original reserved matters approval. As such it is considered that the scheme will aid compliance with the specified mix on the wider site. Changes also include increasing the size of the studio units from 30sqm to 44 sqm. This is welcomed as it will improve the quality of the units.

- 2.11 Condition 42a states 'Unless otherwise approved in writing by the local planning authority the residential accommodation excluding the student accommodation and the residential home approved as part of Reserved Matters approvals pursuant to this permission shall include not less than 23% of units as three and four bedroom accommodation.' The current proposal includes 28% family homes. As such, the proposed mix is in accordance with this condition. This is an improvement from the original scheme which fell short of the target in condition 42a providing just 20% family units. The number of smaller units has also been increased providing a better mix of unit sizes within the building.

- 2.12 Wheelchair units - Section NN of the S106 agreement requires 10% of all homes delivered across the site to be wheelchair accessible. The current proposal includes 7 wheelchair units equating to 9.2% of the units within R5 south. The wheelchair units will all be 3 bed units. This is slightly below the requirement in the S106 agreement, however when you consider R5 as a whole (R5 north and R5 south), 27.7% of the units would be wheelchair accessible. In light of this, the current proposal is considered acceptable. All units are located on the upper floors, but each floor is fully accessible by two lifts. All units would also meet Lifetime Homes standards.

- 2.13 Standard of accommodation - The general layout and design of the housing units is high quality. Firstly, all units exceed the minimum floorspace standards required by the s106 baseline and are designed to receive high levels of privacy and outlook, with the numbers of single aspect units minimised so that 59 of the 75 units (79%) are dual aspect, a level that is rarely reached. Moreover, the main core is positioned on the northern façade facing R5 North (Saxon Court) to minimise any overlooking between

flats. This has resulted in the majority of flats enjoying long views over Lewis Cubitt Park or the Zone R Gardens.

2.14 Daylight and Sunlight - A revised daylight and sunlight study has also been submitted with the application. In the previous scheme 60% of the habitable rooms proposed achieved or exceeded the BRE ADF criteria. The current scheme improves this by increasing ceiling heights within the propose units which allows more light into the rooms. As such, in the current proposal 75% of habitable rooms would achieve or exceed the BRE ADF criteria. This improvement is welcomed.

2.15 To summarise, it is considered that the residential mix and quality of the proposed housing would be an improvement on the previous reserved matters approval and will deliver much need family sized units.

Changes to the layout

2.16 The original reserved matters approval included a two storey basement. However, as design progressed with the surrounding plots the opportunity came forward to create a shared basement for R5 and R3 which could be accessed from Beaconsfield Street. An application for this basement has recently been approved for this shared basement (reference: 2015/2889/P). The basement includes parking, storage and welfare facilities. As this basement has already been approved under this separate application it does not form part of this application.

2.17 As part of the previous application some the cycle parking was provided partly at ground floor level and partly at basement level. In the current proposal all the cycle parking has been relocated to ground floor level. The number of spaces provided has been reduced from 76 to 75 in line with the decrease in the number of residential units. This is in accordance with the requirements of condition 51. 60 of the spaces would be two tier josta stands, 19 would be vertical hangers and 4 spaces for folding bikes. Ideally, all spaces should be sheffield or josta stands. However, the applicant has provided sufficient details to demonstrate that the alternate vertical system would be easy to use and would not require users to lift the full weight of the bike (as is required when using the upper tier of a josta stand). As such, on balance and in this instance, the mix of cycle stands types is considered acceptable.

Elevational changes

2.18 The main elevational changes include:

- taller proportioned windows and spandrel panels as a result of the increase ceiling height;
- the upper penthouse storey is now a taller storey;
- the orientation of the bricks spandrels has changed to be consistent with Building R5 North, the colour remains as previously approved;
- the architectural metalwork detailing on the “external” dark facades has changed to be consistent with Building R5 North; and
- east tower façade has been changed from a light brick finish to a dark brick finish with protecting pilasters to match the other ‘external facades’.

2.19 The amendments to the façade are minimal and would be in line with the established design concept for the building. The increased depth of the glazed brick element between the windows is welcomed and helps to better celebrate this feature. The change in the façade colour is considered to better relate to the language of the building. It is considered that the design changes would complement the overall appearance of the building and the wider area.

Addition of plant

2.20 Additional plant at roof level has been introduced in a sunken plant area. As the plant is concealed within the building envelope it will not impact on the appearance of the building. This is welcomed.

2.21 With regard to condition 60 (noise from plant), the full particulars of plant noise has been provided to demonstrate compliance with the specified standards, and that the proposal full regard to the prevailing site-wide baseline noise monitoring report previously provided and agreed in relation to condition 59.

3. Conclusion

- 3.1 The proposed amendments are considered to conserve and enhance the appearance of the building and will provide high quality residential accommodation without impacting on neighbour amenity.
4. **Recommendation:** Approve reserved matters subject to conditions and approve conditional details.

DISCLAIMER

Decision route to be decided by nominated members on Monday 3 August 2015. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

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

Application Ref: **2015/2891/P**
Please ask for: **Jenna Litherland**
Telephone: 020 7974 **3070**

29 July 2015

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Reserved Matters Granted

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

DECISION

Proposal:



Reserved matters in connection with Building R5 (south), including minor amendments to the original 2013 (granted 23/05/2013 ref: 2013/1573/P) for 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 at Development Zone R5 South, King's Cross Central. 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). The amendments relate to removal of the fifteenth floor and increased floor to ceiling heights on all other residential floors; alterations to the residential mix and layout (75 units now proposed); façade alterations; and addition of plant at roof level.

Drawing Nos: KXC-R6-001-MLA413-A-20-P1GF; KXC-R6-001-MLA413-A-20-P101;
KXC-R6-001-MLA413-A-20-P102; KXC-R6-001-MLA413-A-20-P108;
KXC-R6-001-MLA413-A-20-P109; KXC-R6-001-MLA413-A-20-P114;
KXC-R6-001-MLA413-A-20-P115; KXC-R6-001-MLA413-A-20-P301;
KXC-R6-001-MLA413-A-20-P302; KXC-R6-001-MLA413-A-20-P303;
KXC-R6-001-MLA413-A-20-P304.

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: KXC-R6-001-MLA413-A-20-P1GF;
KXC-R6-001-MLA413-A-20-P101; KXC-R6-001-MLA413-A-20-P102;
KXC-R6-001-MLA413-A-20-P108; KXC-R6-001-MLA413-A-20-P109;
KXC-R6-001-MLA413-A-20-P114; KXC-R6-001-MLA413-A-20-P115;
KXC-R6-001-MLA413-A-20-P301; KXC-R6-001-MLA413-A-20-P302;
KXC-R6-001-MLA413-A-20-P303; KXC-R6-001-MLA413-A-20-P304.

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 75 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 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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment