

Planning Statement

Coal Drops Yard

King's Cross Central General Partner Ltd

October 2015

King's Cross

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ARGENT

**KING'S CROSS CENTRAL – ZONES I and M
COAL DROPS YARD**

**PLANNING STATEMENT
OCTOBER 2015**

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Introduction

- 1.1 The overall King's Cross Central ('KXC') mixed use development is derived from the Outline Planning Permission 2004/2307/P of 22 December 2006 (the 'Outline Planning Permission'). The KXC scheme was subject to an Environmental Impact Assessment ('EIA') and is described in the Revised Development Specification document (September 2005) and Revised Parameter Plans which form part of the Outline Planning Permission and are referred to in the planning conditions.
- 1.2 This Planning Statement describes and assesses the proposals for the development of Development Zones I and M within KXC to deliver a new retail destination within the refurbished Eastern and Western Coal Drops buildings with their associated viaducts ('ECD' and 'WCD', respectively) and the Western Wharf Road Arches ('WWRA') and to create a new public space in the Yard between them.
- 1.3 Development Zones I and M are located in the centre of the KXC site to the north of the Regent's Canal, adjacent and to the west of Granary Square and to the south of Lewis Cubitt Square. Development Zones I and M lie within the Regent's Canal Conservation Area and adjacent to the Grade II listed Granary building (on the opposite side of Stable Street). Immediately to the south lies the Fish and Coal Offices which, together with the Eastern Wharf Road Arches, is currently under development. The Eastern Coal Drops building is listed Grade II. A plan showing the location of Development Zones I and M within the wider masterplan area is attached as Appendix 1 hereto.
- 1.4 The proposed development of the ECD, WCD and WWRA (together referred to here as the Coal Drops Yard ('CDY')) is being brought forward in line with the parameters set by the Outline Planning Permission, however, the proposals include a proposed new upper level (and its associated structures) (the 'Upper Level') to the ECD and WCD, a consequential increase in retail floorspace and a partial cut-back of the ECD viaduct (adjacent to the 12 northern-most bays). For that reason, a full planning application is being submitted for the Western Coal Drops building, the Eastern Coal Drops building (excluding the southern anchor unit), their associated viaducts, the proposed new upper level and Lower Stable Street. The remainder of Development Zones I and M (namely, the WWRA, the southern anchor unit to ECD and the public realm within the Yard) is being brought forward under an application for reserved matters approval pursuant to the Outline Planning Permission. An application for listed building consent is also being made in relation to works to the ECD. Drawing 2 within Appendix 1 of this Planning Statement shows the planning application boundaries for each of the three applications. The structure of the three applications and their relationship to the Outline Planning Permission is described in more detail in Section 3 below. This Planning Statement supports and forms part of those submissions.
- 1.5 The CDY proposal is for 13,348m² (GEA) of retail floorspace in total, which comprises 2,071m² (GEA) of retail floorspace within the reserved matters application and 11,277m² (GEA) of retail floorspace within the full planning application. The majority of the floorspace proposed within the full planning application will be counted against the floorspace maxima within the Outline Planning Permission as has been the case with other full planning applications made within the KXC site and as detailed further below in Sections 3 and 5.
- 1.6 The applications are made by King's Cross Central General Partner Ltd (KCCGPL).
- 1.7 Appendix 5 (Compliance Statement) to this Planning Statement provides a comprehensive overview of how the relevant Outline Planning Permission planning conditions and Section 106 obligations are being addressed in respect of these proposals for Development Zones I and M (in

the form of a Compliance Report submitted to support all reserved matters applications at KXC).

1.8 The applications are accompanied by a suite of supporting documentation as agreed with officers at the London Borough of Camden ('Camden' or the 'Council'), including:

- Architectural and public realm drawing package;
- Design and Access Statement;
- Heritage Statement;
- Environmental Sustainability Plan (including the Wind and Ecology Reports);
- Earthworks and Remediation Plan;
- Retail Statement including a Retail Impact Assessment;
- Transport Statement; and
- Acoustic Report.

1.9 The full planning application is not considered to be EIA development and hence, is not required to be supported by an environmental impact assessment. The reserved matters application is not considered to give rise to any further or additional environmental impacts beyond those considered at the outline stage. A full analysis of the proposals against the requirements of the Environmental Impact Regulations 2011 (and accompanying guidance) is contained at Appendix 3 to this Planning Statement.

Application Site and Surroundings

- 2.1 The application site lies within Development Zones I and M which are located in the centre of the KXC site, to the north of the Regent's Canal, and within the Regent's Canal Conservation Area. Immediately to the east, on the opposite side of Stable Street, is the Grade II listed Granary building which accommodates the University of the Arts London together with the Western Transit Shed and Western Goods Office which are occupied by a variety of commercial and retail tenants.
- 2.2 The application site for the full planning application together with the reserved matters application extends to circa 1.36 hectares.
- 2.3 The application site is occupied by the Western and Eastern Coal Drops buildings, their respective viaduct structures and the 16 westernmost Wharf Road Arches (referred to here as the Western Wharf Road Arches or 'WWRA'). The Eastern Coal Drops building is listed Grade II. The northern section of the ECD was damaged by fire in the 1980s. The existing buildings within the application site are described in detail in the Heritage Statement accompanying these submissions.
- 2.4 Development Zone M lies to the west of Stable Street, one of the main vehicular and pedestrian streets running south from Handyside Street to Granary Square. The Fish and Coal Offices and the Wharf Road Arches lie within Development Zone I: reserved matters approval was granted for the refurbishment of the Fish and Coal Offices and the 10 easternmost Wharf Road Arches for office and restaurant uses at the end of 2014 (reference 2014/5272/P) and works have commenced.
- 2.5 Lewis Cubitt Square and Lewis Cubitt Park lie immediately to the north of the application site. Lewis Cubitt Square is a contemporary hard landscaped open space and Lewis Cubitt Park is a more traditional tree-lined soft landscaped space. Lewis Cubitt Square is envisioned as a dynamic, pedestrian-friendly, multi-functional urban civic space, designed to accommodate large market fairs, concerts, temporary exhibits, as well as providing intimate seating areas for individuals or small groups along the eastern edge of the square. The majority of Lewis Cubitt Park is covered in lawn, to allow for a variety of uses such as, informal play, exercise and ball games, as well as more tranquil sitting and relaxing. The space has been designed to be versatile, enabling it to also accommodate large scale events. Reserved matters approval for the Square and the Park was granted in July 2014: work has largely been completed and both spaces are open to the public.
- 2.6 The Gasholder Triplets, a residential development of 144 units, lies immediately to the west. This comprises a residential development within the re-erected gasholder guideframes. Reserved matters approval was granted at the end of 2014 (reference 2014/6386/P) and works have commenced. The Grade II listed Gasholder No. 8 has been re-erected to the west of the Gasholder Triplets. The landscaped open space within and around the gasholder frame which received reserved matters approval in 2014 (ref. 2014/3681/P) is almost complete and due to open to the public in late 2015.
- 2.7 The KXC site is very well served by existing public transport facilities centred on King's Cross and St Pancras railway stations with excellent mainline connections to national and international destinations. King's Cross underground station has six underground lines passing through it, namely, the Circle, Hammersmith and City, Metropolitan, Northern, Piccadilly and Victoria lines. The KXC site is also well served by buses and is connected to the London Cycle Network. Development Zones I and M are within easy walking distance of King's Cross and St Pancras stations for rail connections (via King's Boulevard) and York Way and the rail stations (to the south) for bus connections. The application site has a PTAL rating of 6a, the highest achievable. There are a number of Santander docking stations in the vicinity, including, Euston Road (Belgrove

Street) and Crinan Street (near the York Way/Goods Way junction). Two docking stations are proposed (subject to planning approval) within the KXC site on Goods Way (northern footway) and Handyside Street (southern footway).

3

Relationship with the King's Cross Central Outline Planning Permission and Structure of the Applications

- 3.1 The KXC Outline Planning Permission (reference 2004/2307/P) provides for 713,090m² GEA of mixed use floorspace across a 26ha site. The masterplan parameters and principles are contained in a comprehensive set of documents and plans, including the Revised Parameter Plans and the Revised Development Specification (September 2005).
- 3.2 The Outline Planning Permission establishes Development Zones and within those Zones, the illustrative location of Development Plots. It establishes the principal access and circulation routes through the site and the principal public realm areas. The Outline Planning Permission establishes development massing and maximum building heights across the site and where basements may be located. It also establishes the principal ground and upper floor uses for each Zone.
- 3.3 Table 1 of the Outline Planning Permission (condition 35) sets out the total floorspace permitted within the KXC site both north and south of the Regent's Canal and by use class. The maximum quantum of retail (A1/A2/A3/A4/A5) uses permitted site wide under the Outline Planning Permission is 45,925m² GEA.
- 3.4 Annex B of the Outline Planning Permission (condition 36) contains the maximum floorspace thresholds for each of the Development Zones. Development Zones I and M are designated for a range of new A1/A2/A3/A4/A5 uses, or alternatively some D1, D2 or nightclub uses in lieu of retail. Overall, up to 9,165m² GEA of floorspace may be developed within Development Zones I and M above basement level, excluding public realm and connecting circulation areas, all of which could be brought forward as retail uses.
- 3.5 As noted earlier in the introduction to this Planning Statement, the proposal to refurbish the Eastern and Western Coal Drops, their viaducts and the Western Wharf Road Arches to create a retail destination is in line with the principles of the Outline Planning Permission. The CDY proposals include a new Upper Level (and its associated structures) to seek to create an intensified retail offer to provide a sufficient mass to ensure a long-term future and to allow for a larger 'anchor' unit within the scheme (as discussed in more detail in Section 7 below and in the Retail Statement and Design and Access Statement accompanying these applications).
- 3.6 For those reasons, a full planning permission is being submitted for part of the CDY site together with a reserved matters application for the remainder of the CDY site. The full planning application seeks consent for works to the WCD and its associated viaduct, the 20 northern bays of the ECD (excluding the 5 southern bays forming the southern anchor unit), its associated viaduct, the addition of units, steps and bridges to Lower Stable Street, two new lightweight bridges at viaduct level connecting the ECD and WCD and the new upper level spanning between the ECD and WCD. The application boundary is shown in red on drawing PL-0005 within the accompanying Drawing Package. As with other full planning applications within the KXC site, the majority of the floor area proposed within the full planning application, if acceptable, will be counted against the site wide totals of the Outline Planning Permission and towards the triggers within the site wide Section 106 Agreement (see Section 5 below). As detailed below in Section 5, this will require a deed of variation to the Section 106 Agreement.
- 3.7 Those parts of the CDY outside the structural footprint of the new Upper Level will be brought forward in the usual way through a reserved matters application. The reserved matters application seeks consent for works to the WWRA, the 5 southern bays of the ECD forming the southern

anchor unit, a new bridge linking the ECD to the WWRA and the public realm within the Yard. The application also proposes minor changes to the finished levels on the Wharf Road Viaduct which was granted permission as part of the reserved matters approval for the Fish and Coal Offices (reference 2014/5272/P). The minor changes are required as a consequence of landing the proposed new bridge between the ECD and the WWRA (referred to as BR4 on Parameter Plan KXC 007 of the Outline Planning Permission). The application boundary is shown in purple on drawing PL-0004 within the Drawing Package.

- 3.8 The listed building application seeks consent for refurbishment of the Grade II listed ECD together with demolition of the single storey office at the southern end of the ECD, alteration of some internal levels, removal of infills to some arches to allow the formation of shop fronts and entrances, installation of new stairs and lifts, the cutting back of the northern 12 bays of the viaduct and the removal of the modern timber porches on the viaduct. The application boundary is shown in green on drawing PL-0006 within the Drawing Package.
- 3.9 The application boundaries for the three applications are shown overlaid on the drawing within Appendix 1 attached. The description of development for each application is set out below in Section 5 of this Planning Statement. The supporting documents listed below and in Section 1 above support each of the three applications. Where specific issues relate only to, for example, the reserved matters application, the text makes that clear.
- 3.10 The principles established by the Outline Planning Permission represent the baseline against which the application proposals need to be considered. Whilst, the full planning application is assessed against the policies of the development plan (see Section 6 below), this Planning Statement will also demonstrate that close regard has been had to the provisions and principles of the Outline Planning Permission, for example, in relation to ground and upper floor uses of the ECD and WCD, the refurbishment of the retained structures and the restoration of the fire damaged northern section of the ECD.
- 3.11 Appendix 5 to this Planning Statement addresses each of the relevant Outline Planning Permission conditions in turn, by providing an account of how the submission documents satisfy that condition (the 'Compliance Statement'). This is a specific requirement in relation to the reserved matters application, however, the text also indicates how the elements of the proposal within the full planning application meet those requirements too, where applicable. In some cases, the relevant information is provided in this statement by means of text and plans (for example, the Illustrative Build-out Plan and the construction timetable). In others, compliance is demonstrated by cross-reference to the following free-standing documents submitted with the applications:
- Architectural and public realm drawing package by Heatherwick Studio (a full list of the submitted architectural and public realm drawings is provided in Appendix 2 of this report);
 - Design and Access Statement by Heatherwick Studio, including a response to the relevant Design Guidelines set out in the Outline Planning Permission, details of car and cycle parking, a servicing strategy, a waste and refuse strategy and appending the Access and Inclusivity Statement by All Clear Designs Ltd;
 - Heritage Statement by Giles Quarme & Associates;
 - Environmental Sustainability Plan ('ESP') by Hoare Lea, including the Wind Assessment by Hoare Lea and the Ecology Statement by RPS;
 - Earthworks and Remediation Plan by Arup;
 - Written Scheme of Investigation for an Archaeological Watching Brief by Museum of London Archaeology;
 - Retail Statement including Retail Impact Assessment by Nathaniel Lichfield & Partners;

- Transport Statement by Arup; and
 - Operational Noise Assessment Report by Hoare Lea.
- 3.12 In addition, the most relevant parts of the KXC Section 106 Agreement are considered in conjunction with the conditions, specifically, Sections V (Access and Inclusivity), W (Environmental Sustainability), X (Energy), Y (Construction Materials/Waste), Z (Waste) and AA (Water).
- 3.13 Development Zones I and M lie immediately adjacent to Zone/Plot H within the southwest corner of Granary Square. It is proposed to bring forward development of Plot H in the form of a low two storey (one at Yard level and one at Granary Square level) pavilion building by way of a reserved matters application to provide a small café and lift from Granary Square to Yard level (to provide level access). It does not form part of these submissions but is proposed to be brought forward in due course.
- 3.14 The element of the CDY proposals brought forward under the reserved matters application is wholly consistent with the Outline Planning Permission. That part of the CDY proposals brought forward under the application for full planning permission has had close regard to the principles and parameters of the Outline Planning Permission but seeks to deliver an intensified retail offer of a critical mass to ensure a long term future for the heritage buildings.

4

Pre-application Consultations and Engagement

- 4.1 The application proposals represent the culmination of over 18 months of consultation and discussion with statutory and non-statutory consultees.
- 4.2 A summary of the consultation undertaken is attached at Appendix 4. The Design and Access Statement, in the discussion of the evolution of the design, notes how the design evolved throughout the pre-application process to address comments raised.
- 4.3 In addition to extensive discussions with planning and design officers at the London Borough of Camden ('Camden' or the 'Council'), key consultees throughout the process have included:
- Historic England;
 - King's Cross Development Forum;
 - King's Cross Design and Access Forum;
 - Regent's Canal and King's Cross Conservation Area Advisory Committees;
 - Canal and River Trust;
 - Greater London Industrial Archaeology Society ('GLIAS');
 - St Pancras Cruising Club; and
 - Designing Out Crime Officer.
- 4.4 Following a number of pre-application meetings with LB Camden, the scheme was taken to the King's Cross Design and Access Forum on 15 July 2015 and the King's Cross Development Forum on 8 July 2015.

5

The Application Proposals

5.1 Planning permission is sought for:

Refurbishment of the Western Coal Drops and the northern 20 bays of the Eastern Coal Drops together with their adjacent viaducts, the addition of two lightweight bridge connections between the Eastern and Western Coal Drops at viaduct level, the insertion of staircases within the Western Coal Drops viaduct, the cutting back of the northern 12 bays of the Eastern Coal Drops viaduct, the addition of a new upper level spanning between the Eastern and Western Coal Drops, the addition of units along Lower Stable Street, new steps connecting Lower Stable Street to Stable Street and three new bridges connecting Stable Street to the Eastern Coal Drops, for retail uses within Use Classes A1, A2, A3 and/or A4 together with hard landscaping, servicing and cycle parking and facilities.

5.2 Reserved matters approval is sought for:

Refurbishment of the 16 westernmost Wharf Road Arches and the southern 5 bays of the Eastern Coal Drops and its adjacent viaduct, the addition of a lightweight bridge connection between the southern end of the Eastern Coal Drops viaduct and the Wharf Road Arches, for retail uses within Use Classes A1, A2, A3 and A4 together with hard landscaping within the Yard and servicing.

5.3 Listed building consent is sought for:

Refurbishment of the Eastern Coal Drops together with its adjacent viaduct (including, refurbishment of the fire damaged northern section of the Eastern Coal Drops), demolition of the single storey office building at the southern end, works to facilitate formation of a new roof-level structure linking the Eastern and Western Coal Drops, alteration of some internal levels, removal of infills to some arches to allow the formation of shopfronts and entrances, installation of new stairs and lifts, works to allow for the addition of two lightweight bridge connections from the viaduct to the Western Coal Drops viaduct, works to allow a bridge connection at the southern end of the viaduct to the Wharf Road Arches at viaduct level and three bridge connections to Stable Street, the cutting back of the northern 12 bays of the viaduct and the removal of the modern timber porches on the viaduct, for retail uses within Use Classes A1, A2, A3 and/or A4.

5.4 As described above and in detail in the Design and Access Statement, the proposals are to refurbish the existing buildings for retail use together with the addition of a new Upper Level spanning between the two Coal Drops buildings as summarised below:

Land Uses	A1 - A4 retail (predominately A1)
Existing buildings included	Eastern Coal Drops, Western Coal Drops, Western Wharf Road Arches
Heritage status	Eastern Coal Drops: Grade II Listed Whole application site within the Regent's Canal Conservation Area
Total floorspace (GEA)	13,348m ²

Basement floorspace (GEA)	0
Maximum building height (AOD)	+35.250m (existing buildings), +44.850m AOD (new Upper Level)
No. of storeys	3, but with 2 additional intermediate levels
FFLs	Yard +21.400m, Mezzanine +24.535m, Viaduct +26.620m, Upper Viaduct +27.565m, Upper Level +31.912m
No. car parking spaces	None
No. of cycle spaces	108 (54 for visitors, Sheffield stands in the public realm) and 54 for staff (in secure cycle storage areas along Lower Stable Street)
No. of retail units	5 anchor units (ECD south anchor unit, ECD north anchor unit, WCD south anchor unit, WCD north anchor unit and the Upper Level) Approximately up to 55 - 60 other units
Principal materials	ECD, WCD and WWRA: existing brick façade and slate roof Upper Level: steel structure, metal cladding (various finishes/tones) and glazed curtain walling
Green/brown roofs	No
Connection to site-wide low-carbon energy system	Yes
Renewables	No
Associated public realm	Central Yard, viaduct surfaces and bridges, Lower Stable Street and Stable Street (west side)

Quantum of Floorspace

- 5.5 The CDY development proposes a total of 13,348m² GEA of retail (Class A1 - A4) and other floorspace. As explained above, this is proposed to be brought forward, in part, in the application for full planning permission (11,277m² GEA) and, in part, in the application for reserved matters approval (2,071m² GEA). The floorspace figures are set out below in Tables 5.1 – 5.3.

Table 5.1: All Floorspace (13,348m² GEA)

	A1/A2 Class Floorspace GEA	A3/A4 Class Floorspace GEA	Retail Floorspace GEA (m ²) ¹	Other (plant, cycles)
WWRA	234	447	681	173 (excluded)
WCD	2,142	795	2,937	0
ECD less southern anchor	4,053	397	4,450	0
Southern anchor of ECD	1,390	0	1,390	67 (excluded)
Lower Stable Street units	233	0	233	327 (included)
Upper Level	3,330	0	3,330	0
TOTAL	11,382	1,639	13,021	327

Table 5.2: Full Planning Application (11,277m² GEA)

	A1/A2 Class Floorspace GEA	A3/A4 Class Floorspace GEA	Retail Floorspace GEA (m ²) ¹	Other (plant, cycles)
WWRA	0	0	0	0
WCD	2,142	795	2,937	0
ECD less southern anchor	4,053	397	4,450	0
Southern anchor of ECD	0	0	0	0
Lower Stable Street units	233	0	233	327
Upper Level	3,330	0	3,330	0
TOTAL	9,758	1,192	10,950	327

Table 5.3: Reserved Matters (2,071m² GEA, with 240m² GEA excluded)

	A1/A2 Class Floorspace GEA	A3/A4 Class Floorspace GEA	Retail Floorspace GEA (m ²) ¹	Excluded (Annex B)
WWRA	234	447	681	173
WCD	0	0	0	0
ECD less southern anchor	0	0	0	0
Southern anchor of ECD	1,390	0	1,390	67
Lower Stable Street units	0	0	0	0
Upper Level	0	0	0	0
TOTAL	1,624	447	2,071	240

Notes:

1. GEA figures calculated in accordance with Annex B of Outline Planning Permission 2004/2307/P in relation to areas within the reserved matters application (WWRA and southern anchor unit). Thus the floorspace figures for these areas exclude infrastructure and utility areas. No such exclusions have been made in relation to areas within the full application (WCD, ECD less anchor, LSS and Upper Level).
- 5.6 The Western Wharf Road Arches and southern anchor unit of the Eastern Coal Drops are unaffected by the proposed Upper Level or works associated with its construction and the details now proposed are in line with the Outline Planning Permission and the expectations of associated documents. Consequently, the detailed proposals for these parts of the CDY have been brought forward as reserved matters, pursuant to the Outline Planning Permission. All other areas have been included within the full planning application.
- 5.7 Annex B of the Outline Planning Permission allows for a total floorspace of 9,165m² GEA within Development Zones I and M (unless otherwise agreed by Camden). This includes retail and non-retail uses. The Fish and Coal Offices (Zone I) already has reserved matters approval for 2,405m² GEA within Use Classes B1, A3 and A4 (this excludes a further 82m² GEA which was approved at the same time by a separate full planning permission for the conservatory extension and does not count towards the Outline Planning Permission floorspace). There remains, therefore, 6,760m² GEA for retail (or other) uses within the CDY under Annex B.
- 5.8 The floorspace submitted by way of reserved matters (2,071m² GEA) easily fits within this figure. At the same time, the overall floorspace now proposed (13,348m² GEA) significantly exceeds the

remaining allowance, for a number of reasons:

- First, the Fish and Coal scheme “used up” more floorspace than originally envisaged, when the Outline Planning Permission was granted. The original numbers assumed that Fish and Coal would need/utilise 1,900m² GEA, leaving 7,265m² GEA for CDY.
- Second, it is apparent that there was an error in the original numbers for the Eastern Coal Drops and Western Coal Drops. The existing, retained buildings are in fact bigger than allowed for in the Outline Planning Permission.
- Third, the current proposals, with the new Upper Level, represent an intensification of retail floorspace at the CDY, compared to the approved proposals in the Outline Planning Permission.

- 5.9 The CDY proposals also represent an increase in overall retail floorspace at King’s Cross, but a more modest one of around +3,000m² GEA. The Outline Planning Permission allows up to 45,925m² GEA of retail floorspace site-wide within KXC (Condition 35, Table 1). That space is distributed across the site and allocated to Development Zones by Condition 36 (and Annex B). As development has progressed at KXC, a better understanding has developed of what retail is required, what the retail offer could and should be and how this offer would relate to the provision in, for example, King’s Cross and St Pancras stations. A retail ‘masterplan’ for KXC has evolved and is shown in Figure 2.1 of the accompanying Retail Statement. The ‘masterplan’ shows what retail has already come forward within the KXC site and what KCCLP envisages coming forward in the remaining Development Plots. There is therefore now a clearer understanding of the quantum of retail floorspace being delivered within each Zone with some zones providing, or expected to provide, less than the permitted maximum set out in Annex B; and other zones, such as the CDY, proposing to exceed the permitted maximum in Annex B. To date, 27,713m² GEA of retail floorspace has been submitted or approved across the whole KXC site. Based on the retail masterplan, including the current proposals for the CDY, it is anticipated that that the site wide maximum floorspace of 45,925m² GEA for retail uses within the Outline Planning Permission would be exceeded by approximately 3,000m² GEA. This figure equates approximately to the new Upper Level proposed, or the proposed floorspace within the Western Coal Drops
- 5.10 There is a similar pattern when looking at overall (retail and other) floorspace distribution. There are some zones providing, or expected to provide, less than the floorspace permitted maximum set out in Annex B; and other zones, such as the CDY, proposing to exceed the permitted floorspace maximum. Overall, there is sufficient floorspace ‘capacity’ for CDY, within the numbers proposed and approved.
- 5.11 We propose, therefore, to address the floorspace issued raised by the making of a full planning application, in the same way that we have approached previous full planning applications that we have ‘dropped in’ to King’s Cross. Our starting point is to count all floorspace against the maxima, totals, triggers and thresholds of the Outline Planning Permission and site-wide Section 106 Agreement, except where such floorspace is explicitly over and above what was approved within those documents. We propose to record this via a supplementary agreement and deed of variation to the site-wide Section 106 Agreement.
- 5.12 In this case, we propose to count all of the floorspace proposed against those maxima, totals, triggers and thresholds, with the exception of the floorspace within the Western Coal Drops and plant and cycle stores within Lower Stable Street (see Table 5.4 below). Both fall within the full planning application and the floorspace proposed (2,937m² GEA retail, plus 327m² GEA of plant and cycle spaces (totaling 3,264m² GEA)) equates approximately to the site-wide increase in retail floorspace which the CDY represents (3000m² GEA, as explained above). The other potential candidate component of the CDY proposals to treat as over and above the existing maxima, totals, triggers and thresholds– the Upper Level – is larger in floorspace terms and includes A1 and A2

class uses only. The Western Coal Drops is a more appropriate choice because it represents a combination of A1/A2 and A3/A4 class uses, as set out in the table below:

Table 5.4: Floorspace that would not count towards the site-wide maxima, totals, triggers and thresholds

	A1/A2 Class Floorspace GEA	A3/A4 Class Floorspace GEA	Retail Floorspace GEA (m ²) ¹	Plant, Cycle Stores GEA (m ²)
WWRA	0	0	0	0
WCD	2,142	795	2,937	0
ECD less southern anchor	0	0	0	0
Southern anchor of ECD	0	0	0	0
Lower Stable Street units	0	0	0	327
Upper Level	0	0	0	0
TOTAL	2,142	795	2,937	327

- 5.13 The 2,071m² GEA within the reserved matters application would count towards site wide totals of the Outline Planning Permission and Section 106 Agreement in the normal way, as would 8,013m² GEA within the full planning application (via a supplementary agreement and deed of variation to the S106 Agreement). The 2,937m² GEA of the Western Coal Drops and 327m² GEA of plant and cycle stores within Lower Stable Street, within the full planning application, would sit outside those totals (i.e. 11,277m² GEA less 2,937m² GEA less 327m² GEA, equates to 8,013m² GEA).
- 5.14 Overall, a total of 10,084m² GEA (i.e. 2,071m² GEA plus 8,013m² GEA) would count towards maxima, totals, triggers and thresholds within the Outline Planning Permission and Section 106 Agreement.
- 5.15 The existing 'Retail Framework' contained within Section 106 Agreement (at Schedule LL) requires that of the maximum floorspace site wide (45,925m² GEA), no more than 32,500m² GEA should be for A1/A2 uses (unless otherwise approved by the Council) and no more than 15,000m² GEA should be occupied for A3/A4/A5 uses (unless otherwise approved by the Council). The Retail Framework also requires that within Zone M at least 25% of the floorspace should be for A1 use and no more than four retail units may each exceed 200m² and the total GEA of such retail units shall not together exceed 2,000m² (unless otherwise approved by the Council).
- 5.16 The floorspace within the reserved matters application and the further floor area that is proposed to count towards the Outline Planning Permission and Section 106 Agreement maxima, totals, triggers and thresholds (namely, 10,084m² in total) will comply with the maximum areas set out in the Retail Framework for the split between A1/A2 uses and A3/A4/A5 uses (when considered in the site wide context). It should be noted that the CDY proposals do not seek permission for any A5 uses.
- 5.17 As shown in the tables above, the split between retail uses for the reserved matters application is 1,624m² GEA of A1/A2 retail space and 447m² GEA of A3/A4 space, with 240m² GEA of infrastructure and utility items excluded in accordance with the terms of Table 1 and Annex B of

the Outline Planning Permission.

- 5.18 In relation to the full planning application, the split is: 9,758m² GEA of A1/A2 retail space, 1,192m² GEA of A3/A4 retail space with 327m² GEA of cycle spaces and plant included in the total of 11,277m² GEA.
- 5.19 The CDY proposals include four anchor units (located at the northern and southern ends of each of the ECD and WCD) each of which exceed 200m² within the existing building footprints and together the GEA of those units exceed the 2,000m² set out in the Section 106 Agreement. The anchor unit in the southern end of the WCD is proposed to be A3/A4 uses (of 572m² GEA); the other three anchor units are proposed to be A1 use. In addition, the new Upper Level provides a fifth anchor unit (for A1 use) which extends to 3,330m². The southern anchor unit of ECD (within the reserved matters application) extends to 1,390m² GEA. As discussed in the Retail Statement the anchor units are proposed to be larger to provide a range of unit sizes to support the smaller cellular units within the remainder of the buildings. The provisions of Schedule LL of the Section 106 Agreement allow for an alternative approach to be agreed with the Council and we propose to codify this within the proposed supplementary agreement/deed of variation to the S106 Agreement.

6

Planning Policy Framework

- 6.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, where regard is to be had to the development plan, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 This section and the following sections provide an assessment of the CDY proposals for Development Zones I and M against the relevant current development plan policies in relation to the application for full planning permission.
- 6.3 The development plan policies are contained in the London Plan (2015) and in Camden's Local Development Framework 2010 – 2025 ('LDF'), including the Core Strategy (2010) and Development Policies Document (2010). Where appropriate, the following sections also consider relevant national policy and emerging policy as material considerations.
- 6.4 As previously noted a full planning application is being submitted for the proposal for the Eastern (excluding the southern anchor unit) and Western Coal Drops, their respective viaducts, the proposed new Upper Level and Lower Stable Street. The planning application boundary is shown in red on drawing reference PL-0005, within the accompanying Drawing Package. A further drawing (Appendix 1) is attached to show the extent of the applicant's ownership of the site and the surrounding area.
- 6.5 A reserved matters application is being submitted for the Western Wharf Road Arches, the southern anchor unit to the ECD and the Yard (see drawing PL-0004 within the Drawing Package). Appendix 5 (Compliance Statement) assesses the proposals against the conditions to the Outline Planning Permission. The Compliance Statement focuses primarily on the reserved matters application (and comprises the Compliance Report submitted with all KXC reserved matters applications), however, it also considers the CDY proposals holistically, where appropriate.
- 6.6 The application for listed building consent is assessed against statute and policy in the paragraphs below as required.
- 6.7 The Design and Access Statement sets out the rationale for and design of the proposals, (including other options which were explored and discounted).

Planning Policy Context

- 6.8 The spatial development strategy for London, the London Plan, was published by the Mayor in July 2011, with Revised Early Minor Alterations ('REMA') published on 11 October 2013 and further alterations published on 10 March 2015. The 2015 document (incorporating the REMA and further alterations) is the current strategic plan for London; it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital.
- 6.9 London boroughs' local plans need to be in general conformity with the London Plan. London Plan policies guide decisions on planning applications by councils and the Mayor and form part of the development plan.
- 6.10 The London Borough of Camden's Local Development Framework ('LDF') was adopted in November 2010 comprising the Core Strategy, Development Policies Document, Camden Planning Guidance and Site Allocations Document.
- 6.11 The Core Strategy 2010-2025 sets out the key elements of the vision for the Borough and is a central part of the LDF. It is supported in terms of detailed development management by the

Development Policies Document 2010-2025 ('DPD'), adopted at the same time. In addition, Camden have published a number of Planning Guidance documents which do not form part of the development plan but provide advice and guidance on how Camden will apply their planning policies and sets out the standards which applicants are expected to achieve and matters to be addressed for specific areas, such as, transport, sustainability and design.

- 6.12 Camden are currently reviewing their Core Strategy and have published a draft Local Plan for review (the first consultation period ended in April 2015). The draft Local Plan is still at a relatively early stage of production: once the responses to the recent consultation have been considered, a further draft will go through another round of consultation before being considered by a Planning Inspector at a public inquiry. The Local Plan will cover the period from 2016 to 2031 and will be the key document in Camden's development plan, once adopted.

Relevant site designations

- 6.13 The application site falls within the King's Cross Growth Area (as designated within the Core Strategy) where it is recognised by policy that large scale redevelopment is planned and underway. Development within this area is expected to maximise site opportunities, conserve historic assets, provide appropriate links to and benefits for, surrounding areas and communities and be in accordance with Camden's aspirations and objectives for the area as set out in the Core Strategy.
- 6.14 The London Borough of Camden's Site Allocations document (September 2013) sets out the following expectations for development in the King's Cross Growth Area, namely that development should (inter alia):

- *Be carried out in accordance with the Council's Core Strategy approach to the King's Cross Growth Area*
- *Take account of key objectives set out in the adopted planning brief where they still remain relevant*
- *Within the King's Cross Central site, be carried out in accordance with the outline planning permission (reference: 2004/2307/P), section 106 agreement and associated permissions and reserved matters approvals*
- *Support an appropriate balance of retail and food and drink uses within and around the stations for travellers and the local residential and working populations*
- *Have particular regard to the settings of heritage assets and opportunities for enhancing the qualities, accessibility and bio-diversity value of the canal*

- 6.15 The King's Cross Central site also lies within an Opportunity Area and the Central Activities Area ('CAZ'), as designated by the London Plan. The London Plan notes that Opportunity Areas are the capital's major reservoir of brownfield land with significant capacity to accommodate new housing, commercial and other development (policy 2.13). Amongst other things, development proposals should seek to optimise residential and non-residential output. Annex 1 to the London Plan sets out the strategic policy direction for the Opportunity Areas (including, King's Cross-St Pancras). It notes that King's Cross has the highest public transport accessibility in London. It recognises that planning permissions are being implemented in both Camden and Islington for high-density commercial development, office, retail, leisure and housing and goes on to note that development must capture heritage value, secure environmental quality and minimise car use.
- 6.16 Policies 2.10 and 2.11 of the London Plan set out the strategic priorities and functions of the CAZ. The CAZ is London's geographic, economic and administrative core. In addition to international retail centres, it recognises the need to support other retail centres focused on the CAZ frontages. It notes that the CAZ also includes many sights, attractions and heritage assets at the centre of London's visitor offer and that it will support and improve the retail offer of the CAZ for residents,

workers and visitors.

- 6.17 As noted previously, Development Zones I and M lie within the Regent's Canal Conservation Area and the Eastern Coal Drops building is Grade II listed.
- 6.18 The Government's planning policy is set out in the National Planning Policy Framework ('NPPF') document which was published in March 2012. The NPPF sets out the Government's overarching aims for the planning system, with a particular emphasis on a presumption in favour of sustainable development. Paragraph 14 of the NPPF states that development proposals which accord with the development plan should be approved without delay (unless there are specific policies that indicate that development should be restricted (footnote 9)). Guidance on the Government's planning policies is found in Planning Practice Guidance which have recently been updated and published online.
- 6.19 For ease, the following sections are divided into five policy areas. Each section sets out the key development plan policies, followed by an assessment of the proposed scheme against those policies:
- Land Use;
 - Heritage and Conservation;
 - Design;
 - Amenity; and
 - Sustainability.

Land Use

Principle of Retail Use and Quantum of Development

7.1 The key development plan policies are summarised as follows (together with emerging policy):

London Plan 2015

Policy 2.10 - Developments should support the strategic priorities of the Central Activities Zone (CAZ) including enhancing and promoting the unique international, national and Londonwide roles of the CAZ and sustaining and enhancing the distinctive environment and heritage of the CAZ and improving the retail offer.

Policy 2.11 - Developments should seek solutions to constraints on commercial development imposed by heritage designations without compromising local environmental quality, including through high quality design to complement these designations and identify, enhance and expand retail capacity to meet strategic and local need. Developments should enhance and expand retail capacity to meet strategic and local need.

Policy 2.13 – Within opportunity areas Development should realise the areas' growth potential and support the strategic policy directions including optimising output and contributing towards meeting indicative estimates for employment capacity.

Policy 2.15 – The Mayor requires a co-ordinated approach to retail and in Annex 2 provides strategic guidance on policy direction, including potential for growth. King's Cross/St Pancras is identified in Annex 2 as a CAZ Frontage with high potential for growth and in need of regeneration.

Policy 4.1 - The Mayor will promote and enable the continued development of a strong, sustainable and diverse economy across London.

Policy 4.7 - The scale of proposed retail development should be related to the size, role and function of a town centre and its catchment.

Policy 4.8 – The Mayor will support a successful, competitive and diverse retail sector which promotes sustainable access to goods and services and take a proactive approach to bringing forward capacity for additional comparison goods retailing.

LB Camden Core Strategy 2010

Policy CS1 – The Council will promote the most efficient use of land and buildings by making sure that development makes full use of its site.

Policy CS2 – Development in Camden will be concentrated in growth areas, such as, King's Cross and such developments are expected to maximise site opportunities.

Policy CS7 – The Council will promote retail growth in the range of 20,000 square metres net retail floorspace at King’s Cross/St Pancras. The Council will promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors by: (e) seeking to protect and enhance the role and unique character of each of Camden’s centres, ensuring that new development is of an appropriate scale and character for the centre in which it is located; (f) providing for, and maintaining, a range of shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice; (g) protecting and promoting small and independent shops ...; (h) making sure that food, drink and entertainment uses do not have a harmful impact on residents and the local area and focusing such uses in ... the King’s Cross Opportunity Area; (i) supporting and protecting Camden’s local shops, markets and areas of specialist shopping; and (j) pursuing the individual planning objectives for each centre, as set out below, including through the delivery of environmental, design, transport and public safety measures.

Policy CS8 – The Council will secure a strong economy by recognising the importance of other employment generating uses, including retail.

Policy CS9 - The Council supports and promotes the Central London area of Camden as a successful and vibrant part of London to live in, work in and visit seeking to ensure that development in the growth areas, such as King’s Cross, contributes to London’s economic, social and cultural role while meeting the needs of local residents and preserving and enhancing the area’s historic environment.

LB Camden Development Policies 2010

Policy DP1 – The Council will require a mix of uses in development where appropriate in all parts of the borough.

Policy DP12 – The Council will ensure that the development of town centre uses does not cause harm to the character function, vitality and viability of a centre, the local area or neighbours.

Camden’s draft Local Plan 2015

Draft Policy TC1 – The Council will focus new shopping and related uses in Camden’s designated growth areas and existing centres, including, significant development in the King’s Cross/St Pancras Growth Area, with approximately 30,000sqm net additional retail floorspace anticipated.

Draft Policy TC2 – The Council will promote successful and vibrant centres.

Draft Policy TC4 – The Council will ensure that the development of town centre uses do not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours.

Draft Policy TC5 – The Council will promote the provision of small shop premises and expect large retail developments to include a proportion of smaller units.

Draft Policy E1 – The Council will secure a strong economy by recognising the importance of other employment generating uses, including retail.

Draft Policy G1 – The Council requires development to make full use of its site.

Retail use

- 7.2 The principle of retail use (A1, A2, A3, A4 and A5) at the Coal Drops Yard has been established by the Outline Planning Permission. It is of note that retail use in this location is also supported by current policy at all levels.
- 7.3 The NPPF requires planning policies to be positive, promote competitive town centre environments and to promote the management and growth of town centres. Development plan policies should

include strategic policies to deliver the provision of retail, leisure and other commercial development.

- 7.4 As noted, the application site lies within London's CAZ, an area designated by the Mayor to enhance and promote the unique international, national and Londonwide roles of the CAZ, including an enhanced and expanded retail capacity to meet strategic and local need. The application site also lies within an Opportunity Area; a major reservoir of brownfield land.
- 7.5 The Core Strategy requires Camden's Central London area to contribute to the borough's economic focus and the success of the CAZ and London's role as a major global city. King's Cross is identified as a location for a substantial proportion of growth.
- 7.6 In addition to the policies summarised above, the narrative within Camden's Core Strategy notes that new shopping (and related uses) will be focused in the growth areas and, particularly, within King's Cross. It notes at paragraph 7.5 that KXC will include shops, services and facilities of a scale similar to a town centre to meet the needs of the large numbers of people who will be living in, working in, or visiting the area. Paragraph 7.16 states that the success of a centre is strongly influenced by the variety and choice of shops, services and other uses within it. Camden recognises that food and drink uses and independent shops add to the diversity, choice and vibrancy of Camden's centres. Food and drink uses bring activity outside normal shopping hours, however, they must be appropriately located to minimise impacts on the amenity of local residents. Camden also require that the retail growth within the King's Cross area contributes to improving the quality of the shopping environment along the King's Cross/Euston Road Central London Frontage, reflecting its position as a gateway to London.
- 7.7 In addition to development plan policy, Camden has also produced guidance in the form of supplementary planning guidance on Retail (CPG5 dated September 2013). The guidance confirms that new retail should be in growth areas or town centres. The CDY is not in a designated town centre: as noted, it is within a growth area and the Central London area (the CAZ). Paragraph 4.1 of CPG5 notes "Camden's Central London Area plays an important part in providing the vibrancy, diversity and identity that makes the borough such a popular place to visit and live in. It also forms a key part of London's Central Activities Zone whose unique role, character and mix of uses provides much of the capital's distinctiveness."
- 7.8 The Coal Drops Yard is intended to be the principal retail hub of the King's Cross development, and a retail destination. A Retail Statement accompanies these submissions and includes a Retail Impact Assessment prepared by Nathaniel Lichfield & Partners (NLP). NLP confirm the conclusions of the 2004 retail work have not changed and conclude that the proposed additional retail floorspace will have a negligible impact upon existing centres.
- 7.9 It is proposed to provide a unique and accessible retail offer with a mix of local, national and international brands with high street and independent brands which will provide vibrancy, variety and choice in accordance with Policy CS7 and CPG5. As required by the Outline Planning Permission, the CDY proposals are principally for A1 retail use, however, as described in more detail in the Retail Statement, a few small cafes and one larger restaurant are proposed to contribute to the vibrancy and vitality of the offer.
- 7.10 The proposal for retail use in this highly accessible location within a designated Opportunity Area, a growth area and within the CAZ is in compliance with development plan policy. The proposed retail use will contribute towards maintaining a range and variety of shops and securing a strong economy through the delivery of employment generating uses.

Quantum of Development

- 7.11 The Outline Planning Permission allows up to 45,925m² GEA of retail floorspace site wide within King's Cross Central (Condition 35, Table 1). That space is distributed across the site and allocated to Development Zones by Condition 36 (and Annex B). The figures within Table 1 and Annex B cannot be exceeded unless agreed otherwise by the local planning authority. The 2004 Retail Impact Assessment (supporting the Outline Planning Permission) concluded that the proposed retail at King's Cross Central would be unlikely to affect the viability and vitality of local centres or to replicate the distinctive retail offer that draws visitors from the wider area to Camden Town, Angel and Tottenham Court Road. A unique 'retail as leisure' was proposed for KXC: that vision for the retail offer is further developed and detailed within the Retail Statement accompanying these applications.
- 7.12 As noted above and as proposed under the Outline Planning Permission, the Coal Drops Yard is intended to be the principal retail hub of the King's Cross Central development. The cellular nature of the historic buildings offers opportunities for unique retail spaces and lend themselves well to the creation of a retail 'street'. As the CDY is significantly smaller than other retail destinations, for example, Covent Garden, it is our view that in order to create a sustainable retail destination, the ability to introduce larger 'anchor' units to provide varied unit sizes and the 'draw' for visitors to support smaller units, some intensification of retail offer and improved circulation through the CDY is required. The proposals make the offer more attractive to retailers and visitors alike. The proposals are discussed in more detail within the Retail Statement.
- 7.13 The application for full planning permission seeks an intensification of retail use at the CDY over that approved by the Outline Planning Permission. A new Upper Level is proposed spanning between the ECD and WCD to provide a larger anchor unit, a connection between ECD and WCD and some cover from the weather to the Yard below, giving rise to the requirement to submit an application for full planning permission. Nonetheless, as detailed elsewhere within this Planning Statement, close regard has been had to the principles of the Outline Planning Permission.
- 7.14 Together the suite of applications for CDY propose retail uses of a quantum of 2,937m² GEA of retail floorspace being brought forward in excess of the Outline Planning Permission site wide maximum. This uplift against the Outline Planning Permission has been assessed specifically in retail and transport terms in the Retail Statement and Transport Statement, respectively. The following paragraphs consider whether there is planning policy support for the proposed intensification of retail use and floorspace within King's Cross Central. The Retail Statement also considers the potential impact of the CDY proposals upon existing retail centres within the boroughs of Camden and Islington and beyond, and changing retail trends since the date of the Outline Planning Permission.
- 7.15 The London Plan notes at paragraph 4.47 that a vibrant, diverse retail sector is essential to London's success. It also notes that King's Cross has the highest public transport accessibility in London (page 350). Paragraph 4.48 notes that larger centres are appropriate locations for accommodating much of the growth in comparison goods, retail expenditure and floorspace because they are the most accessible by public transport. The London Plan requires that development proposals within Opportunity Areas should seek to optimise output and densities and realise their scope for intensification.
- 7.16 Camden's Core Strategy promotes the most efficient use of land by making sure that development makes full use of its site. It also promotes successful and vibrant centres to serve the needs of residents, workers and visitors. Policies CS8 and CS9 recognise the importance of a strong economy and the contribution that growth areas, such as King's Cross can make towards London's economy.
- 7.17 Camden's Retail Study 2008 (paragraph 7.4 of the Core Strategy) notes that 27,000 to 31,000m²

of new retail is required Borough-wide in addition to floorspace already consented, allocated or anticipated. Paragraphs 7.5 and 7.6 of the Core Strategy note that there is capacity for growth in Camden and that that growth should be focused in growth areas. The Core Strategy does not specifically consider the provision of additional retail space at KXC over and above that approved by the Outline Planning Permission. However, KXC is a growth area and strategic policies (the London Plan and the NPPF) lend their support to meeting the borough's retail need at KXC due to its allocation as a significant growth area earmarked for high density mixed use development together with its excellent public transport links allowing such growth to make the fullest possible use of public transport, walking and cycling.

- 7.18 As concluded within the accompanying Retail Statement, the proposed increase in retail offer at KXC within the CDY does not have an adverse impact on other retail centres, i.e. the proposed intensification and mix of retail uses within the CDY can be accommodated without impacting on the viability and vitality of existing centres. The Transport Statement concludes that in transport terms, the proposed uplift in retail floor area site wide will have a negligible impact on the transport infrastructure.
- 7.19 There is clear planning policy support for growth and intensification of retail use within this location.

Heritage and Conservation

Heritage and Conservation

- 8.1 The key relevant development plan policies are summarised as follows (together with emerging policy):

London Plan 2015

Policy 2.10 - The Mayor will and boroughs should...sustain and enhance the distinctive environment and heritage of the CAZ, recognising both its strategic components, designated views and more local features including the public realm and historic heritage, smaller open spaces and distinctive buildings, through high quality design and urban management.

Policy 7.4 - Development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings, allow existing buildings that make a positive contribution to the character of a place to influence the future character and be informed by the surrounding historic environment.

Policy 7.8 – Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate. Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Policy 7.9 - Regeneration schemes should make use of heritage assets and reinforce the qualities that make the heritage asset significant. Wherever possible heritage assets should be repaired, restored and put to a suitable and viable use that is consistent with their conservation.

Policies 7.11 and 7.12 - The Mayor has designated a list of strategic views and development will be assessed on its impact on the view if it falls within the fore-, middle- or background of that view. New development should not harm and where possible should make a positive contribution to the characteristics and composition of the strategic views and their landmark elements.

Policy 7.30 – Development proposals along London’s canal network should respect their local character and contribute to their accessibility and active water related uses, in particular transport uses, where these are possible.

LB Camden Core Strategy 2010

Policy CS5 – Development in Growth Areas should protect and enhance the environment and heritage of local communities.

Policy CS9 – Developments should preserve and enhance the area’s historic environment.

Policy CS14 - Development should be safe and easy to use by preserving and enhancing Camden’s rich and diverse heritage assets and their settings including Conservation Areas and listed buildings, as well as protecting important views of St Paul’s Cathedral and the Palace of Westminster and local views.

LB Camden Development Policies 2010

Policy DP25 – The Council will take account of conservation area statements when assessing applications within conservation areas and only grant consent for a change of use or alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building.

Draft Policy D1 - Development is required to respect local context and character and conserve or enhance the historic environment and heritage assets.

Draft Policy D4 - The Council will require advertisements and signs to preserve or enhance heritage assets and conservation areas, as well as providing they are designed to be complimentary to the character of the host building and local area..

Draft Policy D2 - The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including, conservation areas and listed buildings. Development which causes harm to the significance of a conservation area will not be permitted unless there are public benefits that outweigh the harm, taking into consideration the scale of the harm and the significance of the asset. Permission for development which results in the substantial harm to, or the loss of a listed building will not be permitted unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm.

- 8.2 The ECD is a Grade II listed building: a copy of the listing description is attached as an Appendix to the Heritage Statement. The whole of the proposed CDY site is located within the Regent's Canal Conservation Area. It is recognised in the Regent's Canal Conservation Area Appraisal that the WCD and the WWRA make a positive contribution to the conservation area. The CDY also lies adjacent to (the west of) the listed Granary building (Grade II) and immediately to the east of the Grade II listed Gas Holder guide frames (Triplets and No. 8). There are a number of other listed buildings within the wider KXC site and adjacent, including, King's Cross and St Pancras stations, both Grade I listed.
- 8.3 The accompanying Heritage Statement details the buildings' history, undertakes an assessment of their significance (taking into account work already done at the time of the application for Outline Planning Permission) and the potential impact of the proposals upon the significance of the buildings themselves, their settings and any features of special architectural or historic interest, as well as any potential impact on the settings of listed buildings in the vicinity and the conservation area. The Heritage Statement undertakes an assessment of the proposals against relevant planning policy and also considers conservation objectives in relation to the future of the buildings. The Heritage Statement has also reviewed and reported upon all the conservation work undertaken at the time of the application for Outline Planning Permission and subsequent surveys. A Heritage Baseline Study by IHCM Ltd was undertaken as part of the Environmental Impact Assessment in 2004 which supported the outline planning application to assess the significance of each existing building within the KXC site and was used to inform the notable features, works to facilitate future use and refurbishment parameters set out in Annex E of the Main Site Development Specification. These documents have formed the starting point for the CDY proposals. Alongside more recent building surveys, they have also ensured that the architectural and historic interest of the buildings has been properly recorded as required by policy.
- 8.4 The ECD was built in 1850/51 and the WCD slightly later in 1859/60 as part of the Great Northern Railway's London terminus. The WWRA were built in circa 1850 to provide road access (with stables beneath) between the southern part of the Goods Yard and the sheds to the north. Both the ECD and WCD were probably designed by Lewis Cubitt and were used as coal drops for around 30 to 40 years, receiving coal transported by rail from the north of England allowing it to be transferred to road transport. The WCD and the southern part of the ECD were converted to warehousing in the 1890s and 1880s, respectively. The 10 northern-most bays of the ECD remained in use as coal drops until the 1970s. British Rail ceased to use the CDY in the 1980s. It was at that time that the southern part of the ECD was converted to a nightclub. In 1985 a large fire burnt out the northern end of the ECD. Both Coal Drops have undergone substantial

alterations and changes of use since construction and have been vacant since circa 2005. The buildings are currently in a poor condition and require significant repair and refurbishment. The applicant has worked with Camden over the past few years to agree and undertake essential works of maintenance and repairs.

- 8.5 There is a statutory duty upon local planning authorities to consider the impact of proposals on listed buildings, their settings and conservation areas. Sections 66 and 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990 require (respectively) that “*special regard [is had] to the desirability of preserving the building or its setting or any features of special architectural or historic interest*” and “*special attention [is paid to] the desirability of preserving or enhancing the character or appearance of a conservation area*”. Recent case law¹ has clarified the extent of those statutory duties, noting that decision makers should give ‘*considerable importance and weight*’ to the statutory duty, confirming that the statutory duty is more than a mere material consideration.
- 8.6 If harm (even ‘less than substantial harm’) is found, there is a presumption against the grant of planning permission. Case law notes that the presumption is a statutory one. However, the case law confirms that the presumption “*is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the right balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation, and if it demonstrably applies that presumption to the proposal it is considering.*” Planning benefits or public benefits are defined within the PPG (2014) as “anything that delivers economic, social or environmental progress as described in the NPPF (paragraph 7)”.
- 8.7 The NPPF recognises that there are three dimensions to sustainable development: economic, social and environmental. It requires, amongst other things, the planning system to contribute to protecting and enhancing our natural, built and historic environment (paragraph 7). Paragraph 8 notes that the three roles should not be undertaken in isolation, as they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. “*Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system*” (paragraph 8). Paragraph 17 sets out 12 principles of planning including, the conservation of heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. The NPPF notes that planning policies should aim to ensure that development responds to local character and history, and reflects the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation (paragraph 58).
- 8.8 The NPPF requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. In reaching a decision, great weight must be placed on the asset’s conservation, although that weight must be relative to the importance of the asset. Substantial harm to or loss of a grade II listed building should be exceptional and where a development proposal will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraphs 131 to 134). Paragraph 137 states that local authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or

¹ Including: Barnwell Manor [2014] EWCH Civ 137 and Forge Field [2014] EWHC 1895 (Admin).

better reveal their significance.

- 8.9 Historic England has published Guidance Notes 1, 2 and 3 giving guidance and advice on, inter alia, managing significance in the historic environment and the settings of heritage assets. Note 2 considers the impact of cumulative incremental changes and unsympathetic development and whether additional change will further detract or enhance the significance of an asset. Note 3 speaks of improving public access to, or interpretation of, the asset including its setting.
- 8.10 In accordance with both strategic and local policy, specifically London Plan policies 7.8 and 7.9 and LB Camden Core Strategy policies CS5 and CS9, it is proposed to refurbish and re-use each of the ECD, the WCD (and their respective viaducts) and the WWRA. As envisaged by the Outline Planning Permission, the existing buildings and fabric will be largely retained and refurbished for retail use. The fire damaged northern end of the listed building will be restored. Although alterations are proposed internally and externally, these have been sensitively incorporated to respect the form, scale and materials found across the CDY buildings and are considered necessary to support the proposed use. Full details of the proposals are provided in the Design and Access Statement ('DAS') which accompanies these submissions.
- 8.11 In addition to current policy, the proposals have had close regard to those refurbishment parameters approved as part of the Outline Planning Permission. They seek to maintain and, where possible, enhance the significance of the retained and conserved elements of the listed and unlisted historic buildings and the character of this part of the Conservation Area.
- 8.12 A detailed understanding of the buildings through surveys and assessments of significance, expected in London Plan policy 7.8, has informed the design process to minimise and mitigate potential impacts to the historic fabric. Although it will be necessary to remove some elements of historic fabric (for example, within the roof, some sections of internal walls and a section of the eastern viaduct), such removals have been minimised and where possible, removed fabric will be used elsewhere. There will also be removal of detrimental later additions and the retention of features (such as, canopy brackets) to better reveal and enhance the architectural and historic significance of the buildings, as detailed in both the DAS and the Heritage Statement.
- 8.13 The single storey office building at the southern end of the ECD (a later addition in the 1890s), would be demolished. Other more modern additions, such as the external stair at the southern end of the ECD viaduct or the infills to the arches facing into the Yard would also be removed as part of the proposals. The latter would be re-opened to create glazed shopfronts to facilitate the proposed use (see below).
- 8.14 The viaducts will be retained in full, apart from the northern 12 bays of the ECD viaduct which is proposed to be reduced in width to accommodate the Thames Sewer (see below). Three sets of stairs will be inset into the WCD viaduct as part of wider improvements to circulation around the CDY.
- 8.15 The eastern elevation of the ECD and western elevation of the WCD remain relatively unchanged (although refurbished), retaining a higher degree of solidity with repairs or replacement of timber infills to the arches.
- 8.16 As described in the DAS, the proposed new Upper Level is designed to create required additional floorspace and provide circulation between the ECD and WCD buildings in a contemporary yet responsive way. The design of the new curved roof is based upon a concept of 'peeling away' the courtyard roof structures upwards and inwards until they meet above the courtyard between the ECD and WCD buildings. In accordance with policy, the existing buildings have directly informed the design both in terms of the form, which is derived from the strong linearity of the ECD and WCD, and the materials which include a slate covering to match those currently found on the roof and more modern metalwork and glass which complement and contrast with the industrial

aesthetic of the buildings. Its unique design will attract both retailers and visitors to the CDY, contributing to its success as a retail destination.

- 8.17 The new roof is located towards the northern end of the ECD, designed to sit as far as possible within the area of the burnt out section of the ECD to minimise impact on the southern end of the ECD. The northern section of the ECD will be rebuilt, using salvaged materials where possible, for example the existing Victorian roof trusses removed the existing buildings to accommodate the new Upper Level floorplate.
- 8.18 Two simple, lightweight bridges will connect the ECD and WCD viaducts, a bridge will also connect the ECD viaduct to the WWRA (referred to as BR4 in the Outline Planning Permission) and three simple, lightweight bridges will provide connections and access from Stable Street to the ECD and Lower Stable Street. Although these works require the removal of some historic fabric, for example 23 brick panels to the ECD Viaduct level arches, this will improve connectivity across the buildings and contribute to making the CDY fully accessible.
- 8.19 A Thames Water sewer runs through the CDY site, entering from the north, running north-south under the northern 12 bays of the ECD viaduct before turning east under the building and continuing east-west through the 'Crossing' within the Granary complex, as indicated within the accompanying Drawing Package and within the Environmental Sustainability Plan. Thames Water require 24-hour access to the sewer for maintenance: the sewer cannot be enclosed within retail units, therefore the 12 northern-most bays of the viaduct are proposed to be cut back to a width of circa 4 metres. The design works to minimise and mitigate the partial loss of the full width of the northern-most element of the ECD viaduct are detailed within the DAS. The full width of the Viaduct would be marked at Yard level through the paving details.
- 8.20 The historic buildings will be fitted with shop and restaurant/café units that correspond with existing openings and bay structures as far as possible. The simple aesthetic is reflected across a family of frontages to create a variety of shopfronts suitable for different uses but in a coherent format that complements the character of the buildings. The shopfronts incorporate a signage zone where it is envisaged signs will sit behind the glazing at high level.
- 8.21 Although some openings and interiors will require alterations and the internal levels will be altered in part of the buildings for reasons of accessibility and servicing, the overriding approach is to conserve the surviving fabric with as few changes as possible and to retain the legibility of the historic uses. Innovative solutions to minimise interventions have been sought, for example the rebuilding of slightly larger chimneys in the same style as the original to accommodate extracts and vents, or the consolidation of service risers in cores alongside stairs and lifts.
- 8.22 Save for the period of nightclub use, the buildings have not been accessible to the public since they were built: the proposed scheme and surrounding public realm will open them up to the public and ensure that they are accessible both internally and externally allowing a greater appreciation of the architecture and historic interest of these heritage assets. The design of the Yard is sympathetic to the former industrial use and character, retaining an urban feel with hard landscaping and the use of granite setts. Although the original cobbles are incompatible with current accessibility requirements, the Yard and viaducts have been carefully considered to retain and mark the industrial character and heritage of the CDY through the incorporation of the old setts around reinstated heritages features and other areas of low pedestrian traffic (e.g. under staircases).
- 8.23 The refurbishment of the existing buildings, the high quality of the design of the new Upper Level intervention and the sensitive use of materials (as summarised above and described in more detail in the submitted documents), are considered to enhance the settings of the adjacent listed buildings including the Grade II listed Granary building and the gas holder guide frames and the Regent's Canal Conservation Area, ensuring that the significance of those heritage assets are

preserved.

- 8.24 The London Plan (Policy 7.30) recognises the importance of London's waterways (the Blue Ribbon Network), including the Regent's Canal. The Regent's Canal Conservation Area Statement includes guidance on design within the conservation area (RCa2) and, in particular, the canal side and the public realm (RCa28). It notes that the "predominant architecture of the Conservation Area dates from the early to mid 19th century and many good examples remain primarily at Camden Lock and King's Cross. In addition, there are examples of successful refurbishments and modern design which have contributed positively to the character of the canal". The "enclosure or openness of particular sections of the canal should be respected as this quality contributes to its varying character along its length". In refurbishing the existing buildings, the CDY proposals ensure that they continue to contribute positively to the character of the canal and the conservation area.
- 8.25 Although two arches within the WWRA are proposed to be opened up (in accordance with the Outline Planning Permission, which permits the opening up of up to 3 arches), the enclosure of this part of the canal will be retained through the refurbishment of the WWRA whilst improving access to the towpath. Consultations have helped to inform the location of the openings onto the canal to improve accessibility and safety whilst respecting the enclosure of this section of the canal. The solid masonry character of the walls of the WWRA is being maintained and openings kept to a minimum in accordance with guidance in the Regent's Canal Conservation Area Statement.
- 8.26 As detailed within Section 4 (above) of this Planning Statement, the proposals have been developed in close consultation with heritage bodies, such as, Historic England and conservation officers at Camden. The design of the proposals has evolved to preserve more of the historic fabric and to remove unsympathetic detrimental later additions to better reveal the significance of the buildings.
- 8.27 As already noted, public access will be introduced to allow the public to experience and appreciate currently inaccessible heritage assets. Heritage interpretation information is proposed to aid understanding of the historic significance of the buildings. The London Plan paragraph 7.13 notes that new development should help residents and visitors understand where a place has come from, where it is now and where it is going. Crucial to the preservation of character is the careful protection and adaptive re-use of heritage buildings.
- 8.28 Parameter Plan KXC015 Rev S (Strategic Views) approved as part of the Outline Planning Permission, requires any buildings lying within the strategic viewing corridors to St Paul's Cathedral from Parliament Hill and Kenwood House to meet specific height criteria. The Eastern and Western Coal Drops lie, in part, within both the Parliament Hill and Kenwood House viewing corridors. They remain, together with the proposed new Upper Level, well within the height restrictions of the viewing corridors. The proposals do not contravene the Strategic View Corridor height constraints, therefore accord with London Plan Policy 7.12, Core Strategy Policy CS14 and the Outline Planning Permission.
- 8.29 When considering re-use or refurbishment of heritage assets, opportunities should be explored to identify potential modifications to reduce carbon emissions and secure sustainable development (paragraph 7.31, London Plan). It is proposed, for example, to better insulate the roof when works of refurbishment are undertaken and the buildings will be linked to the site wide district heating network, as discussed in further detail in the ESP accompanying this application and in Section 11 below.
- 8.30 The proposals will help to secure a long-term viable future for the Eastern and Western Coal Drops, their related viaducts and the WWRA within the KXC site, with various defined works to facilitate their economic refurbishment and use. As recognised by the NPPF, each of the mutually dependent dimensions of sustainable development, namely, economic, social and environmental,

will contribute to the conservation of the existing CDY buildings, with the well-designed, innovative addition responding, as is required, to the local materials and character. In accordance with statute, development plan policy and national policy and guidance, the heritage assets are being repaired, refurbished and brought back into use allowing them to be opened to and enjoyed by the public for the first time in many years. The proposed refurbishment and new addition at roof level preserve and enhance the heritage buildings, heritage assets in the vicinity, their settings and the conservation area.

- 8.31 It is recognised within the Heritage Statement that the addition of a new Upper Level to the ECD and WCD and the partial loss of the ECD viaduct will cause some harm to the significance of the ECD, a designated heritage asset. That harm, although less than significant, must be given considerable importance and weight, and should be weighed against the public benefits of the proposals when the local planning authority makes its decision. The Heritage Statement sets out the benefits of the proposals in terms of the heritage assets themselves, many of which are described above. To summarise, however, the overall planning and public benefits (economic, social and environmental) of the proposals are:
- the careful repair, refurbishment and re-use of the heritage buildings;
 - recording of, protecting and enhancing the built and historic environment;
 - the re-instatement of the burnt out northern end of the ECD;
 - the positive impact on the character and appearance of the conservation area, including this part of the Regent's Canal;
 - the positive impact on the settings of neighbouring listed buildings;
 - opening up currently inaccessible heritage assets to the public and seeking to ensure the public will be able to understand their history;
 - the proposed retail use will contribute to building a strong competitive economy in this part of London and enhance the Londonwide role of the CAZ;
 - regeneration of a brownfield site within an Opportunity Area, giving rise to wider regenerative impacts;
 - providing high quality built environment;
 - providing new high quality public realm and additional access to the Regent's Canal;
 - providing retail facilities to support the growing local population of residents and workers, as well as visitors to the KXC site; and
 - generating employment uses in a highly accessible location.
- 8.32 It is our view that these substantial public benefits outweigh any harm to the heritage assets and that the proposals fully accord with current development plan policies.

Design

Architectural Design

- 9.1 The key relevant development plan policies are summarised as follows (together with emerging policy):

London Plan 2015

Policy 7.1 - Development should contribute to people's sense of place, safety and security, meet the needs of the community at all stages of people's lives and help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood.

Policy 7.3 - Development proposals should seek to create safe, secure and appropriately accessible environments where crime does not undermine the quality of life and design should contribute towards a sense of security and encourage a level of human activity appropriate to the location.

Policy 7.4 - Development should have a high quality design response to ensure that it has regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.

Policy 7.5 - London's public spaces should incorporate the highest quality design, landscaping, planting, street furniture and surfaces.

Policy 7.6 - Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context. Buildings and structures should be of the highest architectural quality and should optimise the potential of sites.

LB Camden Core Strategy 2010

Policy CS1 - Development should make full use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site.

Policy CS2 - Development in growth areas should maximise site opportunities, provide appropriate links to, and benefits for, surrounding areas and communities and be in accordance with the Council's aspirations and objectives for that area.

Policy CS14 - Development should be of the highest standard of design that respects local context and character.

Policy CS15 - The importance of the canal is highlighted further in Core Strategy Policy CS15, which states:

"The Council will preserve and enhance the Regent's Canal by:

q) balancing the differing demands on the Canal, its towpath and adjoining land;

r) implementing opportunities to make the Canal a safer place;

s) applying the guidance in the Regent's Canal Conservation Area Management Strategy;

t) implementing opportunities to provide additional nature conservation areas and improve the role of the Canal and its adjoining land as a habitat corridor (green chain);

u) working with British Waterways, Natural England, other land owners/developers, users and the local community to improve the Canal and towpath.”

LB Camden Development Policies 2010

Policy DP24 - *The following aspects of design should be considered in all developments, including alterations and extensions to existing buildings including:*

“a) character, setting, context and the form and scale of neighbouring buildings;

b) the character and proportions of the existing building, where alterations and extensions are proposed;

c) the quality of materials to be used;

d) the provision of visually interesting frontages at street level;

e) the appropriate location for building services equipment; and

g) the provision of appropriate hard and soft landscaping.”

Policy DP30 - *When considering proposals for shopfront development the Council will consider the existing character, architectural and historic merit and design of the building.*

Camden’s draft Local Plan 2015

Draft Policy D1 - *The Council will require that development is attractive and of the highest standard.*

Draft Policy D3 - *The Council will expect a high standard of design in new and altered shopfronts and the Council will consider, among other things, the existing character, architectural and historic merit and design of the building and shopfront.*

Draft Policy A2 - *The Council will preserve and enhance the Regent’s Canal and its setting.*

- 9.2 The NPPF notes that good design is a key aspect of sustainable development and should contribute to making places better for people. Paragraphs 56 to 68 of the NPPF specifically consider the requirement for good design. The NPPF requires that planning decisions should aim to ensure that developments establish a strong sense of place, respond to local character and history, create safe and accessible environments and are visually attractive. It notes that although visual appearance and the architecture of buildings are very important factors, securing high quality design goes beyond aesthetic considerations. Paragraph 63 suggests that great weight should be given to outstanding or innovative designs.
- 9.3 In describing Camden’s character, the Core Strategy notes (page 126) the places, buildings and features that give Camden its distinctive character, including, King’s Cross. The Core Strategy recognizes that it is King’s Cross which is expected to experience the most change and development over the plan period. It also recognises that although often hidden, the Regent’s Canal provides an area of nature conservation interest and amenity space.
- 9.4 Camden’s supplementary planning guidance CPG1 addresses and gives further guidance on design. It notes that Camden is committed to excellence in design and recognises that high quality design makes a significant contribution to the success of a development. In developing design, applicants are encouraged to consider buildings in terms of context, height, accessibility, orientation, siting, detailing and materials. It notes that good design should seek to positively enhance the character and history of existing buildings on the site and those in the vicinity, respect and be sensitive to natural and physical features, both on and off the site and enhance connectivity to, from and around the site for all people. CPG1 notes the importance of landscape and public realm, requiring it to be fully integrated into the design and to have regard to safety and inclusivity. The scale, type, pattern and mix of materials should be carefully considered, as should

the approach to storage areas, such as, waste and cycle parking.

- 9.5 Section 7 of CPG1 specifically addresses shop fronts, suggesting that new shopfronts are designed as an integral part of the whole. Section 8 of CPG1 advises on advertisements and signage.
- 9.6 The proposal for the CDY has been designed by internationally renowned architects, Heatherwick Studio, established by Thomas Heatherwick in 1994. A team of 180 architects and designers form a combined studio which for the last 20 years has been located at the northern end of Gray's Inn Road, King's Cross. Thomas Heatherwick is an Honorary Fellow of the Royal Institute of British Architects and in 2013 was awarded a CBE for his services to the design industry. More recently in 2015, Thomas Heatherwick was awarded the Architect's Journal 'Contribution to the Profession Award'.
- 9.7 Heatherwick Studio have previously worked with listed heritage structures and buildings, such as the Bombay Sapphire Distillery at the renovated Laverstoke Mill (three Grade II listed buildings within a conservation area and SSSI) which re-opened in 2014. The Studio has also completed a number of retail projects, including renovation of the shopping centre in Pacific Place, Hong Kong, built in the 1990s. Heatherwick Studio is also known for the Olympic Cauldron at the London Olympic Games 2012 and the new Routemaster bus.
- 9.8 The aspiration is to bring back into use the vacant Coal Drops buildings and the WWRA to provide public access to and enjoyment of this part of the King's Cross site. The design approach taken by Heatherwick Studio, as required by statute and policy, is to preserve the significance of the industrial heritage of the buildings and site and to retain the legibility of the original form and function of the buildings. Substantial repairs and refurbishment works are proposed to be carried out as described above and detailed in the accompanying documents (the Design and Access Statement and the Heritage Statement). Some additions and interventions are required to the buildings to facilitate their re-use for retail: these have been carefully considered with regard to the historic significance and the surrounding context. A full description of the design of the proposals is contained within the Design and Access Statement which accompanies these submissions.
- 9.9 The proposed new Upper Level has been designed with a scale and detailing that is respectful of and sensitive to the existing buildings on site and the new and existing surrounding buildings. The design of the new curved roof of the proposed Upper Level is based on a concept of 'peeling away' the courtyard facing roof slope of each of the WCD and ECD upwards and inwards until they touch above the centre of the courtyard. It is an innovative design to complement and contrast with the industrial heritage of the existing buildings whilst conserving the surviving fabric with a minimum of changes, retaining the legibility of historic uses, improving connectivity within the site and providing for a larger anchor unit to complement the cellular units proposed within the existing buildings in accordance with development plan policies, in particular, London Plan Policy 7.4 and Camden's CS14 noted above.
- 9.10 The maximum height of the proposed addition is lower than the Granary building and Western Transit Shed and significantly lower than the adjacent Gasholder Triplets. As noted in the previous section, the CDY lies in part within the Strategic Viewing Corridor of St Paul's from both Kenwood House and Parliament Hill. In addition, Parameter Plan KXC015 Rev S (Strategic Views) approved as part of the Outline Planning Permission, requires any building lying within the strategic viewing corridor of St Paul's Cathedral from Kenwood House and Parliament Hill to meet specific height criteria. The CDY proposals do not contravene the Strategic View Corridor height constraints, therefore accord with London Plan Policy 7.12 and Core Strategy Policy CS14.
- 9.11 In accordance with DP24, the material palette for the site, as detailed in the Design and Access Statement, is sensitive to the the heritage assets. It is proposed that the existing brickwork will have minimal cleaning, sufficient only to allow necessary repairs works to be carried out. The new

Upper Level has been designed to be a modern addition of primarily lightweight materials, which contrasts with the solid character of the buildings. The new roof is proposed to be slate, infilled with a contrasting metal cladding of a tone that is designed to be subordinate to the slate roofs and industrial brickwork. The new roof will be covered in slate to match the existing and retained roofs. The existing roofs will be refurbished and will require re-slating which would be on a like for like basis.

- 9.12 The new transparent glazed shopfronts along the central and northern elevations will provide visually interesting frontages at street level and a strong connection between the public realm and the internal spaces (as required by DP30). The shopfronts have been designed as an integral part of the overall design and to be subordinate to the historic building facades. They are proposed as a family of options that have a level of uniformity to deliver a coherent overall streetscape yet with sufficient variety to create interest and vitality. The south elevation of the WWRA and the west elevation of the WCD have been designed to retain the solidity of the existing facades, which allows the current tranquility of the adjacent spaces, in particular, the Regent's Canal to be maintained.
- 9.13 CDY has a prominent location at the southern end of Lewis Cubitt Square; the northern elevations have been carefully designed to ensure the buildings' original function is legible. When in use as coal drops, the northern elevations of both the ECD and WCD would have been open to allow access to trains. The proposed refurbishment of the existing building elevations and the infill of the large openings with simple glazed elevations facilitates an understanding of the original function of the building and enhances connectivity between the public spaces and the internal activity (as shown in images within the Design and Access Statement).
- 9.14 The public realm around the buildings is proposed to be an interesting environment that enhances the character of the Regent's Canal Conservation Area and that is delivered to a high standard to complement the adjacent Granary and Lewis Cubitt Squares. The proposed materials and design details have been chosen carefully to enhance the legibility of the original function of the spaces and indicate the location of historic structures that are no longer present, such as, the Plimsoll Viaduct, whilst ensuring full accessibility (as discussed further below). As noted in the previous section, two arches within the WWRA are proposed to be opened up to create a link to the Regent's Canal in accordance with the Outline Planning Permission. The location of the openings has been discussed with the Canal and River Trust to ensure the Canal environment is enhanced by the proposals in accordance with Policy CS15.
- 9.15 The lighting concept for the CDY is to use light to support a lively retail design and that the character of the light should be warm and inviting. For the main yard space the general lighting is to be provided through surface mounted luminaires to keep the space free from clutter. Lighting is discussed further in Section 10 below.
- 9.16 Fundamental to the design of the CDY as a retail destination is accessibility and circulation through and around the buildings and public realm at every level. As there is a direct link between spatial layout and people movement flows, comprehensive studies into the optimum positioning of accessible routes and circulation were undertaken with external consultant, Space Syntax, to inform the design at an early stage in the process. Space Syntax has developed computer modelling techniques from which movement patterns in and around buildings can be quantitatively estimated. The computational analysis was specifically used to test and refine design options for the location, hierarchy and form of the public cores, cut-throughs in the buildings and the structural bridge links, both between the ECD and Stable Street and those in the Central Yard between the ECD and WCD.
- 9.17 The Design and Access Statement accompanying this planning application provides a detailed explanation and assessment of the proposed design, clearly demonstrating how it relates to the

existing character of its location and the surrounding local context and contributes towards creating a sense of place within the wider KXC development. The Design and Access Statement also addresses each of the relevant Design Guidelines attached to the Outline Planning Permission. The proposed new Upper Level is sensitive to the significance of the existing buildings, as discussed in Section 8 above, and the refurbishment works enhance the character of the conservation area and better reveal the history of the existing buildings meeting requirements of development plan policy and the Outline Planning Permission. The quality of the proposed design is visually attractive, innovative and of an extremely high standard, in accordance with planning policy at all levels.

Access and Inclusivity

- 9.18 The key relevant development plan policies are summarised as follows (together with emerging policy):

London Plan 2015

Policy 7.2 - The Mayor will require all new development in London to achieve the highest standards of accessible and inclusive design.

Policy 7.6 - Buildings and structures should meet the principles of inclusive design.

LB Camden Core Strategy 2010

Policy CS14 - The Council will seek 'the highest standards of access in all buildings and places requiring schemes to be designed to be inclusive and accessible'

LB Camden Development Policies 2010

Policy DP24 - Accessibility is listed as one of the points for consideration in achieving the highest standards of design, and Policy DP29 sets out the following expectations of the Council relevant to this application:

'a) expect all buildings and places meet the highest practicable standards of access and inclusion;

b) require buildings and spaces that the public may use to be designed to be as accessible as possible;

f) secure car parking for disabled people.'

Camden's draft Local Plan 2015

Draft Policies D1 and C5 - Buildings and spaces must be inclusive and accessible for all.

- 9.19 The NPPF (paragraph 61) notes that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment. Camden's supplementary planning guidance CPG6 explains that Camden will seek to ensure the highest standards of access and inclusion in the borough's built environment and public realm.
- 9.20 The CDY proposals have been designed to facilitate full access from all adjacent areas of public realm to ensure inclusive access for all. Good circulation and people flow is also fundamental to the success of retail spaces.
- 9.21 From the east (Granary Square and Stable Street), the CDY can be accessed directly to both Yard and Viaduct Levels. Three new bridge additions are proposed to connect Stable Street to the ECD at Viaduct Level. The middle bridge is an accessible ramp that is aligned with the East-West link (the 'Crossing') to the north of the Granary building (through the Western Transit Shed), which is a desire line from the east. The accessible ramp provides access to the ECD feature core which

includes one dedicated public lift to provide level access to Lower Stable Street and two public lifts to all levels. The dedicated Lower Stable Street lift has been designed to be highly visible from Stable Street and is centrally placed in the ECD feature core to minimise travel distances from the north and south of the site. The other two bridge additions along Stable Street provide stair access into the ECD and two other ECD cores. All cores within the ECD provide level access to Yard and Viaduct Level and the feature core also provides level access to the new Upper Level. In addition to the public lifts in the ECD there are a number of stairs that facilitate access from Stable Street to Lower Stable Street

- 9.22 The ECD and WCD Viaducts are at a higher level than Lewis Cubitt Square and the Central Yard is at a lower level than both Granary Square and Lewis Cubitt Square. Therefore, at the north end of the site stairs are proposed to provide connectivity with the adjacent public realm. A public lift has been incorporated in the northern end of the ECD that will provide level access to the Yard, Lewis Cubitt Square and the ECD Viaduct. This location has been chosen both for circulation benefits and to ensure it is visually prominent from Lewis Cubitt Square.
- 9.23 From the west, the CDY site can only be accessed at Viaduct Level from Gasholder Gardens. A gentle slope is incorporated into the WCD Viaduct design to take up the small change in level between the existing structures of the WCD Viaduct and WWRA.
- 9.24 Level access is provided from the south from the Regent's Canal towpath through two open arches (centrally located within the WWRA) into the Central Yard.
- 9.25 To enhance circulation and people flow, three new bridges are proposed in the Central Yard between the Viaduct structures to connect the public spaces. These are consistent with the aspirations in the Outline Planning Permission 'Urban Design Guidelines North' which states 'Viaducts and bridges would span across the upper level to tie the space together'. The two bridges within the central space span between and are level with the ECD and WCD Viaduct structures.
- 9.26 The third bridge structure spans between the ECD Viaduct and the Wharf Road Viaduct. There is a level difference of almost 1 metre between the ECD Viaduct and the Wharf Road Viaduct: the surface of the Wharf Road Viaduct will be gently built up to provide level access to/from the ECD Viaduct via the new bridge (referred to as BR4 within the Outline Planning Permission) without the need for a ramp and/or stair at the southern end to accommodate the difference in levels between the existing structures. The landscaping of the surface of the Wharf Road Viaduct was approved as part of the reserved matters approval for the Fish and Coal Offices (reference 2014/5272/P). The gentle build up required to ensure full accessibility in this part of the site will not impact materially on the layout and landscape design already approved for that scheme. The level changes to the surface of the Wharf Road Viaduct are shown illustratively on drawing PL-1024 details for those level changes together with the finished levels and any consequential minor changes to the approved landscaping are proposed to be submitted for approval pursuant to a condition to the reserved matters approval for the WWRA, if approved in due course.
- 9.27 The existing wide ramp in front of the Fish & Coal Offices provides access to the Central Yard and the south end of Lower Stable Street. The existing gradient of the ramp is steeper than the maximum of 1:21 set out in the Outline Planning Permission. Although not part of these applications, it is proposed that a public lift will be incorporated into the proposed pavilion for Plot H to provide full accessibility from Granary Square to Yard Level in this location, in a similar way to the approved Pavilion G on the eastern side of Granary Square provides access to Wharf Road.
- 9.28 Public realm materials and finishes have been considered with regards to access and inclusivity. The Design and Access Statement (supported by the Heritage Statement) details the landscaping proposals for the public realm in full, however, the remaining existing cobbles within the Yard will be removed (and retained) and replaced with granite setts of an appropriate colour and size to

retain a similar character but to ensure full accessibility. The existing cobbles will be reused in areas that are less trafficked.

- 9.29 As described previously, some alterations are required to the existing buildings to facilitate connectivity between all levels and provide level thresholds. Two cores are proposed in the WCD and four cores in the ECD. All cores have a public lift and stairs and provide level access to Yard and Viaduct Levels. As described earlier, the feature core in the ECD will have two public lifts and will provide level access to the Yard, Mezzanine, Viaduct and Upper Level. The larger retail units that have more than one level will have lifts installed as part of the tenant works. All lifts will meet or exceed the requirements of current building regulations.
- 9.30 All Yard and Viaduct Level units are proposed to have level thresholds from the adjacent Central Yard and Viaduct public realm. All unit entrances will be clearly articulated within the building elevations and shopfront design.
- 9.31 An accessible WC is proposed to be provided within the public WC facilities at Yard Level in the WCD. An accessible shower and changing facility is proposed within Lower Stable Street.
- 9.32 Accessibility issues will continue to be considered throughout the detailed design process in ensuring signage and wayfinding within the buildings and public realm meet the highest practicable standards of access and inclusion.
- 9.33 Further detail can be found in the Access and Inclusivity Statement prepared by All Clear Designs and appended to the Design and Access Statement which accompanies this planning submission.
- 9.34 As described above and in further detail in the Design and Access Statement, full and inclusive access is provided within the CDY proposals in accordance with the relevant development plan policies noted above.

Amenity

General

- 10.1 The key relevant development plan policies are summarised as follows (together with emerging policy):

London Plan 2015

Policy 7.1 – Development should enable people to live healthy, active lives.

Policy 7.6 - Buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

Policy 7.13 – Development proposals should minimise potential physical risks, design out crime and deter terrorism.

LB Camden Core Strategy 2010

Policy CS1 - Development should make full use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site’.

Policy CS5 - The Council will protect the amenity of Camden’s residents and those working in and visiting the borough by:

e) making sure that the impact of developments on their occupiers and neighbours is fully considered;

f) seeking to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities; and

g) requiring mitigation measures where necessary.

Policy CS7 - Food, drink and entertainment uses should not have a harmful impact on residents and the local area.

LB Camden Development Policies 2010

Policy DP12 - Development of shopping, services, food, drink, entertainment and other town centre uses must not cause harm to the character, function and viability of a centre, the local area of the amenity of neighbours, including the cumulative impact.

Policy DP26 - The Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity.

Camden’s draft Local Plan 2015

Draft Policy A1 - The Council will seek to protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. Consideration must be given to (inter alia): visual privacy, overlooking, overshadowing, outlook, sunlight and daylight, impact upon transport networks, noise and vibration, odour, fumes and dust and microclimate.

Draft Policy TC4 - (replicates Policy DP12 above).

- 10.2 The CDY proposal is located adjacent to the proposed residential properties within the Gasholder Triplets (on which construction work started earlier this year): the impact of the proposals have been carefully considered in relation to the neighbouring residential development as well as the Regent's Canal and Camley Street Natural Park beyond and the wider KXC development, including commercial, educational and residential occupiers.
- 10.3 Government guidance within the NPPF notes that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to) improving the conditions in which people live, work, travel and take leisure.
- 10.4 Camden's supplementary planning guidance CPG6: Amenity provides guidance on all types of amenity issues, including, noise, daylight and micro-climate, as discussed in further detail in the paragraphs below.
- 10.5 The principle of retail use within the CDY was established through the Outline Planning Permission for the KXC site. The proposals are not envisaged to have a negative impact on the amenity of other occupiers of the KXC site or beyond and in particular neighbouring residents (other than a very minor decrease in daylighting to 8 apartments in the Gasholder Triplets, as detailed below). Notwithstanding this, more specific aspects of amenity are discussed further in the paragraphs below.

Noise

- 10.6 The key relevant development plan policies are summarised as follows (together with emerging policy):

London Plan 2015

Policy 7.15 - *Development proposals should seek to manage noise by (inter alia):*

"a) avoiding significant adverse noise impacts on health and quality of life as a result of new development;

b) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, new development without placing unreasonable restrictions on development or adding unduly to the costs and administrative burdens on existing businesses; and

g) promoting new technologies and improved practices to reduce noise at source."

LB Camden Development Policies 2010

Policy DP12 – *Noise and vibration generated either inside or outside of the site is one of the factors which should be considered in ensuring the development of shopping, services, food, drink, entertainment and other town centre uses do not cause harm to the character, function and viability of a centre and the local area and the amenity of neighbours.*

Policy DP26 – *Noise and vibration is one of the factors which should be considered in protecting the quality of life of occupiers and neighbours. The Council will only grant permission for development that does not cause harm to amenity.*

Policy DP28 – *The Council will only grant consent for plant or machinery if it can be operated without causing harm to amenity and does not exceed the noise thresholds.*

LB Camden's draft Local Plan 2015

Draft Policy A4 - *The Council will only grant planning permission for noise generating development, including plant and machinery, if it can be operated without causing harm to amenity and does not exceed Camden's Noise and Vibration Thresholds.*

- 10.7 Camden's guidance within CPG6 requires noise and vibration from new developments to be limited to prevent adverse impacts to amenity. The principal recommended approach is to reduce noise at source. An Operational Noise Assessment Report has been prepared by Hoare Lea in support of the CDY proposals. Hoare Lea have assessed the noise impacts of the proposals in terms of potential plant noise, operational noise arising from A1 to A4 retail uses both during the day and in the evening, as well as noise caused by servicing the retail development.
- 10.8 Condition 60 of the KXC Outline Planning Permission requires all noise generating building services plant/equipment to be specified and installed to achieve an acoustic performance at neighbouring sensitive facades. The Hoare Lea report (which forms part of this submission) demonstrates how the plant will meet the specified acoustic standards required by development plan policy and the Outline Planning Permission.
- 10.9 The principal plant space is at Yard level in the WWRA, WCD, ECD and Lower Stable Street. All plant equipment is to be located within dedicated plantrooms or enclosed within the buildings with the intention and effect that noise will be contained. All plant and air handling plant will incorporate attenuation to the intake and exhaust. There is no requirement for 'open' plant such as chillers as the site is proposed to be connected to the KXC sitewide chilled water network. All noise generating building services plant will be designed, specified and installed to achieve a noise level 5dB(A) below the baseline noise measurement at nearby noise sensitive facades with all normally operating plant running (as required by the Outline Planning Permission). Most plant will be operational during the day and evening but not at night.
- 10.10 The CDY proposals are to create a retail destination for A1 to A4 uses, with A1 retail use being the predominant use (as described above in this Planning Statement and within the accompanying Retail Statement). The Operational Noise Assessment Report concludes that the operational noise arising from the CDY retail proposals will not increase the existing ambient noise levels in either the daytime or night period.
- 10.11 Hoare Lea conclude, in relation to noise arising from servicing activities, that when assessed against relevant guidance (BS4142) the impact will be of 'less than marginal significance' (without mitigation). Hoare Lea outline potential mitigation strategies to further improve the noise environment during the servicing period, such as, ensuring all engines are switched off, requiring white noise reversing alarms and rubber matting in some areas, where practicable.
- 10.12 Further details are provided in the Operational Noise Assessment Statement prepared by Hoare Lea that accompanies these applications. The CDY proposals are not considered to cause harm to amenity in terms of noise and do not exceed Camden's current noise and vibration thresholds or Condition 60 to the Outline Planning Permission (where relevant). The CDY proposals therefore comply with relevant development plan policy relating to noise.

Daylight, Sunlight and Lighting

- 10.13 The key relevant development plan policy is summarised as follows:
- LB Camden Development Policies 2010*
- Policy DP26 – Sunlight, daylight and artificial light levels are factors which should be considered in protecting the quality of life of occupiers and neighbours. The Council will only grant permission for development that does not cause harm to amenity.*
- 10.14 Camden's CPG6 provides guidance on both daylight and sunlight and artificial light. In terms of the former it notes that the Council expects that all development receive adequate daylight and sunlight to support the activities taking place in that building.
- 10.15 Save for the proposed Upper Level, the form of the CDY buildings, and therefore their impact on daylight/sunlight) is largely fixed. The massing, form and location of the proposed Upper Level has

been designed with consideration to any impacts in terms of daylight and sunlight on the residential apartments in the Gasholder Triplets, these being the only dwellings in the vicinity of the CDY. This has included the location of and the height of the roof and pitch of the sweeping curves, to maximise daylighting and the long views to the north-east (Lewis Cubitt Square and beyond) and south-east (Fish & Coal Offices and beyond).

- 10.16 At the time of reserved matters approval for the Gasholder Triplets, 79% of the Gasholder Triplets units met the BRE Guidelines. Detailed daylighting analyses have been carried out with the inclusion of the proposed Upper Level and have indicated that the percentage of apartments meeting the BRE Guidelines in the Gasholder Triplets would be reduced to 77%. This reduction of 2% is not considered to be a material change from the approved position for the Gasholder Triplets and hence not a material impact of the CDY proposals upon the Gasholder Triplets.
- 10.17 The material types and finishes for the proposed Upper Level (for example, slate and a light tone metal) have been selected to mitigate solar glare for the neighbouring buildings and spaces, with special attention paid to the Gasholder Triplets, the Fish and Coal Offices, the Western Transit Shed and the adjacent public spaces.
- 10.18 In order to achieve a minimum BREEAM 'Very Good' rating, high performance coatings will be required on the glazing of the most solar exposed elevations. The solar performance will be balanced with the need for good light transmission for natural daylighting within the retail units themselves.
- 10.19 The external lighting design of the building has been developed in accordance with the King's Cross lighting masterplan, which is considered acceptable and appropriate by Camden for this setting. The lighting proposals for CDY have been developed to contribute to the creation of a safe environment, within careful consideration of the effects of light spill upon the adjacent Regent's Canal and Camley Street Natural Park beyond and to retain the atmospheric, historic and industrial character of the area. Lighting is proposed to be used to describe the massing of the buildings, rather than highlighting the architectural detailing. The nighttime appearance will primarily be created by the interior lighting.
- 10.20 There will be limited amounts of light spill at Yard and Viaduct Level within the Central Yard and from the north elevations of the ECD and WCD facing Lewis Cubitt Square. This light spill will increase vertical illuminance which will enhance the sense of security. The west, east and south elevations of the site will have very limited light spill as these elevations have been designed to be more solid to minimise impact on surrounding occupiers.
- 10.21 Lighting within the proposed Upper Level would be carefully specified and controlled to balance with, and complement, the lighting levels of the rest of CDY and the surrounding spaces. Whilst the retail lighting will be provided by the tenant, it will be subject to a set of guidelines to ensure any fit-out contributes positively to the overall appearance of CDY.
- 10.22 The proposed curved profiles of the Upper Level roof will be gently illuminated to articulate them from the rest of the roof but avoiding glare and light spill reflecting upwards into the night sky. The light levels would also be balanced with the surrounding spaces. It is likely that the light level on the curved roof profile facing the Gasholder Triplets would be lower than that facing Granary Square to minimise the impact upon the residential apartments.
- 10.23 Entrance and vertical circulation cores are proposed to be positively lit so that they are identifiable and feel safe to use. The two arches in the WWRA that provide connectivity to the Regent's Canal towpath will also be illuminated, but to lower light levels to avoid light spill.
- 10.24 Wall-mounted light fittings will be used wherever possible to light the public spaces, to keep them free of lighting columns. Lighting levels will therefore decrease towards the centre of the public spaces but will be consistent with those on other areas of the KXC site such as Pancras Square

and Granary Square. The soffit of the WCD viaduct will be softly uplit to mitigate against the area feeling shaded in the day and dark and unsafe at night. Additional lighting will be integrated into balustrades and handrails on stairs and ramps to both identify them and make them safer to use.

- 10.25 The use of landscape lighting is restricted to the illumination of trees along Stable Street. This is a continuation of the completed tree and lighting installation in Lewis Cubitt Square and Park.
- 10.26 All external lighting equipment for amenity purposes will be carefully selected and designed to ensure that, where possible, upward spread and glare will be kept to a minimum in compliance with ILE's Guidance on the Reduction of Obtrusive Light.
- 10.27 Further details are provided in the Design and Access Statement which accompanies these submissions. As has been shown in the paragraphs above, the CDY proposals are in accordance with development plan policy relating to daylighting, sunlight and lighting.

Privacy and Overlooking

- 10.28 The key relevant development plan policy is summarised as follows:

LB Camden Development Policies 2010

Policy DP26 – Visual privacy and overlooking, and outlook are factors which should be considered in protecting the quality of life of occupiers and neighbours. The Council will only grant permission for development that does not cause harm to amenity.

- 10.29 Camden's CPG6 key messages on privacy and overlooking note that development should be designed to protect the privacy of existing dwellings and the outlook from new development should be pleasant.
- 10.30 Privacy and overlooking have been considered throughout the design, from the masterplan stage and the Outline Planning Permission through to the detailed design of individual buildings.
- 10.31 The refurbishment proposals for the existing elevations of the CDY buildings have been carefully designed to mitigate the impact on neighbouring development. The design rationale for each of the proposed elevational treatments are discussed in detail in the Design and Access Statement that accompanies these submissions.
- 10.32 The west façade of the WCD faces the Gasholder Triplets residential development. This façade has been designed to purposefully retain a solid elevation, achieved through a combination of the existing brickwork walls and new timber arch infills, which will replace the existing poor condition ones. This will minimise the impact of introducing retail use within the CDY on the residential apartments and related amenity spaces.
- 10.33 The south elevation of the WWRA faces onto the Regent's Canal towpath. As described earlier, the proposal is that this elevation retains the existing solid quality, with the exception of the opening up of two arches for direct connectivity, to maintain the tranquility of the canal. The arches that are proposed to be opened are in line with the indicative location of the proposed openings under the Outline Planning Permission (Parameter Plan KXC006) and further to discussions with the Canal and River Trust.
- 10.34 The new Upper Level has been designed to provide transparency and visual connectivity with the surrounding public realm, however due to the linear form of the WCD and ECD, this only occurs in the northerly and southerly directions where there are long views beyond Camley Street Natural Park to the south and Lewis Cubitt Square and Park to the north. The neighbouring residential and office buildings are therefore not impacted by overlooking from the proposed Upper Level. There are no direct views of the proposed Upper Level from the towpath adjacent to the Western Wharf Road Arches and limited views from Camley Street Natural Park, again maintaining the seclusion

and tranquility of the Canal in this area.

- 10.35 The roof materials for the proposed Upper Level have been carefully chosen to be simple and calm to provide a positive outlook from neighbouring buildings. The roof cheeks (the areas between the new curved roof profiles and the existing slate roofs) will be metal and light in tone so that they are not oppressive. The glazed rooflights in the roof have been located so that they do not afford direct views from the retail unit into the adjacent Gasholder Triplets apartments (and vice versa).
- 10.36 The north elevations, facing onto Lewis Cubitt Square, are proposed to be fully glazed to allow the original openings for the trains to be legible, to provide an active and vibrant face on the public space and an element of overlooking to enhance natural surveillance.
- 10.37 The ECD east elevation facing the Western Transit Shed (office and retail use) and Granary Square will be refurbished with some limited removal of non-original building fabric for circulation routes and entrances to retail units whilst retaining a relatively high degree of solidity which typifies this elevation.
- 10.38 As described earlier, high performance coatings will be balanced with the need for good light transmission for natural daylighting. For the large areas of glazing, such as the new proposed Upper Level and the north elevations of the ECD and WCD, the glazing will also be carefully specified so that the elevations appear light-weight by allowing high levels of visual connectivity between the surrounding public spaces and the internal retail units.
- 10.39 As demonstrated by the above description and the details set out in the Design and Access Statement, the proposals minimise overlooking and avoid impacting upon privacy. Consequently, it is considered that the scheme causes no harm to amenity and is in compliance with development plan policy.

Wind and Microclimate

- 10.40 The relevant development plan policy is summarised as follows:

LB Camden Development Policies 2010

Policy DP26 – Microclimate is one factor which should be considered in protecting the quality of life of occupiers and neighbours. The Council will only grant permission for development that does not cause harm to amenity.

- 10.41 CPG6 states that new developments should consider the local wind environment, local temperature, overshadowing and glare, both on and off the site.
- 10.42 The microclimate and shading of the public realm and adjacent buildings have been considered throughout the evolution of the design for CDY. The existing scale and form of the buildings is to remain largely unchanged save for the addition of the new Upper Level which has been designed to minimise potential wind and microclimate impacts.
- 10.43 The impact of the KXC proposals on the wind environment was assessed at the outline stage and reported upon within the Environmental Statement submitted at that time. In a prevailing wind (south westerly), the EIA concluded that within the lower area of the CDY the wind conditions were likely to be relatively benign and suitable for outdoor seating through much of the year. Similarly, the wind environment along the Regent's Canal would remain suitable for leisurely strolling. The ES reported that in a north easterly wind, there could again be some localised deterioration near the WWRA once the arches were opened, however, again these could be mitigated through detailed design.
- 10.44 The impact of wind on the public realm, both within the Central Yard and in adjacent spaces, has been analysed by Hoare Lea in the context of the new Upper Level. Hoare Lea have worked with Heatherwick Studio throughout the evolution of the design and the allocation of specific uses to

certain areas, in particular, sitting out areas. The Environmental Wind Assessment is appended to the Environmental Sustainability Plan accompanying these submissions.

- 10.45 The assessment considered different activities, including, walking, standing, entrance doors and sitting. The impact of wind was assessed from 12 different directions for each of those activities and assigned as 'acceptable', 'tolerable' or 'unacceptable'. The final assessment includes some local wind mitigation features, such as planting and hedges around seating areas, as shown on the drawings within the Drawing Package. The results of the assessment showed that for each of the proposed activities in designated areas the wind environment would be at least 'tolerable or better'. Tolerable is defined as when the wind will be noticed but would not prevent the area being used effectively for its designated purpose and remedial measures could be utilised if viable to do so and if not otherwise adversely affecting aesthetics. Some remedial planters are proposed around seating areas to both delineate those areas and to enhance the environment for users.
- 10.46 The CDY proposals would not cause a harmful impact to the wind environment and hence are compliant with development plan policy.

Air Quality

- 10.47 The key relevant development plan policies are summarised as follows (together with emerging policy):

London Plan 2015

Policy 7.14 – *Proposals should promote sustainable design and construction to reduce emissions from demolition and construction following GLA best practice guidance. Proposals should be at least 'air quality neutral' and not cause further harm to areas of existing low air quality.*

LB Camden Development Policies 2010

Policy DP12 – *Fumes likely to be generated and the potential for effective and unobtrusive ventilation is one of the factors which should be considered in ensuring the development of shopping, services, food, drink, entertainment and other town centre uses do not cause harm to the character, function and viability of a centre and the local area and the amenity of neighbours.*

Policy DP26 – *Odour, fumes and dust are factors which should be considered in protecting the quality of life of occupiers and neighbours. The Council will only grant permission for development that does not cause harm to amenity.*

Policy DP32 – *The Council will require air quality assessments where development could potentially cause significant harm to air quality.*

Camden's draft Local Plan 2015

Draft Policy CC4 – *The Council will require Air Quality assessments where the development is likely to cause harm to air quality.*

- 10.48 The whole of the London Borough of Camden, and therefore the site, is designated as an Air Quality Management Area (AQMA) and all developments are required to limit their impact on local air quality (CPG6).
- 10.49 As noted, the CDY proposals will be connected to the district heating and cooling network and the KXC Energy Centre and hence will not have any additional impact in terms of emissions from plant, such as, boilers. Dust arising during construction would be proposed to be controlled through the Code of Construction Practice in the normal way for development at KXC.
- 10.50 It is proposed that the retail offer within CDY will be primarily A1 retail with one A3 restaurant unit in the southern anchor unit of the WCD and a few smaller A1/A3 café units elsewhere. Ventilation exhaust points have been carefully located taking into account the results of the wind analyses

that have been undertaken and the location of residential units. Restaurant units will therefore only be situated at the south end of the WCD and within the ECD, to mitigate any impact on the adjacent buildings. There are no opportunities for A3 units in the WWRA as there are no suitable exhaust points: an A4 unit is proposed at the western end of the WWRA which may be linked operationally to the A3 unit within the WCD.

- 10.51 A3 exhausts are proposed to be located at high level within the re-built and new chimneys on the ECD and WCD building roofs. The discharge air is therefore at high level and is less likely to impact the surrounding public spaces and buildings. Retail tenants will be required to fit filters to their exhaust systems to minimise odours and particulates discharged into the air.
- 10.52 The exhaust from the shared Central Waste Room with the Gasholder Triplets development (shared with CDY) was approved pursuant to the Gasholder Triplets planning permission (ref. 2014/6386/P).
- 10.53 For the reasons stated above, the proposals are not considered to cause harm to amenity in terms of air quality and are therefore in accordance with development plan policy.

Safety and Security

- 10.54 The key relevant development plan policies are summarised as follows (together with emerging policy):

London Plan 2015

Policy 7.3 - Development should reduce the opportunities for criminal behaviour and contribute to a sense of security, (in particular, routes and spaces should be legible and well maintained, natural surveillance, encourage human activity,) with measures to be incorporated at the design stage to ensure that overall design quality is not compromised.

Policy 7.13 - Development should include measures to design out crime that, in proportion to the risk, deter terrorism, assist in the detection of terrorist activity and help deter its effects.

LB Camden Core Strategy 2010

Policy CS9 - Developments should promote improved community safety.

Policy CS17 - The Council intends to:

- a) work with our partners to tackle crime, fear of crime and anti-social behaviour;*
- b) encourage appropriate security and community safety measures in buildings, spaces and the transport system;*
- c) require developments to demonstrate that they have incorporated design principles which contribute to community safety and security, particularly in areas with relatively high levels of crime, in particular Camden Town, King's Cross, Bloomsbury, Covent Garden and Kilburn;*
- d) ensure Camden's businesses and organisations take responsibility for reducing the opportunities for crime through effective management and design;*
- e) promote safer streets and public areas; and*
- f) address the impact of food, drink and entertainment uses, particularly in Camden Town, Central London and other centres.*

Camden's draft Local Plan 2015

Draft Policy C4 (as per Policy CS 17).

- 10.55 Bringing the CDY back into use and the regeneration of the buildings will significantly improve the quality of the area and promote a safer environment. The active uses at Yard and Viaduct Levels

will increase natural surveillance of Lewis Cubitt Square, Stable Street, Granary Square and the Regent's Canal towpath. The lighting proposals have been designed with close regard to safety and security as described above and in the Design and Access Statement.

- 10.56 Meetings have taken place on a number of occasions with the local Designing Out Crime Officer (DOCO), Adam Lindsay, through which his advice and feedback has been sought. Following these discussions the following elements have been incorporated into the design proposals:
- the ability to close the public routes into the buildings at night. This is proposed to be achieved with concertina gates on the entrances to the public cores. Routes through the public realm, however, are proposed to be open 24 hours a day;
 - the inclusion of CCTV within the CDY site (which would form part of the wider CCTV strategy for KXC);
 - the size and location of door recesses have been carefully designed to avoid 'hidden' areas for anti-social behaviour; and
 - the external lighting has been carefully designed to enhance safety and security.
- 10.57 Roller shutters on the shopfronts were considered and discounted as the impact on the character of the heritage buildings was considered too great.
- 10.58 The proposals therefore accord with the principles of Core Strategy Policy CS17 which reflect London Plan policy and aims to make Camden a safer place.

Sustainability

Energy and Sustainability

- 11.1 The key relevant development plan policies are summarised as follows (together with emerging policy):

London Plan 2015

Policy 1.1 – Growth will be managed to ensure that it does not have unacceptable impacts on the environment.

Policies 2.2 and 2.10 – The Mayor will seek to ensure policies are developed for adaptation to and mitigation of climate change and to address issues of environmental quality raised by the urban heat island effect and realise the unique potential for district energy networks.

Policies 5.1 and 5.2 – The Mayor expects all development to make the fullest contribution to the mitigation of climate change and an overall reduction in London’s carbon dioxide emissions of 60% (below 1990 levels) by 2025. Development should seek to accord with the Mayor’s energy hierarchy.

Policy 5.3 - The highest standard of sustainable design and construction should be achieved in London to improve the environmental performance of new development.

Policies 5.4 and 5.5 – Boroughs should seek to identify opportunities for sustainable retrofitting of existing buildings, such as, decentralised energy and require developers to priorities connection to decentralised energy networks where feasible.

Policy 5.6 - Development proposals should evaluate the feasibility of CHP systems.

Policy 5.9 – Development proposals should demonstrate how the design, materials, construction and operation of the development would minimise overheating and also meet its cooling needs whilst avoiding energy intensive air conditioning systems.

Policy 7.6 - Buildings and structures should incorporate best practice in resource management and climate change mitigation and adaptation.

LB Camden Core Strategy 2010

Policy CS5 - The Council intends to manage the impact of growth and development by providing sustainable buildings and spaces of the highest quality.

Policy CS13 - The Council “will require all development to take measures to minimise the effects of, and adapt to, climate change and encourage all development to meet the highest feasible environmental standards that are financially viable during construction and occupation by:

ensuring patterns of land use that ... help support local energy networks;

promoting the efficient use of land and buildings;

minimising carbon emissions from the redevelopment, construction and occupation of buildings by implementing, in order, all of the elements of the following energy hierarchy: 1. ensuring developments use less energy, 2. making use of energy from efficient sources, such as the... King’s Cross...decentralised energy networks; 3. generating renewable energy on-site; and

ensuring buildings and spaces are designed to cope with, and minimise the effects of, climate change.

The Council will have regard to the cost of installing measures to tackle climate change as well as the cumulative future costs of delaying reductions in carbon dioxide emissions”

The Council will promote local energy generation and networks by:

e) working with our partners and developers to implement local energy networks in the parts of Camden most likely to support them, i.e. in the vicinity of...

- the growth areas of King’s Cross; Euston; Tottenham Court Road; West Hampstead Interchange and Holborn;....

- existing or approved combined heat and power/local energy networks (see Map 4); and other locations where land ownership would facilitate their implementation.”

LB Camden Development Policies 2010

***Policy DP22** - The Council will require development to be resilient to climate change by ensuring schemes include appropriate climate adaption measures, such as: (f) summer shading and planting, (g) limiting run-off, (h) reducing water consumption, (i) reducing air pollution.*

Camden’s draft Local Plan 2015

***Draft Policy CC1** - The Council will require all developments to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation.*

***Draft Policy CC2** – The Council expects non-domestic developments to achieve ‘excellent’ BREEAM from 2016*

- 11.2 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Sustainable development has been defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF notes that there are three dimensions to sustainable development: economic, social and environmental. The third limb includes contributing to protecting and enhancing our natural, built and historic environment and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change, including moving to a low carbon economy.
- 11.3 As a supplement to the policies outlined above, Camden’s CPG3: Sustainability provides guidance on policies concerning sustainability and energy. The guidance notes that sensitive improvements can be made to historic buildings to reduce carbon dioxide emissions, however, it does recognise that potential measures will need to be bespoke to each building.
- 11.4 The Environmental Sustainability Plan (‘ESP’) produced by Hoare Lea which accompanies these applications sets out the sustainability commitments and aspirations for the proposals for the CDY. It explains the sustainable development considerations that have been taken into account in the design to help deliver local, regional and national policy requirements and targets. The document sets out the Energy and Sustainability Strategies for the proposals in full, including addressing Condition 17 of the Outline Planning Permission and relevant obligations of the associated Section 106 Agreement. The Design and Access Statement also details the measures that will be incorporated into the design to improve environmental performance. A number of passive and low energy design measures are proposed to be incorporated that will improve the buildings’ carbon emissions. As noted within the ESP, some measures have been considered and discounted due to their detrimental effect on the heritage features and character of the buildings and the wider Regent’s Canal Conservation Area as recognised by CPG3. CPG3 notes that special consideration will be given to buildings that are protected e.g. listed buildings to ensure that their

historic and architectural features are preserved.

- 11.5 The measures incorporated include increased thermal performance through insulation of the ground slabs and roofs, high efficiency plant items and efficient lighting with good lighting control. The CDY buildings will connect to the KXC site energy centre (for electricity and heating) and it is also proposed that they will connect to the proposed KXC site cooling network, further contributing to energy efficiency and reduction in carbon emissions. This approach is consistent with the Mayor's energy hierarchy in seeking to reduce energy demand, ensuring the maximum energy efficiency is achieved.
- 11.6 The Energy Strategy within the ESP follows the Mayor's energy hierarchy, Be Lean, Be Clean, Be Green. It sets out the passive design and energy efficiency measures that are proposed to be incorporated within the design, of both the refurbished and new build elements of the Coal Drops Yard. Overall, the strategy is expected to result in a reduction in carbon emissions of approximately 15 - 20% over the combined Part L 2013 baseline (Part L2A/B).
- 11.7 In line with Camden's policy DP22 and CPG3, the Sustainability Strategy within the ESP sets out that the proposals target BREEAM 'Very Good', with an enhanced potential score of 'Excellent', subject to heritage constraints, as explained within the document. The strategy sets out ecology measures and the approach to drainage, water consumption, construction materials and waste. An Ecology Statement is also appended to the ESP.
- 11.8 The details within the ESP as summarised here demonstrate that the CDY proposals for refurbishment of existing buildings accords with relevant planning policy.

Transport

- 11.9 The key relevant development plan policies are summarised as follows (together with emerging policy):

London Plan 2015

***Policy 6.1** – The Mayor will support development that generates high levels of trips at locations with high levels of public transport accessibility.*

***Policy 6.3** – Development should ensure that impacts on transport capacity are fully assessed and development should not adversely affect safety on the transport network.*

***Policies 6.9 and 6.10** – Development should contribute positively to an integrated cycling network for London and ensure high quality pedestrian environments.*

***Policy 6.13** – The Mayor's maximum parking standards should be the basis for considering development proposals.*

LB Camden Core Strategy 2010

***Policy CS11** - The Council will seek to promote walking, cycling and public transport by (g) improving public spaces and pedestrian links, (h) improve facilities for cyclists including increasing the availability of cycle parking.*

***Policy CS13** - The Council "will require all development to take measures to minimise the effects of, and adapt to, climate change and encourage all development to meet the highest feasible environmental standards that are financially viable during construction and occupation by ensuring patterns of land use that minimise the need to travel by car and help support local energy networks.*

LB Camden Development Policies 2010

***Policy DP16** – The Council will seek to ensure that development is properly integrated with the transport network and is supported by adequate walking, cycling and public transport links.*

Policy DP17 – To promote walking, cycling and public transport, the Council will seek provisions such as, convenient, safe, well-signalled routes and safe road crossings.

Policy DP18 – The Council require developments to comply with the Council's parking standards set out in Appendix 2 to its Development Policies Document, to limit on-site parking and encourage car clubs and electric charging points.

Camden's draft Local Plan 2015

Draft Policies T1 and T2 - The Council will promote sustainable transport by prioritising walking, cycling and public transport and will limit the availability of parking.

- 11.10 The NPPF confirms the role transport has in facilitating sustainable development and also in contributing to wider sustainability and health objectives. It notes that development should be located and designed, where practicable, to have high access to public transport facilities and to give priority to walking and cycling.
- 11.11 The London Plan recognises that King's Cross/St Pancras has the highest public transport accessibility in London (page 350). CDY and the whole of the KXC site is highly accessible, with the highest PTAL rating available (6(a)). The site is well served by mainline and underground rail connections at King's Cross and St Pancras stations. It is also well served by bus routes running along York Way, Camden Park Road and Euston Road. It is well connected to the London Cycle Network by on-road cycle routes. There are a number of cycle hire docking stations within the vicinity of the KXC site; the closest being on Crinan Road and Pancras Road. Two docking stations are proposed within the KXC site: one on Handyside Street to the north of the CDY and one on Goods Way to the south of the CDY site.
- 11.12 There will be no car parking within CDY. There will be accessible car parking spaces within the multi-storey car park (Plot T1) and two accessible parking spaces on Goods Way adjacent to the Camden Council building. These spaces will be restricted to 'blue badge' holders only and the spaces within the KXC site will be monitored by the Estate Management team to ensure they are not misused. The multi-storey car park within Plot T1 will open in 2016 and within close proximity to the CDY.
- 11.13 Sustainable transport is promoted across KXC and this includes CDY. The CDY proposals provide 54 staff cycle parking spaces, located in lockable rooms in Lower Stable Street and 54 visitor cycle parking spaces. These will be delivered in excess of Camden's parking standards within Appendix 2 of the Development Policies Document (which is also in excess of the current London Plan requirements for cycle parking relating to retail use). The visitor facilities are proposed to be located at the main entry points to the CDY site along Stable Street. The secure staff cycle stands are proposed to be Josta stands and the cycle stands for visitors within the public realm will be Sheffield stands in accordance with Camden's guidance. Two access controlled shower facilities are proposed for staff.
- 11.14 In addition to the 54 visitor spaces (as 27 Sheffield stands) to be provided along the western footway of Stable Street for the CDY, the reserved matters approval for minor amendments to the Eastern Goods Yard (Stable Street) (ref. 2007/5228/P) shows 74 spaces (i.e. 37 stands) along the western side of Stable Street plus potential for an additional 7 stands, totaling 44 stands. It is proposed to accommodate 28 of these stands on the ramp in front of the Fish and Coal Offices and the southern side of Granary Square which will be submitted imminently as part of a reserved matters application (shown indicatively on drawing 3 in Appendix A to the accompanying Transport Statement). The remaining 16 stands (i.e. 32 spaces) will be provided along the western side of Stable Street as part of these submissions: 43 stands are therefore shown on the drawings of Stable Street forming part of the Drawing Package that accompanies these submissions.
- 11.15 As detailed in the Design and Access Statement and the Transport Statement that accompany

these submissions, deliveries are required for the retail units in CDY and it is proposed that these take place at the southern end of the Yard. Deliveries will be during restricted hours and managed via a booking system with King's Cross Estates Services (as detailed in the accompanying Transport Statement). Management practices will be put in place to restrict the time that vehicles are present in CDY for the drop-off. Other procedures will include making sure drivers turn engines off during the delivery and drop-off process.

- 11.16 Arup have undertaken a transport assessment as presented in the Transport Statement. Arup have assessed the potential impact of the uplift in retail floorspace of 2,937m² GEA over the site wide total of 45,925m² GEA and conclude that the worst case increase in trips of approximately 4% in the Saturday peak can be accommodated within the existing walking, cycling and public transport network. The increased trip generation arising from the proposed development in the context of the Outline Planning Permission is, in their view, negligible.
- 11.17 The Section 106 agreement (dated 22 December 2006) includes provisions relating to green travel initiatives. There is a site wide travel co-ordinator for the wider KXC site and a travel plan to seek to promote sustainable forms of travel, including the provision of information on walking and cycling and the creation of web-based information. It is proposed that the existing information will include information regarding the CDY once operational.
- 11.18 The CDY site is located in an area of very high public transport accessibility, no car parking spaces are being provided within the application site (disabled car parking spaces are located in the vicinity of the site) and, as noted above, 108 cycle spaces are being provided together with cyclist facilities. The CDY proposals are therefore compliant with development plan policy relating to transport.

Biodiversity

- 11.19 The key relevant development plan policies are summarised as follows (together with emerging policy):

London Plan 2015

***Policy 5.10** - Development proposals should integrate green infrastructure to contribute to urban greening, including, tree planting and soft landscaping.*

LB Camden Core Strategy 2010

***Policy CS15** - Development proposals should encourage biodiversity through the provision of new trees and vegetation, including additional street trees.*

Camden's draft Local Plan 2015

***Draft Policy A3** - The Council will protect and improve sites of nature conservation and biodiversity, assess developments against their ability to enhance biodiversity through incorporating measures to support wildlife, proportionate to the development proposed and ensure that benefits for biodiversity and ecology are realised through the design of proposals.*

- 11.20 CDY has been historically, and remains, a hard landscaped area. It is therefore proposed that this heritage character is retained and no significant areas of permanent greening are introduced. No green roofs or gardens were envisaged for this area of the KXC development at the time of the Outline Planning Permission.
- 11.21 The reserved matters approval for the Eastern Goods Yard showed 3 London Plane trees located on Stable Street, adjacent to the ECD. The proposals for this submission include 6 trees, which

extends the northern completed green spine of trees in Lewis Cubitt Park and Square further south along Stable Street into Granary Square. The additional 3 street trees are intended to continue the gentle greening of Granary Square, to enhance biodiversity and adaptation to climate control.

- 11.22 Temporary planting is likely to play a role in the CDY proposals as a way to soften the landscape and for the separation of external retail seating areas from the public realm, in a similar way to the moveable planters in Granary Square. The design of these have not been developed, as this will be done in partnership with the retailers.
- 11.23 As the canal is a protected bat corridor, there will be no external lighting to the buildings along the Regent's Canal elevation in order to avoid disturbance to bats at night. In addition internal light sources will be designed so that they do not create excessive ambient light spill.
- 11.24 An ecology assessment was undertaken at the Coal Drops Yard Site and an Ecology Support Statement prepared by RPS which is appended to the ESP accompanying these submissions. The assessment found that the site is currently of low biodiversity value; neither protected species such as bats, nor birds' nests were recorded. The statement explains the ecological protection measures that will be undertaken during the works for known species at King's Cross such as Black Redstarts, along with enhancement measures that will be added. Bird and bat boxes will be included at various locations within the CDY and planting will be specified on site to attract and support local wildlife. Further details are included in the Ecology Support Statement appended to the ESP.
- 11.25 Additional street trees and some planting will enhance what has always been and will continue to be a principally hard landscaped area contributing, albeit in a small way, to urban greening. As noted, measures have been incorporated within the proposals to protect the adjacent bat corridor. In accordance with relevant policy the proposals seek to encourage, as far as possible, biodiversity.

Water

- 11.26 The key relevant development plan policies are summarised as follows (together with emerging policy):

London Plan 2015

Policy 5.15 - Development is expected to minimise the use of mains water by incorporating water saving measures and equipment.

LB Camden Core Strategy 2010

Policy CS13 – The Council requires developments to incorporate efficient water and foul water infrastructure.

LB Camden Development Policies 2010

Policy DP22 - The Council will require development to incorporate sustainable design and construction measures and to be resilient to climate change by incorporating appropriate climate change measures including efficient water use and re-use of water.

Policy DP23 – The Council will require developments to reduce their water consumption, the pressure on the combined sewer network and the risk of flooding.

LB Camden's draft Local Plan 2015

Policy CC3 - The Council aims to reduce water consumption by ensuring developments incorporate water efficient measures, alongside, avoiding harm to the water environment and water quality.

- 11.27 Drainage infrastructure works within the CDY Yard were approved as Enabling Works under the Outline Planning Permission in 2014, Ref 2014/4317/P. These works have now been completed. The drainage infrastructure provides sufficient storm water drainage attenuation such that the maximum discharge into the sewer network is not exceeded.
- 11.28 The refurbishment of the ECD, WCD and WWRA will incorporate measures to make efficient use of water, such as low flow fittings.
- 11.29 A rainwater harvesting system was investigated but discounted as being impractical and inefficient due to the long low form of the existing buildings. After a detailed study during the design stage, rainwater harvesting has been discounted in the CDY because of engineering constraints associated with the long profile of each of the Eastern and Western Coal Drops buildings. It is not possible to group rainwater outlets from both buildings to a central collection tank given that the two buildings are not linked at ground or sub-floor levels. The WWRA and Lower Stable Street retail areas are drained externally and given that the external Yard and Lower Stable Street areas are heavily congested below ground with a complex network of utilities, there is no opportunity to locate a below ground rainwater collection tank on the site.
- 11.30 Water meters will be installed to allow effective water management and monitoring to take place and sanitary supply shut off systems will be installed to avoid wastage when rooms are unoccupied. Major leak detection will also be provided to all mains water supply between and within the buildings.
- 11.31 Further detail of the above measures is contained in the accompanying ESP which demonstrates that the CDY proposals will be in accordance with relevant development plan policy on water.

Waste

- 11.32 The key relevant development plan policies are summarised as follows (together with emerging policy):
- London Plan 2015*
- Policies 5.17 and 5.18** – *Proposals should seek to minimise waste and during construction seek to recycle construction, excavation and demolition waste on-site wherever practicable.*
- LB Camden Core Strategy 2010*
- Policy CS18** - *The Council has an aspiration to make Camden a low waste borough by a number of measures including reducing the amount of waste produced in the borough and increase recycling and the re-use of materials and to make sure that developments include facilities for the storage and collection of waste and recycling.*
- LB Camden Development Policies 2010*
- Policy DP22** - *The Council will require development to provide adequate storage space for recyclable material.*
- Policy DP26** - *The Council will require development to provide facilities for the storage, recycling and disposal of waste.*
- Camden's draft Local Plan 2015*
- Draft Policy CC5** - *The Council aims to reduce the amount of waste produced and increase recycling and re-use.*
- 11.33 During construction the contractor will minimise the amount of waste generated. The design includes for the retention and re-use of the heritage building structures and internal fabric, such as moving floor beams and joists to form new levels. Existing bricks that are removed to facilitate

the proposed designs will be re-used for general brickwork repairs elsewhere within the buildings. Areas of existing granite setts will be re-used as far as possible in the proposed landscape design in less trafficked areas, such as under the stairs within the WCD viaduct.

- 11.34 New materials within the buildings will be selected to minimise the use of resources and risk to any building users from potentially harmful content in accordance with policy.
- 11.35 Waste for CDY has been calculated using surveys of waste generation of similar development and complies with Camden storage guidelines and the British Standard 5906:2005. The Central Waste Room, which will be shared with the retail units within the Gasholder Triplets, will be located in basement of the Triplets and accessed from the CDY site at Yard Level at the southern end of the WCD. The development works for the Central Waste Room were approved as part of the Gasholder Triplets reserved matters application, ref 2014/6386/P. The room has been sized for 2 days refuse storage for the CDY and Triplet retail units and separation and storage of recyclable waste prior to collection. Separation will include cardboard (and a baler), glass, paper, compostables and non-recoverables. The compartmentation of the store from the public spaces provides an enclosed hygienic environment for storage until pick-up.
- 11.36 In addition to the Central Waste Room, to provide additional flexibility, the two King's Cross Estates Services (KXES) storage rooms have been sized to facilitate their use as satellite refuse rooms, one located in the ECD and the other in the WCD. These can be used for the temporary storage of waste by the retailers and reduce travel distances from the retail units to a waste store. The satellite rooms have been sized for 1 day refuse storage and the separation and storage of recyclables. All retailers will be encouraged to separate their waste through the provision of compartmentalized waste bins in both the satellite and Central Waste Rooms. Refuse from the satellite rooms will be collected by KXES and taken to the Central Waste Room at appropriate times that minimise disruption to visitors and the public. Both retail staff and the KXES Management Team will have the use of the four goods lifts within the buildings for the movement of waste.
- 11.37 Refuse will be collected from the Central Waste Store via service doors that open to the WCD Viaduct at Yard Level in the CDY South Yard. Access for the selected provider to the CDY South Yard will be during the same restricted hours as the retail deliveries, to minimise disruption to the public in CDY during the day and evening. Access to the Yard will be via the existing ramp in front of the Fish and Coal Offices.
- 11.38 Further detail on waste is contained within the Design and Access Statement which demonstrates a development plan policy compliant proposal.

Flood Risk and Drainage

- 11.39 The key relevant development plan policies are summarised as follows (together with emerging policy):

London Plan 2015

Policy 5.12 - The Mayor will work with all relevant agencies to address current and future flood risk issues and minimise risks in a sustainable and cost effective way.

Policy 5.13 - Development should utilise sustainable urban drainage (SUDS) unless there are practical reasons for not doing so and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

LB Camden Core Strategy 2010

Policy CS13 - The Council will require development to avoid harm to the water environment, water quality or drainage systems and prevent or mitigate local surface water and down-stream flooding, especially in areas known to be at risk from surface water flooding such as King's Cross.

LB Camden Development Policies 2010

Policies DP22 and DP23 - The Council will require development to be resilient to climate change by ensuring schemes include appropriate climate change adaptation measures, such as, limiting run-off and reduce the risk of flooding.

Camden's draft Local Plan 2015

Draft Policy CC3 - Developments should not increase flood risk and should reduce the risk of flooding where possible.

- 11.40 A Flood Risk Assessment for the wider King's Cross site has been produced, and an assessment will also be carried out for the Coal Drops Yard development. The KXC land is within Flood Zone 1, as defined by the Environment Agency and is therefore considered to be 'low-risk' from flooding.
- 11.41 The proposal sits within a site-wide surface and foul water disposal strategy, and more specifically within the North West Drainage Infrastructure Area (one of three areas which cover the KXC site). Thames Water has approved the surface and foul water discharges into the Camden Sewer for the network serving these plots. Peak discharge flows are detailed within the ESP for surface water and foul water. These flows contribute towards to the site wide 2292l/s discharge limit (set by the Outline Planning Permission) and to an overall 10% reduction (1 in 30 year storm) in surface and foul peak flows across the KXC development.
- 11.42 As described earlier, drainage infrastructure works within the Coal Drops Yard were approved in 2014, Ref 2014/4317/P. These works have now been completed. The drainage infrastructure provides sufficient storm water drainage attenuation such that the Outline Planning Permission maximum discharge into the sewer network is not exceeded.
- 11.43 Further detail can be found in the ESP which accompanies these applications. The requirements of development plan policies will be met.

12

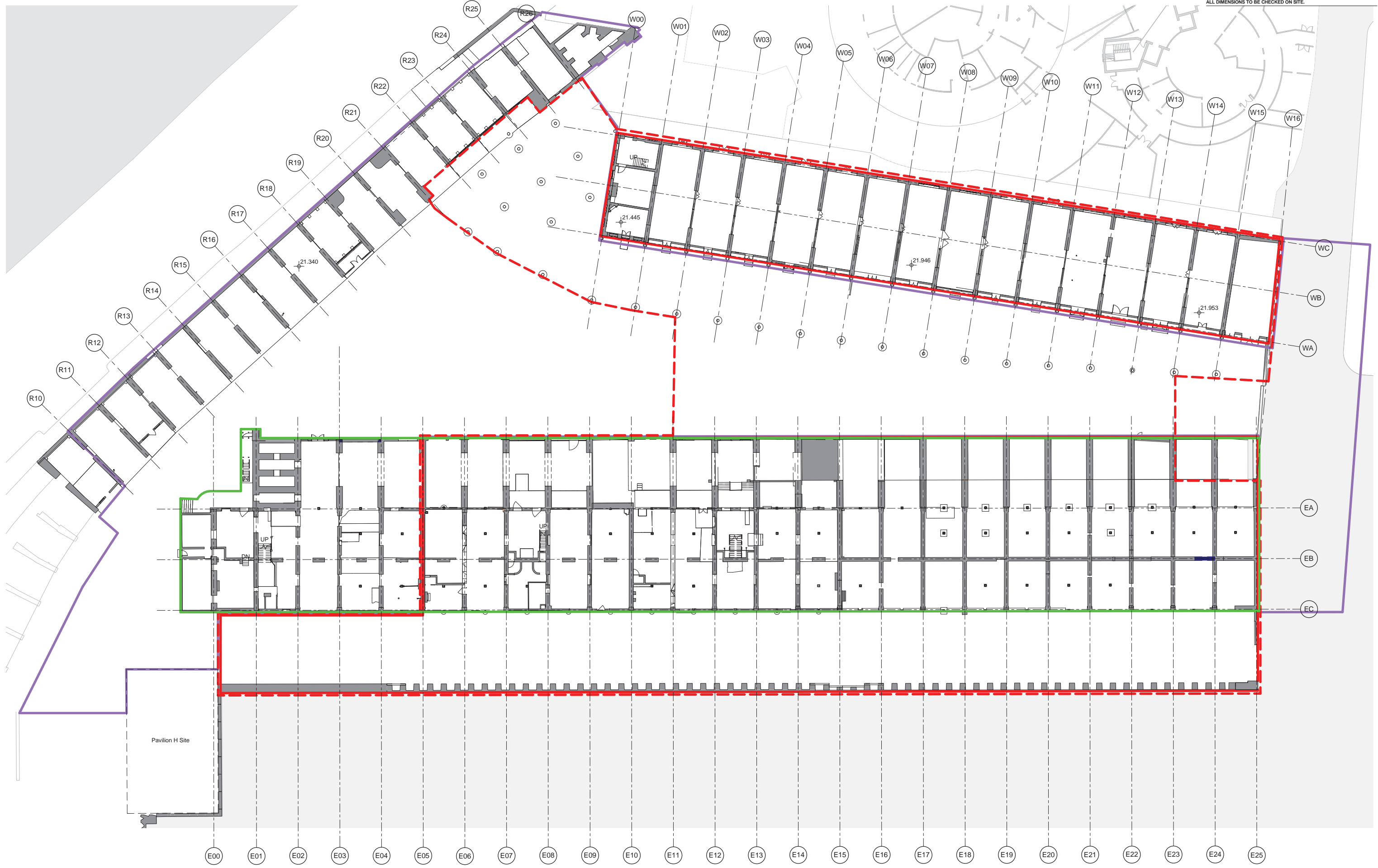
Summary

- 12.1 As demonstrated by this Planning Statement and other supporting documents, the proposals for the CDY will refurbish and bring the existing buildings back into use and, in doing so, provide full public access to these heritage assets for the first time in the buildings' history.
- 12.2 A detailed understanding of the designated and undesignated heritage buildings has informed the evolution of the proposals. There will be removal of detrimental later additions to better reveal the architectural and historic significance. The proposed new Upper Level is of a modern design to contrast with and complement the existing buildings, ensuring legibility of their original form and function. The design of the new addition is considered to be of the highest quality and has been developed by Heatherwick Studio, an internationally renowned practice located locally in King's Cross. Heatherwick Studio have worked closely with heritage experts, Giles Quarme and Associates. There has also been extensive consultation throughout the design process with Camden Officers, Historic England and other stakeholders. The refurbishment and opening up of this area of KXC will enhance the character and interest of the Regent's Canal Conservation Area as well as the settings of adjacent listed buildings.
- 12.3 The Coal Drops Yard is intended to be the principal retail hub of KXC and the cellular nature of the historic buildings lend themselves well to unique retail spaces and the creation of a retail 'street'. Its use as a retail amenity and destination will be of benefit to the surrounding building users, such as, office workers, residents and the University of the Arts students, as well as attracting visitors from a wider area.
- 12.4 The environmental effects of the proposed development have been fully considered and it is concluded that there will be no adverse impacts upon other existing buildings, spaces, occupiers or users. In addition, and in line with relevant planning policy, the proposals will deliver a sustainable re-use and preservation of the heritage buildings, including a minimum of BREEAM 'Very Good' as well as achieving significant carbon savings.
- 12.5 It is our view that the CDY proposals bring significant planning benefits, including:
- the careful repair, refurbishment and re-use of the heritage buildings;
 - the re-instatement of the burnt out northern end of the ECD;
 - the positive impact on the character and appearance of this part of the Regent's Canal Conservation Area;
 - the positive impact on the settings of neighbouring listed buildings, including the Granary building and the recently re-erected Gas Holder No. 8;
 - opening up currently inaccessible heritage assets to the public and seeking to ensure the public will be able to understand their history;
 - recording of, protecting and enhancing the built and historic environment;
 - the proposed retail use will contribute to building a strong competitive economy in this part of London and enhance the Londonwide role of the CAZ;
 - regeneration of a brownfield site within an Opportunity Area, giving rise to wider regenerative impacts;
 - providing high quality built environment;
 - providing new high quality public realm and additional access to the Regent's Canal;
 - providing retail facilities to support the growing local population of residents and workers, as well as visitors to the KXC site; and
 - generating employment uses in a highly accessible location.
- 12.6 As detailed above, the CDY proposals accord with development plan policy and the principles and objectives of national policy and guidance. The proposals have had regard to and are consistent

with the principles of the Outline Planning Permission. It is therefore our view that the three applications, namely, the applications for listed building consent, reserved matters approval and full planning permission, should be approved.

- 12.7 As demonstrated in the attached Compliance Statement (Appendix 5), the application for reserved matters approval is fully compliant with the parameters of the Outline Planning Permission.

**Appendix 1 – Consolidated Application Boundaries Plan and
Ownership Plan**



KEY
 Reserved Matters ————
 Full Planning - Yard Level ————
 Full Planning - Viaduct Level ————
 Listed Building Consent ————



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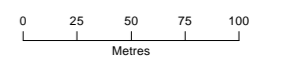
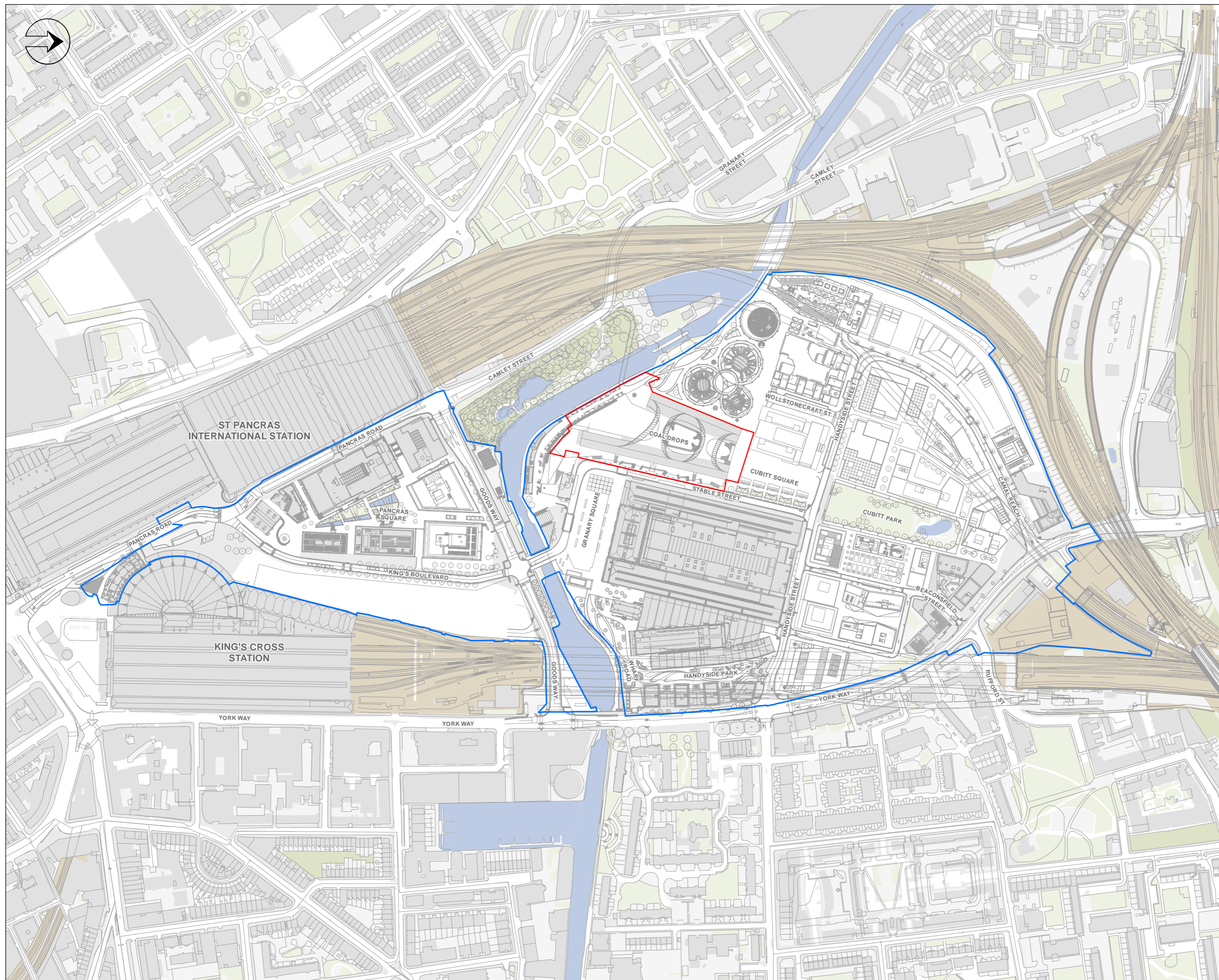
client: **COAL DROPS YARD**
 architect: **Heatherwick studio**
 project: **Consolidated Site Boundary Plan**

scale: 1: 250 @ A1
 1: 500 @ A3
 date: 09/03/15
 drawn: Author
 checked: Checker
 HS job no: 891
 drawing no: **SK-90**
 status: **ILLUSTRATIVE**



THIS DRAWING MAY BE USED ONLY FOR THE PURPOSE INTENDED AND ONLY WRITTEN DIMENSIONS SHALL BE USED

- ▬ Land Ownership Boundary
- ▬ Planning Application Boundary



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Revision Details	By	Date	Suffix
	Check		

Drawing Status: **FOR APPROVAL**

Job Title: **King's Cross**

Drawing Title: **LOCATION PLAN
COAL DROPS**

Scale at A3: **1:3,500**

Drawn	LAW	Approved	LM
Stage 1 check	Stage 2 check	Originated	Date 20/10/2015



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Drawing Number	Rev
KXC-PLAN-PLAP-16-A-P01	P01

Plot Date: 20/10/2015
 File Path: G:\01_Projects\KXC\Planning\Planning_Application\KXC-PLAN-PLAP-16-A-P01.mxd

Appendix 2 – Architectural and Public Realm Drawing Schedule

Schedule of Drawings

	Scale at A3	Drawing No.	Rev
Architectural Drawings			
Location/Site Plans			
Existing Plan - Site Location	1:5000	PL-0001	
Proposed Plan - Site Location	1:5000	PL-0002	
Proposed Plan - Site Context	1:1000	PL-0003	
Site Boundary Plan (Reserved Matters)	1:500	PL-0004	
Site Boundary Plan (Full Planning)	1:500	PL-0005	
Site Boundary Plan (Listed Building Consent)	1:500	PL-0006	
Existing Drawings			
Floorplans			
Existing Plan - Yard Level	1:500	PL-0011	
Existing Plan - Mezzanine Level	1:500	PL-0012	
Existing Plan - Viaduct Level	1:500	PL-0013	
Existing Plan - Upper Viaduct Level	1:500	PL-0014	
Existing Plan - Roof Level	1:500	PL-0015	
Elevations			
Existing Elevation - Eastern Coal Drops	1:500	PL-0021	
Existing Elevation - Western Coal Drops	1:500	PL-0022	
Existing Elevation - WRA	1:500	PL-0023	
Sections			
Existing Sections - ECD	1:500	PL-0031	
Existing Sections - WCD	1:500	PL-0032	
Alteration Works for Approval			
Floorplans			
Alterations Plan - Yard Level	1:500	PL-0111	
Alterations Plan - Mezzanine Level	1:500	PL-0112	
Alterations Plan - Upper Viaduct Level	1:500	PL-0113	
Alterations Plan - Roof Level	1:500	PL-0115	
Elevations			
Alterations Elevations - Eastern Coal Drops	1:500	PL-0121	
Alterations Elevation - Western Coal Drops	1:500	PL-0122	
Alterations Elevation - Wharf Road Arches	1:500	PL-0123	
Sections			
Alterations Sections - Eastern Coal Drops	1:500	PL-0131	
Alteration Sections - Western Coal Drops	1:500	PL-0132	
Alteration Sections - Wharf Road Arches	1:500	PL-0133	
Proposed Drawings for Approval			
Floorplans			
Proposed Plan - Yard Level	1:500	PL-1011	
Proposed Plan - Mezzanine Level	1:500	PL-1012	
Proposed Plan - Viaduct Level	1:500	PL-1013	
Proposed Plan - Upper Viaduct Level	1:500	PL-1014	
Proposed Plan - Upper Level	1:500	PL-1015	
Proposed Plan - Roof Level	1:500	PL-1016	

	Scale at A3	Drawing No.	Rev
Elevations			
Proposed Elevations - Eastern Coal Drops	1:500	PL-1021	
Proposed Elevations - Western Coal Drops	1:500	PL-1022	
Proposed Elevations - North & South	1:500	PL-1023	
Proposed Elevations - Western Wharf Road Arches / Lower Stable Street	1:500	PL-1024	
Sections			
Proposed Sections	1:500	PL-1031	
Proposed Sections	1:500	PL-1032	
Proposed Sections	1:500	PL-1033	
Bay Studies			
Bay Study - CDY Shopfront Family	1:100	PL-1041	
Bay Study - ECD East Facade	1:50	PL-1042	
Bay Study - ECD West Facade	1:50	PL-1043	
Bay Study - ECD North Gable	1:100	PL-1044	
Bay Study - ECD South Gable	1:100	PL-1045	
Bay Study - WCD East Facade	1:50	PL-1047	
Bay Study - WCD West Facade	1:50	PL-1048	
Bay Study - WCD North Gable	1:100	PL-1049	
Bay Study - WCD South Gable	1:100	PL-1050	
Bay Study - WWRA	1:50	PL-1051	
Bay Study - LSS	1:50	PL-1052	
Bay Study - Upper Level Glazing	1:50	PL-1053	
Bay Study - Roof System	1:100	PL-1054	
Bay Study - Feature Core Entrance	1:100	PL-1055	
Bay Study - Typical Core Bay	1:100	PL-1056	
Bay Study - Typical Retail Bay ECD	As Indicated	PL-1057	
Landscape Drawings for Approval			
Floorplans			
Landscape Plan - Yard Level Surfaces	1:500	PL-1071	
Landscape Plan - Viaduct Level Surfaces	1:500	PL-1072	
Outdoor Seating Plan - Yard Level	1:500	PL-1073	
Outdoor Seating Plan - Viaduct Level	1:500	PL-1074	
Landscape Plan - Levels Plan - Yard Level	1:500	PL-1075	
Landscape Plan - Levels Plan - Viaduct Level	1:500	PL-1076	
Sections			
Landscape Sections LSS/ECD/WCD	1:200	PL-1077	
Landscape Sections	1:200	PL-1078	
Details			
Landscape Details - Bridge Interface	As Indicated	PL-1079	
Landscape Details - Paving Yard	1:10	PL-1080	
Landscape Details - Paving Viaduct	1:10	PL-1081	
Landscape Details - Furniture and Tree pit	As Indicated	PL-1082	
Landscape Details - Balustrades	1:20	PL-1083	

Appendix 3 – Environmental Impact Assessment Screening Analysis

EIA Screening Analysis: Consideration of Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended ('EIA Regulations')

1.0 Introduction and Summary

This note contains an assessment of the proposed development of the Eastern and Western Coal Drops and the Western Wharf Road Arches (together the Coal Drops Yard ('CDY')) within Development Plots I and M in relation to the EIA Regulations and Government guidance, including Planning Practice Guidance, and specifically considers whether the proposals constitute EIA development. It is our view that the proposals for the Coal Drops Yard is not EIA development for the reasons set out below and hence the application for full planning permission is not supported by an Environmental Statement.

The CDY proposals are being brought forward, in part, as a reserved matters application and, in part, as a full planning application. There is also an application for listed building consent. The structure of the suite of applications is described in full in section 3 of this Planning Statement. The full planning application is considered in the context of the baseline established by the December 2006 outline planning permission (reference 2004/2307/P) ('Outline Planning Permission') for KXC together with any cumulative effects (both with the Outline Planning Permission and any other subsequent permitted developments, as relevant). An environmental impact assessment was undertaken at the time of submission of the application for outline consent and an Environmental Statement ('ES') accompanied the Outline Planning Permission.

2.0 Proposed Development

The description of development for which full planning permission is sought, is as follows:

Refurbishment of the Western Coal Drops and the northern 20 bays of the Eastern Coal Drops together with their adjacent viaducts, the addition of two lightweight bridge connections between the Eastern and Western Coal Drops at viaduct level, the insertion of staircases within the Western Coal Drops viaduct, the cutting back of the northern 12 bays of the Eastern Coal Drops viaduct, the addition of a new upper level spanning between the Eastern and Western Coal Drops, the addition of units along Lower Stable Street, new steps connecting Lower Stable Street to Stable Street and three new bridges connecting Stable Street to the Eastern Coal Drops, for retail uses within Use Classes A1, A2, A3 and/or A4 together with hard landscaping, servicing and cycle parking and facilities.

The supporting documentation includes:

- Architectural and public realm drawings;
- Design and Access Statement;
- Planning Statement (including Compliance Statement);
- Environmental Sustainability Plan (including Wind and Ecology reports);
- Earthworks and Remediation Plan;
- Heritage Statement;
- Written Scheme of Investigation for Archaeology;
- Retail Statement;
- Operational Noise Assessment Report; and
- Transport Statement.

The principle of refurbishment of the CDY is in accordance with the Outline Planning Permission, however, as explained in detail in the Planning Statement, a new full planning application (rather than a reserved matters application) has been submitted for the Western Coal Drop, the Eastern Coal Drop (less its southern anchor unit) and Lower Stable Street because the creation of a new Upper Level connecting the two Coal Drops was not envisaged by the Outline Planning Permission. Although retail use (Class A1, A2, A3 and/or A4) within the CDY is consented under the Outline Planning Permission, the quantum proposed by this application will exceed that permitted by the Outline Planning Permission in Zones I/M due to the creation of the new Upper Level.

3.0 EIA Regulations and Planning Practice Guidance

Part 1, regulation 2(1) of the EIA Regulations states that:

'EIA development' means development which is either:

'a) Schedule 1 development; or

b) Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location'.

The proposals for the CDY clearly do not fall within any of the categories set out in Schedule 1 of the EIA Regulations.

The development categories listed in Schedule 2 include, *'Infrastructure Projects'* (part 10). These include:

'(b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas'.

The proposed development does not fall within the other categories listed as *'Infrastructure Projects'* (part 10, paragraphs (a) or (c) to (p)).

'Urban development projects' are not defined within the EIA Regulations, but the Schedule gives, as examples, the construction of shopping centres, car parks, sport stadiums, leisure centres and multiplex cinemas. In order to determine whether the proposal falls within the definition of *'urban development project'* we have considered, (i) the indicative thresholds and criteria contained within Schedule 2 of the EIA Regulations, (ii) whether the CDY lies within a *'sensitive area'*, and (iii) whether it is *"likely to have significant effect on the environment by virtue of factors such as its nature, size or location"*.

Schedule 2 of the EIA Regulations also refers at paragraph 13 (*'Changes or extensions'*) to:

'(b) any change to or extension of development of a description listed in paragraphs 1 to 12 of column 1 of this table, where that development is already authorised, executed or in the process of being executed'.

Schedule 3 of the EIA Regulations sets out the criteria for screening Schedule 2 development, including, the characteristics of the proposed development, the location of the development and the characteristics of the potential impacts.

The Planning Practice Guidance notes that each case should be considered on its own merits in a balanced way and authorities should retain the evidence to justify their decision.

We have considered the criteria further below and, in particular, the key determining factor, whether the proposal is likely to have a significant effect on the environment by virtue of factors such as its nature, size or location.

Indicative thresholds

As of 6 April 2015, new regulations came into force (The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015). The new regulations raise the screening thresholds for urban development projects. Screening is required if (i) the development includes more than 1 hectare of urban development which is not dwelling house development; or (ii) the development includes more than 150 dwellings; or (iii) the overall area of the development exceeds 5 hectares.

The Planning Practice Guidance notes that projects which are wholly outside of sensitive areas and do not exceed the new screening thresholds are not Schedule 2 development and should not be screened by the local planning authority. The Planning Practice Guidance also goes on to note that environmental impact assessment is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination. For sites which have not previously been intensively developed: (i) area of the scheme is more than 5 hectares; or (ii) it would provide a total of more than 10,000m² of new commercial floorspace; or (iii) the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).

The site area at circa 1.36 hectares falls well below the 5 hectares threshold and the CDY site lies in an already urbanised area. No dwelling homes are proposed by this application. Approximately 13,348m² GEA of retail floorspace is proposed, however, the threshold of 1 hectare (10,000m²) is only applicable to development on sites that have not previously been developed intensively. It is also of note that of this floorspace only approximately 3,000m² GEA is over and above that assessed at the time of the application for Outline Planning Permission (see further Section 5 of this Planning Statement for an explanation of the floorspace).

The KXC site is already being intensively developed under a permission that provides for substantial development at the CDY. The proposed development would clearly not have significant urbanising effects when assessed against the baseline and the CDY site lies in an Opportunity Area designated specifically for intensification of development.

Planning Practice Guidance explains that the thresholds in the Schedule are only indicative to provide a broad indication of whether EIA is required and that the key determining factor will be whether the site is located within an environmentally sensitive location or likely to give rise to significant effects.

Sensitive Areas

Planning Practice Guidance advises that proposed development outside any 'sensitive area' does not usually require EIA.

The site is not within one of the 'sensitive areas' defined in regulation 2(1) of the EIA Regulations (namely, SSSI's, National Parks, AONB's, World Heritage Sites and Scheduled Monuments and International Conservation Sites), although it does lie within the Regent's Canal Conservation Area.

As the site does not lie in a defined 'sensitive area', an EIA would not be required for this reason.

Changes or Extensions to Schedule 2 Development

In relation to changes or extensions to development that is already authorised, the EIA Regulations set out the applicable thresholds and criteria (in column 2 of Schedule 2):

'(a) the development as changed or extended may have significant adverse effects on the environment; or (b) in relation to the development a description mentioned in column 1 of this table, the thresholds and criteria in the corresponding part of column 2 of this table applied to the change or extension are met or exceeded'.

The Planning Practice Guidance notes that *'if it is considered that the change or extension will not lead to other significant adverse effects, taking into account the effects on the development as a whole, screening should not be required where the change or extension does not meet the criteria or thresholds in Schedule 2. This is likely to be the outcome in the vast majority of cases involving a minor change or extension to an existing development'*

The thresholds are discussed above; the 5 hectare threshold is not exceeded, the 1 hectare threshold is however, the CDY is not in an area that has not been intensively development nor is the proposed development on a significantly greater scale. The key determining factor is therefore whether the proposal is likely to have significant adverse effects on the environment. It is our view, as discussed below, that the potential effects of the CDY proposals will not differ in any material way from those assessed and reported upon in the ES accompanying the Outline Planning Permission and hence, the proposal is not likely to have any significant adverse effects upon the environment.

4.0 Likely Significant Environmental Effects

Planning Practice Guidance does recognise that there may be circumstances in which smaller scale developments which fall below the thresholds might nevertheless give rise to significant environmental effects; and that in those “*exceptional cases*” an EIA can be required. Accordingly, we have considered whether the development proposed is likely to have significant effects on the environment.

Schedule 3 of the EIA Regulations and Planning Practice Guidance state that the judgment as to whether significant effects are likely should be made by reference to the following three criteria:

1. The characteristics of the development (for example, its size, cumulation with other development, use of natural resources, production of waste, pollution and nuisances);
2. The environmental sensitivity of its location (for example, existing land use and the absorption capacity of the natural environment paying particular attention to, inter alia, landscapes of historical, cultural or archaeological significance); and
3. The characteristics of the potential impact (for example, the extent, probability, magnitude and complexity, the duration, frequency and reversibility of the impact).

We have considered the proposals for the CDY by reference to these criteria in the paragraphs below.

Characteristics of the development

In considering the likelihood of significant environmental effects it is necessary to consider the baseline position. In this instance the baseline position now includes the KXC Outline Planning Permission dated 22 December 2006 (Ref: 2004/2307/P) and the development parameters that form that permission. Within Development Zones I and M these include refurbishment of the existing buildings for a range of new A1/A2/A3 (and D1/D2 or night club) uses up to 9,165m² GEA above basement level, excluding public realm and connecting circulation areas.

The comprehensive EIA reported in the 2004/5 ES² for KXC took into account likely changes to the site and its surroundings including other developments which have since been permitted and/or completed including High Speed 1 and related projects, relocation of the nearby Castle Cement, Hanson and Tarmac plants, Bingfield Park works (LB Islington) and development of the former William of York school and the nearby former playground site (LB Islington)³. The ES identified no adverse significant environmental effects arising from the development proposed by the Outline Planning Permission.

² Volumes 1 – 4 dated May 2004 and Volume 5 (Supplement to address scheme changes) dated September 2005.

³ Part 2.2 of the ES.

The principal difference between the permitted parameters for the CDY and the current proposal for the CDY relates to addition of a new Upper Level to intensify the retail use to ensure a long term future for the site. As noted above and within the Planning Statement, the proposed uses and refurbishment comply with the Outline Planning Permission. The Outline Planning Permission anticipated up to 9,165m² GEA of floorspace within Zones I/M. The current proposals for the CDY propose 13,348m² GEA of A1, A2, A3 and/or A4 uses. This is not all proposed as additional floorspace as against the maximum permitted floorspace across the whole KXC site under the Outline Planning Permission (nor against that permitted north of the Canal) or indeed within Zones I/M (where a maximum of 9,165m² GEA is permitted). As explained in Section 5 of this Planning Statement, all of the floorspace within the reserved matters application and the majority of the floorspace within the full planning application will count towards the maxima and Section 106 triggers within the Outline Planning Permission. This therefore amounts to an uplift of 2,937m² GEA of retail floorspace (together with 327m² GEA of cycle and plant space) compared to the Outline Planning Permission.

Refurbishment of the Western and Eastern Coal Drops and Western Wharf Road Arches is proposed in line with the principles of the Outline Planning Permission. The buildings are currently in a poor condition and the northern end of the Grade II listed Eastern Coal Drop was damaged by fire in 1985. As described in the Design and Access Statement and the Heritage Statement, the proposed new structure at roof level bridges the Yard between the two Coal Drop buildings and has been designed to minimise interventions to the heritage buildings and to retain as much of the significant fabric as possible. The new Upper Level will be architecturally of a very high quality, modern to contrast with the industrial nature of the heritage buildings. It is recognised that there is potential for some adverse impacts in terms of the historic or archaeological landscape, however, those impacts are, in our view, outweighed by the public benefits of refurbishment of the buildings, bringing them back into use and ensuring their long term future (as described in Section 6 of this Planning Statement). The proposed new Upper Level will not impact upon any protected strategic views as defined within the July 2010 London View Management Framework.

There is a minor reduction in daylight to eight apartments in the adjacent Gasholder Triplets residential development, however, there will be no significant environmental effects in terms of daylight and sunlight caused by the CDY proposals upon existing and permitted buildings and spaces.

The wind microclimate study shows that the proposed development would not give rise to, or experience, any significant detrimental wind effects within the context of the wider KXC scheme and that the pedestrian level wind environment would be appropriate for the proposed uses around the base of the buildings.

The noise assessment demonstrates that acceptable noise levels for all plant will be achievable. The assessment has fully considered ground borne noise and reflective noise sources and concludes that the development would not give rise to any significant effects.

In relation to potential transport impacts, the Outline Planning Permission parameters for development Zones I/M include retail development. The ES accompanying the Outline Planning Permission assessed Zones I/M for 9,165m² GEA of retail floorspace (or an element of office, D1/ D2 or sui generis night club). As noted above, a further quantum of retail floorspace of 2,937m² GEA (together with 327m² GEA of plant and cycle storage) is proposed over and above that previously assessed within the ES. The Transport Statement accompanying this application, considers the proposed uplift in floorspace and concludes that it will have a negligible impact. There is no car parking proposed on the CDY site.

The Retail Statement assesses the potential impacts of the CDY proposals on other existing retail centres and concludes that nature and scale of the proposed development would not have any negative trading impacts on existing centres.

The development would not give rise to any particular or significant emissions. The carbon emissions for the proposed development are set out in the submitted Environmental Sustainability Plan ('ESP'). The ESP shows that the proposed development will achieve a reduction in carbon emissions over the Part L(2013) baseline and is targeting a BREEAM 'Very Good' rating. It also explains that the CDY will be connected to the KXC district heating system and energy centre.

The Earthworks and Remediation Plan establishes that:

Site characteristics/risk	Qualitative Assessment
Risk of harm to human health during development	Low
Risk of harm to human health after development	Very Low
Risk of pollution to controlled waters	Negligible
Risk of harm to ecological receptors	Negligible
Risk of harm to building materials and services	Very Low

The information submitted with the application demonstrates that there will be no significant adverse environmental effects as a result of the characteristics of the development proposals, in the context of the permitted KXC scheme and also in cumulation with that scheme and other relevant consented schemes.

Sensitivity of Location

The Planning Practice Guidance states that in determining whether significant effects are likely, the location of a development is important; the *'more environmentally sensitive the location, the more likely it is that the effects will be significant and will require an assessment.'*

The site is within the King's Cross Opportunity Area and represents a plot already approved for high density, commercial use development as part of the KXC scheme. As explained above, the site is not situated within one of the 'sensitive areas' defined in Regulation 2(1). The site is, however, within the Regent's Canal Conservation Area. The site is also adjacent to the listed Granary building, the listed gas holder guideframes and includes the listed Eastern Coal Drops.

The location of development in relation to heritage assets was considered and assessed as part of the Outline Planning Permission and its accompanying ES. As can be seen from the Design and Access Statement and the Heritage Statement, the proposals include refurbishment of the heritage buildings and the addition of a new Upper Level of the highest quality. It has been designed with regard to the Design Guidelines attached to the Outline Planning Permission and has had due regard to those heritage assets.

Characteristics of Potential Impact

The Planning Practice Guidance makes clear that particular "regard should also be had to whether any national or internationally agreed environmental standards (e.g. air quality) are already being approached or exceeded". The Planning Practice Guidance also notes that consideration should be given to the potential increase in traffic, emissions and noise and the physical scale of such development or the types of impact are of a markedly different nature or there is a high level of contamination.

The site is not markedly contaminated; this was addressed as part of the 2004/5 ES and is confirmed within the Earthworks and Remediation Plan.

The types of impact arising from retail use within the CDY have already been considered as part of 2004/2005 ES, however, it is recognised that the intensification of the retail use has the potential to increase the magnitude or duration of any such impact.

As identified above, the potential issues that the intensification gives rise to have been fully considered and addressed (including traffic and noise) within the material supporting the application. The information submitted, together with this note, address the issues highlighted by the Planning Practice Guidance and show that there are no significant effects that would warrant an EIA.

5.0 Definition of “the Project” for EIA Purposes and Cumulative Effects

The CDY development comprises, in part, a new detailed planning application which, if permitted, will become part of the emerging KXC development. In considering the likelihood of significant environmental effects, we have considered both the change against the Outline Planning Permission parameters and the potential for effects in “cumulation” with that and other relevant consented schemes. This approach is informed by and consistent with the Planning Practice Guidance which states that if *‘it is considered that the change or extension will not lead to other significant adverse effects, taking into account the effects on the development as a whole, screening should not be required where the change or extension does not meet the criteria or thresholds in Schedule 2’*.

The Planning Practice Guidance notes that each application should be considered for EIA on its own merits, but also that a particular planning application should not be considered in isolation if, in reality it is properly to be regarded as an integral part of an inevitably more substantial development. The proposed development of the CDY is part of wider change, but that wider change has been consented following a comprehensive EIA. Although the proposed development of the CDY does result in a change to a Schedule 2 development that has already been authorised and is in the process of being executed, the development as changed or extended is not likely to have significant environmental effects (nor does that change exceed the thresholds in Schedule 2).

The proposed development of the CDY is not part of an “inevitably more substantial development” waiting in the wings but not assessed, such that a broader definition of “the project” is required to avoid frustrating the aims of the EIA Directive and Regulations. On the contrary, the wider development at KXC has been assessed and the aims of the Directive and Regulations have been and are being expressly fulfilled. As explained above, the studies undertaken and information submitted show that there will be no significant environmental effects, including no significant cumulative effects in the context of the KXC development.

6.0 Conclusions

The proposed development of the CDY does not exceed the indicative 5 hectare threshold within the EIA Regulations nor is it in an area not already intensively developed, nor proposing a development on a significantly greater scale, nor does it lie within a ‘sensitive area’. The Planning Practice Guidance advises that, outside any ‘sensitive area’, development falling below the thresholds or meeting none of the criteria in Schedule 2 may not require EIA. However, we have also considered whether it is likely to have a significant effect on the environment by virtue of factors listed in Schedule 3 of the EIA Regulations, such as, its nature, size or location.

Taking into account, inter alia, the site, the location, the nature of the proposed development, its relationship with the approved KXC scheme and the findings of the various studies that have been undertaken and submitted, it is demonstrated and concluded that the proposed development would not be likely to have significant effects on the environment. It is our view, as discussed, that the potential effects of the proposal on the environment will not differ in any material way from those assessed and reported upon in the ES accompanying the Outline Planning Permission.

On this basis, it may properly be concluded that the proposed CDY development is not Schedule 2 development and does not require an environmental impact assessment to be undertaken.

Appendix 4 – Consultation Summary

Pre-application Consultations and Engagement

The application proposals represent the culmination of 18 months of consultation and discussion with statutory and non-statutory consultees.

In addition to extensive discussions with planning and design officers at LB Camden, key consultees throughout the process have included:

- Historic England (HE);
- King's Cross Design and Access Forum;
- King's Cross Development Forum;
- Designing Out Crime Officers;
- Canal and River Trust;
- Regent's Canal and King's Cross Conservation Area Advisory Committees;
- St Pancras Cruising Club; and
- Greater London Industrial Archaeology Society.

A summary of the consultation undertaken is set out below.

Consultee	Date	Summary of issues discussed
LB Camden	20/05/2014	<p>Proposed use and retail mix</p> <p>Existing and proposed internal levels</p> <p>Planning framework</p>
	27/08/2014 (with HE)	<p>Understanding of use and significance of the heritage buildings</p> <p>Principle of new addition at upper level</p> <p>Lowering existing floors to create appropriate access</p> <p>Expression of old and new elements</p> <p>Massing and dominance of upper level</p>
	08/09/2015 (with HE)	<p>Massing of upper level</p> <p>Expression of old and new elements</p> <p>Material of upper level and interface between existing and new roof profiles</p>
	27/11/2014	<p>Massing and height of upper level addition</p> <p>Access and circulation around the site</p> <p>Bridges within central yard/arrangement of public space</p> <p>Internal levels</p> <p>ECD and WCD viaduct cutbacks</p>
	24/02/2015	<p>ECD and WCD viaduct cutbacks</p> <p>Legibility of industrial use/function and linearity</p> <p>Restoration approach to ECD burnt out section</p> <p>Removal/reuse of existing trusses</p> <p>Glazing at Upper Level</p> <p>Structural principals of new columns in the existing buildings, minimising the impact on the historic fabric</p>

<p>24/03/2015 (with HE)</p>	<p>Removal/reuse of existing trusses ECD viaduct cutback to avoid sewer Sightlines within Central Yard ECD service corridor Upper level glazing and roof materials</p>
<p>30/04/2015 (with HE)</p>	<p>External fabric and elevations Thinner bridge connections and orientation of stairs in Central Yard ECD viaduct cutback WCD viaduct external stair options Brickwork cleaning approach Retention of existing cobbles in ECD bay 20 Paving approach Minimising impact of plant and approach</p>
<p>02/06/2015</p>	<p>Shop front recesses Retention of WCD canopy brackets Disabled access and approach from Stable Street Retail mix Shopfront types and signage approach Internal circulation</p>
<p>30/06/2015</p>	<p>Disabled access and approach from Stable Street Bridge connections and accessibility Retention of existing cobbles in ECD bay Rebuilding and addition of chimneys to accommodate extracts Retention of existing WCD canopy brackets Existing lighting approach Wayfinding and signage strategy</p>

	27/08/2015	<p>Paving strategy and soft landscaping proposals</p> <p>External furniture</p> <p>Balustrades</p> <p>Design intent of bridges in central yard</p> <p>Bridge connections and accessibility</p> <p>Disabled access and approach from Stable Street</p> <p>Lower Stable Street layouts and uses</p> <p>Cycle parking and showers</p> <p>Retention of existing cobbles in single bay</p> <p>Roof penetrations for services</p> <p>Retention of existing WCD canopy brackets</p> <p>Retention of WCD cast iron beams</p> <p>Design intent of north and south gables</p> <p>Signage strategy</p> <p>Steps at northern end of Central Yard</p>
Metropolitan Police	30/01/2015	<p>Reduction of permeability at night by physical barriers</p> <p>Roller shutters to retail units</p> <p>Coordination of CCTV and lighting</p> <p>Surveillance levels in Lower Stable Street</p>
	27/05/2015	<p>Uniform level of lighting</p> <p>Security to cycle storage</p> <p>Recessed and unobserved areas</p> <p>Gating of routes</p> <p>Specification of security systems</p>
Canal and River Trust	18/05/2015	<p>Position of pedestrian routes to Canal through the Wharf Road Arches</p>
	24/06/2015	<p>Strategies for controlling pedestrian flow onto towpath</p>
St Pancras Cruising Club	24/06/2015	<p>Interventions to canal wall</p> <p>Retail mix</p>

KX Design and Access Forum	15/07/2015	<ul style="list-style-type: none"> Impact on industrial archaeology Retention/legibility of existing levels Retention of WCD cast iron beams Impact of new upper level structure on existing buildings Provision of museum/heritage space Reuse of granite setts ECD viaduct on west elevation Retention of cobbled bay in ECD Viaduct cut back Cycle parking at yard level Delivery routes on Granary Square Provision of workshop units Rationale for new upper level Wayfinding Tapered steps to be avoided Dominance of Pavilion H lift in setting Provision of ramps Provision of disabled WCs and family rooms Public realm lighting Access to towpath at night
Historic England	27/08/2014	See notes under LB Camden heading above.
	08/09/2015	See notes under LB Camden heading above.
	24/03/2015	See notes under LB Camden heading above.
	30/04/2015	See notes under LB Camden heading above.
	23/06/2015	Presentation and site tour of buildings with London Advisory Committee

KX Forum	Development 08/07/2015	Principles of roof and additional level Roof materials Public transport through site Provision of workshop units Level changes Solidity of WCD western facade Wind within Yard Approach to bay with existing cobbles Potential for vandalism Viability of retail destination in this location
Regent's Canal CAAC	16/07/2015	Importance of quality retail Appropriate rents for tenant mix Dominance of external lights Appearance of cycle stands Retention of cross bracing for crane in WCD
Camden Heritage Trust	Railway 27/08/2015	Selection of paving materials in relation to existing surfaces Retention of WCD canopy brackets Principle of retaining WCD cast iron beams Retention of existing levels in ECD North Anchor Unit Brick upstand on ECD north gable as on west.

Appendix 5 – Outline Planning Permission - Compliance Statement

COMPLIANCE STATEMENT

RESPONSE TO CONDITIONS ATTACHED TO THE KING'S CROSS CENTRAL OUTLINE PLANNING PERMISSION 2004/2307/P

Introduction

The King's Cross Central main site comprehensive mixed use development was permitted by the outline planning permission (ref. 20042307/P) granted on 22 December 2006 (the 'Outline Planning Permission').

The outline application was subject to an Environmental Impact Assessment (EIA) and scheme details set out in a Development Specification document (September 2005) with accompanying Parameter Plans, which formed part of the application and are specifically referred to in the conditions attached to the Outline Planning Permission.

The principle of the use of the Eastern Coal Drops, Western Coal Drops and Western Wharf Road Arches for A1 - A5 retail use has already been established under the Outline Planning Permission.

Although part of the King's Cross Central site, the current proposals for CDY and associated public realm works are, in part, being brought forward as a standalone planning application and in part as a reserved matters submission as explained in the main body of this Planning Statement. There is also a related application for listed building consent.

As noted above, although the principle of A1-A5 use is permitted within Development Zones I and M, the quantum of floorspace is in excess of that envisaged and permitted within the zone, to provide intensification of retail use to ensure long term viability. As described earlier, there are also specific elements of the design proposals that were not envisaged at the Outline Planning Permission stage, such as bridges for improved circulation and the new Upper Level.

This section of the Planning Statement (the Compliance Statement) provides a comprehensive overview of how the relevant pre-commencement planning conditions of the Outline Planning Permission are being addressed in respect of the detailed proposals for CDY, to show where compliance with the principles and requirements of the Outline Planning Permission for the KXC development is being achieved. The following responses deal primarily with that part of the site within the reserved matters application (i.e. the WWRA, the southern anchor unit in ECD and the public realm within the Yard), however, the scheme is also considered and assessed against the requirements of the Outline Planning Permission conditions holistically. The design of the scheme has been heavily influenced by the principles and guidelines set out at the outline stage and therefore it is considered appropriate to include a brief response to each of the relevant conditions attached to the Outline Planning Permission in order to demonstrate that the proposals accord with that permission and the King's Cross Central masterplan in all other respects.

The conditions of the Outline Planning Permission that this submission specifically responds to are set out below:

- Condition 6 Details Required for Proposals Adjacent to Listed Buildings;
- Condition 9 Landscaping and Trees;
- Condition 10 Landscaping Programme;
- Condition 12 Accessibility;
- Condition 14 Phasing;
- Condition 16 Urban Design Report;

- Condition 17 Environmental Sustainability Plan;
- Condition 18 Earthworks and Remediation Plan;
- Condition 19 Access Statement;
- Condition 20 Illustrative Build Out Plan;
- Condition 21 Construction Timetable;
- Condition 22 Servicing Strategy;
- Condition 23 Highways Plan;
- Condition 27 Floorplans;
- Condition 28 Refuse Storage and Collection;
- Condition 31 Parameter Plans and Development Specification;
- Condition 33 Floorspace Permitted Site Wide;
- Condition 34 Floorspace Permitted North of Regent's Canal;
- Condition 35 Details of Uses Permitted;
- Condition 36 Floorspace and Development Zones;
- Condition 45 New Drainage Infrastructure;
- Condition 46 Green and Brown Roofs;
- Condition 48 Car Parking Standards;
- Condition 51 Cycle Parking Provision
- Conditions 55 & 56 Programme of Building Recording and Analysis
- Condition 60 Plant Noise;
- Conditions 64 & 65 Volume of Spoil Removal and Lorry Movements; and
- Conditions 66 & 67 Lorry Movements and Construction Materials.

1

Condition 6 (Particulars to Accompany Reserved Matters Applications – Details Required for Proposals Adjacent to Listed Buildings)

1.1 The condition and its reason state:

"In relation to the buildings adjacent to or affecting the setting of listed buildings the Reserved Matters applications shall be supported by the following details:

- (a) precise siting of the building where limits of deviation are shown on the Parameter Plans;*
- (b) all access arrangements;*
- (c) all elevations within the adjacent to or affecting the listed building;*
- (d) roof treatments;*
- (e) external drainage;*
- (f) all external plant and other equipment;*
- (g) all infrastructure works associated with the building;*
- (h) all public realm works associated with the building; and*
- (i) information that demonstrates how the proposed design and appearance relates in an acceptable manner to all previous Reserved Matters approvals within such buildings (or where development has commenced pursuant to such approvals, the building so commenced) adjacent to or affecting the setting of the listing building.*

Reason: In order to safeguard the special architectural and historic interest of the building and to ensure that the details accord with the assessment in the Environmental Impact Assessment and in accordance with the requirements of policies KCl 1, B1 and B6 of the London Borough of Camden Replacement Unitary Development Plan 2006."

Response to Condition 6

- 1.2 As detailed in the Planning Statement, the CDY submission comprises in part a full planning application and in part a Reserved Matters application. The applications are supported by a Design and Access Statement which assesses each of the details required by this condition in relation to the CDY proposals as a whole (namely, both the full and reserved matters). The suite of applications is also supported by a Heritage Statement which considers, in particular, heritage and conservation issues in relation to the proposals.
- 1.3 The CDY comprises the Eastern Coal Drops, Western Coal Drops and the Western Wharf Road Arches and is located within the Regent's Canal Conservation Area. The ECD and its adjacent Viaduct are Grade II listed. CDY is adjacent to, and within the setting of the Grade II listed Granary building. The Grade II listed Gasholder Triplets is also currently being re-erected to the west of the CDY buildings following planning approval in 2014. There are other listed buildings within the wider KXC area, such as the King's Cross and St Pancras stations and the German Gymnasium.
- 1.4 The accompanying Design and Access Statement, the Heritage Statement and the submitted architectural and public realm drawings (plans, elevations and sections) provide the details of the

relevant matters listed in Condition 6 in relation to the building design and public realm. As demonstrated therein, the CDY proposals have taken into account the special architectural and historic interest of the buildings themselves, the adjacent listed buildings and the wider Regent's Canal Conservation Area.

- 1.5 In relation to part (i) of this condition, the Reserved Matters approvals which have been brought forward in the vicinity are the Fish & Coal Offices and Eastern Wharf Road Arches (2014/5272/P), the Gasholder Triplets (2014/6386/P), the Grade II listed Granary Building, Western Transit Shed and West Handyside Canopy (ref. 2007/5228/P), Regeneration House (ref. 2012/4937/P) and the East Handyside Canopy/Midland Goods Shed (ref. 2014/1433/P and Listed Building Consent ref: 2014/1436/L). Construction is complete on both the Eastern Goods Yard and Regeneration House and both are now occupied. The Midland Goods Shed and East Handyside Canopy were granted approval in June 2014 (working is nearing completion), the Fish & Coal Offices in October 2014 and the Gasholder Triplets in December 2015. Construction work is in progress. The CDY proposals sit in the context of these buildings. Information to demonstrate how the proposed design and appearance relates in an acceptable manner is provided in the submitted Design and Access Statement and the accompanying Heritage Statement.
- 1.6 The details referred to above meet the requirements of Condition 6.

2

Condition 9 (Particulars to Accompany Reserved Matters Applications - Landscaping and Trees)

2.1 The condition and its reason state:

"The details of the landscaping to be submitted as part of the applications for Reserved Matters approval shall include details of:

- (a) all existing trees (with a stem diameter of 75mm or greater), and all existing within 10 metres of the perimeter of that part of the Development indicating:
 - i. the location, species, stem diameter at 1.5 metres above ground level, height and accurate crown spread;*
 - ii those to be retained;*
 - iii. where nearby excavations are proposed, the level at the base of each tree to be retained;*
 - iv. trees to be removed in conjunction with that part of the proposed development; and*
 - v. where appropriate the proposed positions and lines of protective fencing and prohibited areas.**
- (b) details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items will affect trees on and adjoining that part of the site;*
- (c) treatment of trees to be retained and new tree or other planting including indigenous species or those of wildlife, flowering or foliage value; earthworks, ground finishes, top soiling with both conserved and imported top soils, levels, drainage including falls and drain types;*
- (d) proposed canal moorings; and*
- (e) the equipment and other treatment of land within the MUGA and LEAP spaces.*

And all works shall only be carried out with the details so approved.

Reason: To ensure a comprehensive and sustainable development, to ensure good design, to protect the setting of listed buildings, to preserve or enhance the character or appearance of Conservation Areas, to ensure a minimal impact on existing trees, to contribute to biodiversity, and to ensure that the details accord with the assessment in the Environmental Impact Assessment, in accordance with policies B1, B2, N4, N8, KC8, KC10, RC1 and RC3 of the London Borough of Camden Replacement Unitary Development Plan 2006."

Response to Condition 9

- 2.2 There are no existing trees on or adjacent to the application boundary. Therefore only part (c) of Condition 9 (new trees) is relevant to this submission.
- 2.3 Information in respect of the public realm and landscaping associated with the submission is provided in the appropriate parts of the Design and Access Statement and on the plans and sections included in the drawing package. The proposals include a spine of 6 London Plane trees on Stable Street, adjacent to the ECD, that are a continuation of those already approved and

planted in Lewis Cubitt Park and Lewis Cubitt Square. An Ecology Report is appended to the Environmental Sustainability Plan ('ESP') which describes the existing ecological factors on site and the proposed trees and planters. The drawing package details site levels and the Earthworks and Remediation Plan ('ERP') details earthworks. Drainage details are included in Part 21 (Condition 45) below.

- 2.4 The landscaping information given above and in the Design and Access Statement, together with the details shown on the submitted plans and drawings are provided to demonstrate compliance with Condition 9.

Condition 10 (Particulars to Accompany Reserved Matters Applications – Landscaping Programme)

3.1 The condition and its reason state:

“Applications for approval of Reserved Matters including landscaping shall include for specific approval a programme for commencing and completing the planting and laying out, and the detailed scheme(s) so approved shall be carried out only in accordance with the approved programme.

Reason: To ensure a comprehensive and sustainable development, to ensure good design, to protect the setting of listed buildings, to preserve or enhance the character or appearance of conservation areas, and to ensure that the landscaping is carried out within a reasonable period in accordance with the Environmental Impact Assessment, in accordance with policies B1, B2, KCB, KC10 and N4 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 10

3.2 The programme for commencing and completing the planting is outlined below and is in keeping with the approach for planting across the KXC site:

- The preferred planting season is from late October through to late March to ensure that trees are dormant when being lifted. Planting will not take place if the ground is either waterlogged or there is frost on the ground. The proposed planting will take place in the first available planting season following physical completion of the relevant public realm and terrace areas.
- The planting programme will, therefore, ultimately be controlled by the overall construction programme (see response to condition 21).
- If tree planting needs to take place outside of the preferred planting season, the tree will be lifted and containerised within the planting season to reduce the possibility of shock and failure occurring. Once the tree has been stabilised in its containerised state, it can then be planted outside the preferred planting season. The contractor appointed by the applicant will be required to maintain the tree while off-site and give the same guarantee as if planting in season.
- If roots of newly planted trees or shrubs are loosened, the soil will be refirmed as soon as possible after planting to exclude air pockets around the roots. Also, weeds will be eliminated and all ties, stakes and guards checked and adjusted accordingly.

3.3 These details are to show compliance with Condition 10.

Condition 12 (Development to be Carried Out in Accordance with Permission – Accessibility)

4.1 The condition and its reason state:

“Where steps are to be constructed within the landscaping to change level, gentle inclines and ramps (at a gradient of 1 in 20 or less) and/or lifts shall also be incorporated, to provide an equally commodious alternative for all members of the public.

Reason: To ensure that the development provides good access for all in accordance with policies SD1, B1, B2, KC6 and T3 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 12

- 4.2 As shown on the drawings submitted with this application, and described in the accompanying Design and Access Statement, the public realm and landscaping proposals for the CDY include stairs, ramps and lifts to maximise site permeability and commodious circulation for all members of the public.
- 4.3 Along Stable Street there are three bridge links to facilitate access from Stable Street into the ECD building at Viaduct level from the south and east. The middle bridge is an accessible ramp that is aligned with the East-West link through the Western Transit Shed providing full access to the ECD feature core which provides one dedicated lift to provide level access to Lower Stable Street and two lifts to all levels. The dedicated Lower Stable Street lift has been designed to be highly visible from Granary Square and Stable Street and is centrally placed with the ECD to minimise travel distances. In addition, from Granary Square, level access is possible at viaduct level via the Wharf Road viaduct in front of the Fish and Coal offices to the ECD viaduct (see paragraph 4.5 below). A lift is also proposed to be brought forward in due course within Plot H as the existing ramp to the Yard (between the Fish and Coal offices and ECD) will be retained and is at a gradient of greater than 1 in 20.
- 4.4 On entry from the north, from Lewis Cubitt Square, stairs and an adjacent lift (located with the ECD and accessed in the north gable) are provided for access to the Yard and Viaduct levels.
- 4.5 From the west, the site can be accessed at Viaduct level from Gasholder Gardens. A gentle slope is incorporated into the WCD Viaduct to mediate the small change in level between the WCD Viaduct and WWRA. Three new bridges are proposed to connect the Viaduct structures. The two bridges in the Central Yard between the ECD and WCD Viaducts provide level access. The third bridge spans between the WWRA and the southern end of the ECD Viaduct between which there is a level difference of almost 1 metre. The surface of the Wharf Road Viaduct will be gently built up to provide full level access from Wharf Road Viaduct (both from the east and the west) to ECD Viaduct.
- 4.6 Five public lifts are proposed within the ECD and WCD and these have been carefully positioned to provide equally commodious alternatives to the stairs in the Yard.
- 4.7 The new proposed ramps within the buildings and the public realm are all at a gradient of 1 in 20 or less.
- 4.8 Public Realm materials and finishes have been chosen with particular regard to access and

inclusivity.

- 4.9 The submitted details demonstrate that the requirements of Condition 12 are met in respect of the proposed landscaping scheme.

Condition 14 (Phasing of Approvals)

5.1 The condition and its reason state:

“Unless otherwise agreed in writing by the local planning authority and subject to condition 13, applications for approval of Reserved Matters and/or details pursuant to conditions in compliance with this permission shall be made to the local planning authority in accordance with the following provisions:

- (a) Application for approval of the Reserved Matters and/or details pursuant to conditions relating to not less than 70,000 sq metres gross external area of built accommodation shall be made to the local planning authority before the expiration of the three years from the date of this permission;*
- (b) Application for approval of the Reserved Matters and/or details pursuant to the conditions relating to not less than 70,000 sq metres gross external area of built accommodation shall be made to the local planning authority before the expiration of six years from the date of this permission, bringing the total building space for which Reserved Matters applications have been submitted to not less than 140,000 sq m gross of built accommodation;*
- (c) Application for approval of the Reserved Matters and/or details pursuant to the conditions relating to not less than a further 70,000 sq metres gross external area of built accommodation shall be made to the local planning authority before the expiration of nine years from the date of this permission, bringing the total building space for which Reserved Matters applications have been submitted to not less than 210,000 sq m gross of built accommodation;*
- (d) Application for approval of the Reserved Matters and/or details pursuant to the conditions relating to not less than a further 70,000 sq metres gross external area of built accommodation shall be made to the local planning authority before the expiration of twelve years from the date of this permission, bringing the total building space for which Reserved Matters applications have been submitted to not less than 280,000 sq m gross of built accommodation;*
- (e) Application for approval of the Reserved Matters and/or details pursuant to the conditions relating to not less than a further 70,000 sq metres gross external area of built accommodation shall be made to the local planning authority before the expiration of fifteen years from the date of this permission, bringing the total building space for which Reserved Matters applications have been submitted to not less than 350,000 sq m gross of built accommodation;*
- (f) Application for approval of the Reserved Matters and/or details pursuant to the conditions relating to not less than a further 70,000 sq metres gross external area of built accommodation shall be made to the local planning authority before the expiration of eighteen years from the date of this permission, bringing the total building space for which Reserved Matters applications have been submitted to not less than 420,000 sq m gross of built accommodation;*

Provided that reapplications or variations in relation to the same built accommodation which has already been the subject of previous applications for and approval of the Reserved Matters shall not count towards compliance with the phasing of the submissions as set out in (a) to (f) above.

Reason: To ensure a comprehensive and sustainable development to achieve regeneration, integration and good design, in accordance with the Environmental Impact Assessment, in accordance with policies S1, S2, S3, CKC1, SKC2, SKC3, KC1 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 14

- 5.2 Since Outline Planning Permission was granted in December 2006, applications have been made for approval of Reserved Matters and details pursuant to conditions involving built accommodation on the Eastern Goods Yard site, the Great Northern Hotel, Regeneration House, Fish and Coal and the Eastern Wharf Road Arches, the Gasholder Triplets, the German Gymnasium, the Midland Goods Shed/East Handyside Canopy, Zone A and within plots T1, T5, P1, R4, R5 (North), R5 (South), J, B1, B2, B3, B4, B5, B6 and E1. In addition, Full Planning Permission has been granted for student housing on Plot T6 and in relation to educational use at R1. The quantities of floorspace applied for, as gross external area (GEA), are set out in Table 5.1 below.
- 5.3 The CDY proposals comprise in total 13,348m² GEA of retail floorspace within Use Classes A1-A4. The application for reserved matters approval (the WWRA and the southern anchor unit of the ECD) comprises 2,071m² GEA. The application for full planning permission comprises 11,277m² GEA.
- 5.4 As with other full planning applications with the KXC site, a proportion of the floor area proposed within the full planning application, if acceptable, will be counted against the site wide totals of the Outline Planning Permission and triggers within the site wide Section 106 Agreement, including this Condition 14. The floor area within the reserved matters application will be counted against the Outline Planning Permission maxima in the normal way.
- 5.5 It is proposed that the majority of the floorspace within the full planning permission is counted towards the site wide total with the exception of the floorspace within the WCD (equating to a quantum of floorspace approximately equivalent to the new Upper Level, 3,330m² GEA). Of the total floorspace being proposed with the CDY (13,348m² GEA), 10,084m² GEA (including the 2,071m² GEA within the reserved matters application) will count towards the site wide totals, and this Condition 14, of the Outline Planning Permission. The floor areas are considered in detail within Section 5 of this Planning Statement.
- 5.6 The figures below are listed chronologically, and correspond to each and every scheme named above, including subsequent minor amendments and revised schemes, for the sake of completeness.
- 5.7 As the figures in Table 5.1 demonstrate, the requirements in Condition 14 for 70,000m², 140,000m², 210,000m², 280,000m², 350,000m² and 420,000m² of floorspace to be applied for before the expiry of, respectively, three, six, nine, twelve, fifteen and eighteen years from the grant of Outline Planning Permission have now (more than) been fulfilled.
- 5.8 The information provided enables the Council to monitor the position relative to the Condition and does not require approval.

Plot / Zone	Application Ref.	Approval Date	Floorspace
Eastern Goods Yard	2007/5228/P	8 April 2008	55,190
Building R2	2008/5052/P	22 January 2009	48,522
Subtotal (70,000m² by December 2009)			103,712
Building T1 (2009)	2009/0415/P	24 April 2009	29,045
Building R4	2010/0389/P	15 April 2010	11,761
Subtotal (140,000m² by December 2012)			144,518
Building B2	2010/0864/P	30 April 2010	7,098
Building B4	2010/0868/P	30 April 2010	16,824
Building B6	2010/0870/P	30 April 2010	20,853
Great Northern Hotel	2010/3304/P	3 September 2010	4,528
Building T6 ¹	2010/4468/P	11 January 2011	16,292
Subtotal (210,000m² by December 2015)			210,113
Building J	2010/6688/P	11 March 2011	16,265
Great Northern Hotel Minor Amendments	2011/0049/P	14 March 2011	+20
Building R5 (North)	2011/0431/P	8 April 2011	14,237
Building R5 (North) Minor Amendments	2011/4263/P	10 October 2011	-23
Building B3	2011/4090/P	4 November 2011	20,404
Building B1	2011/4713/P	25 November 2011	43,097
Subtotal (280,000m² by December 2018)			304,113
Eastern Goods Yard Minor Amendments	2011/6440/P	10 February 2012	+180
Building B3 Minor Amendments	2012/6537/P	7 February 2012	-22
Building B2 Minor Amendments	2012/0902/P	1 May 2012	+78
Building B4 Minor Amendments	2012/0907/P	17 April 2012	+247
Building E1	2012/4147/P	23 October 2012	4,015
Building P1	2012/4741/P	7 December 2012	29,619
Regeneration House	2012/4937/P	12 November 2012	1,002
Building T1 (2013 Revised Reserved Matters)	2013/0405/P	22 March 2013	+1,574
Building R5 (South)	2013/1573/P	7 June 2013	8,376
Building T5	2013/2481/P	5 July 2013	8,964
Subtotal (350,000m² by December 2021)			358,146
Zone A	2013/4001/P	17 September 2013	85,837
Subtotal (420,000m² by December 2024)			443,983

Table 5.1: Floorspace submitted to date (gross external area in m²) (continued overleaf)

Plot / Zone	Application Ref.	Approval Date	Floorspace
Building P1 Minor Amendments	2014/0691/P	18 March 2014	-19
Midland Goods Shed and Canopies	2014/1433/P	13 June 2014	7,223
German Gymnasium (Zone D)	2014/1455/P	12 May 2014	1,225
Pavilion G1 (Minor Amendments to Eastern Goods Yard)	2014/2247/P	12 May 2014	-46
Building B6 (2014 Revised Reserved Matters)	2014/4125/P	21 August 2014	-256
Building T1 Minor Amendments	2014/4605/P	10 September 2014	-3
Building B1 Minor Amendments	2014/4693/P	22 August 2014	-17
Fish and Coal and Eastern Wharf Road Arches ²	2014/5272/P	23 October 2014	2,405
Gas Holder Triplets	2014/6386/P	18 December 2015	18,327
Building B5	2014/6968/P	22 January 2015	21,851
Building R7	2015/0368/P	16 April 2015	19,576
Building R2 ³	As above	As above	-48,522
Building R1 ⁴	2015/2886/P	6 August 2015	9,103
Building R5 (South) Minor Amendments	2015/2891/P	3 August 2015	-506
Building B5 Minor Amendments	2015/4819/P	-	+45
Building R3 and Zone R Gardens	2015/5234/P	-	6,686
Coal Drops Yard ⁵	-	-	10,084
Total floorspace submitted to date			491,139

Table 5.1: Floorspace submitted to date (gross external area in m²) (continued)

Notes:

1. This figure represents the floorspace below the outline parameter height of 67m AOD as per the Section 106 Agreement dated 11 January 2011.
2. This figure excludes the 82m² GEA relating to the conservatory extension. Approval for this structure and floorspace, which was not envisaged as part of the Outline Planning Permission, was approved separately by a Full Planning Permission, submitted in parallel to the Reserved Matter submission.
3. The total floorspace submitted to date excludes Building R2, since this is and will be replaced by the approved Building R7 and the future Building R8. The Building R2 GEAs have been excluded throughout the report from this point on.
4. The R1 floorspace was approved under a separate Full Planning Permission, however, the figure is reported as part of the site wide totals.
5. CDY – this figure represents the floorspace within the reserved matters application 2,071m² GEA together with the majority of the floorspace within the full application, namely, 8,013m² GEA (see detailed explanation in Section 5 above).

6

Condition 16 (Particulars to Accompany Reserved Matters Applications – Urban Design Report)

6.1 The condition and its reason state:

“Relevant applications for approval of Reserved Matters submitted pursuant to this permission relating to the design of new buildings and to the landscaping of the public realm shall be accompanied by an urban design report which explains the underlying approach of the design and explains how it addresses each of the relevant Design Guidelines.

Reason: To ensure a comprehensive and sustainable development and to achieve good design throughout the development, including protection of the setting of listed buildings and the preservation or enhancement of the character or appearance of conservation areas in accordance with the Environmental Impact Assessment, in accordance with policies B1, B2, B6, B7 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 16

- 6.2 This condition is addressed by the separate Design and Access Statement submitted in support of the CDY proposals. The Design and Access Statement incorporates all the details required within an urban design report in relation to the reserved matters application together with information required by Camden in design and access statements supporting full planning applications. It demonstrates the underlying approach to the design and, notwithstanding that this is, in part, a freestanding full planning application, how the relevant design principles and guidelines enshrined in the King’s Cross Masterplan and the Outline Planning Permission have been addressed within the proposals.
- 6.3 The Design and Access Statement provides a full description of the proposed design of the buildings and the public realm. Section 3 of the DAS specifically addresses each of the relevant Design Guidelines attached to the Outline Planning Permission.
- 6.4 The information referred to above meets the requirements of Condition 16.

Condition 17 (Particulars to Accompany Reserved Matters Applications – Environmental Sustainability Plan)

7.1 The condition and its reason state:

“Relevant applications (or groups of related applications) for approval of Reserved Matters in respect of buildings shall be accompanied by an Environmental Sustainability Plan. The Environmental Sustainability Plan shall explain:

- (a) how the proposed building design(s) realise(s) opportunities to include design and technology energy efficiency measures;*
- (b) the reduction in carbon emissions achieved through these building design and technology energy efficiency measures, compared with the emissions permitted under the national Building Regulations prevailing at the time the application(s) for approval of reserved matters are submitted;*
- (c) the specification for any green and/or brown roofs;*
- (d) how energy shall be supplied to the building(s), highlighting;*
- (i) how the building(s) relate(s) to the site-wide strategy for district heating incorporating tri-generation from distributed combined heat and power;*
- (ii) how the building(s) relate(s) to the strategy for using biofuel boilers to supplement the energy supplied through district heating systems;*
- (iii) the assessment of the cost-effectiveness and reliability of the supply chain for biofuels; and*
- (iv) any other measures to incorporate renewables.*
- (e) how the proposed building(s) have been designed to achieve a BREEAM and/or Ecohomes rating of "very good" (or an equivalent assessment method and rating) or better; and*
- (f) the incorporation of bird boxes, bat roosts and other wildlife features on buildings.*

Reason: To ensure a comprehensive and sustainable development and to achieve good design through the development in accordance with the Environmental Impact Assessment, in accordance with policies SKC1, KC8, B1, N7, and SD9 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 17

7.2 The submission includes a separate Environmental Sustainability Plan ('ESP') prepared by Hoare Lea which addresses each of the factors listed in Condition 17 and, notwithstanding that the proposals comprise the refurbishment of existing buildings, demonstrates that the proposed development achieves high standards of sustainability. The proposals seek to achieve a minimum of a BREEAM rating of 'Very Good' as required by the Outline Planning Permission.

7.3 The ESP also provides information to:

- satisfy conditions 45 and 48 concerning drainage and connection to the district heating/combined heat and power systems;

- show how the proposals for CDY respond to the obligations set out in Sections Y (Construction Materials and Waste), Z (Waste) and AA (Water) of the Section 106 Agreement. These sections deal, generally, with environmental sustainability and observance of the site-wide environmental Sustainability Strategy and Energy Assessment and, specifically, with energy reduction, construction materials and waste, operational waste, water efficiency and sustainable drainage; and
 - show how the buildings compare with the relevant national building regulations and with national, regional and local planning policy.
- 7.4 The Design and Access Statement also details the measures that will be incorporated into the design to improve environmental performance.
- 7.5 The Energy Strategy within the ESP follows the Mayor's energy hierarchy, Be Lean, Be Clean, Be Green. It sets out the passive design and energy efficiency measures that are proposed to be incorporated within the design, of both the refurbished and new build elements of the Coal Drops Yard. Overall, the strategy is expected to result in a reduction in carbon emissions of approximately 15-20% over the combined part L 2013 baseline (Part L2A/B).
- 7.6 In line with Camden's policy DP22 and CPG3, the Sustainability Strategy within the ESP sets out that the proposals target BREEAM 'Very Good', with an enhanced 'potential score' of 'Excellent', subject to heritage constraints, as explained within the document. The strategy sets out ecology measures that will be undertaken following the assessment of the site, approach to Green and Brown roofs, drainage, water, construction materials and waste. An Environmental Wind Statement and Ecology Statement are appended to the document.
- 7.7 The ESP is provided to meet the requirements of Condition 17 specifically in relation to the reserved matters application and also in relation to the wider CDY site.

8

Condition 18 (Particulars to Accompany Reserved Matters Applications – Earthworks and Remediation)

8.1 The condition and reason state:

“Relevant applications (or groups of related applications) for approval of Reserved Matters shall be accompanied by an Earthworks and Remediation Plan to deliver appropriate site levels and ground conditions for that part of the development and demonstrate compliance with conditions 64 and 65. All works shall be carried out in accordance with the Earthworks and Remediation Plan as approved.

Reason: To ensure the development is carried out in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies SD1 and SD10 the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 18

8.2 The information to satisfy Condition 18 is included in the separate Earthworks and Remediation Plan (ERP), which forms part of this submission. The ERP covers the delivery of appropriate site levels and ground conditions, including contamination matters. It also identifies net quantities of spoil needing to be removed from Development Zones I and M and the adjacent public realm as a result of the earthworks strategy described in the ERP. The latter information feeds into the assessment in this Compliance Statement in relation to Conditions 64 and 65 concerning how the implementation of the development in conjunction with other approved development will not exceed the criteria in the conditions concerning the annual amount of spoil that will be removed from the site, both in terms of volume and the numbers of lorry movements.

8.3 In summary, the ERP establishes that:

Site characteristics/risk	Qualitative Assessment
Risk of harm to human health during development	Low
Risk of harm to human health after development	Very Low
Risk of pollution to controlled waters	Negligible
Risk of harm to ecological receptors	Negligible
Risk of harm to building materials and services	Very Low

8.4 The extent of works for the CDY includes excavation of the existing ground floor slab in the ECD, WCD and WWRA, piling works within ECD and WCD, excavation for new ground floor formation, excavation to reduced levels for granite sett paving and underpinning.

8.5 Having regard to these factors, it is clear from the ERP that satisfactory site levels and ground conditions would be delivered for the proposed development specifically within the boundary of the reserved matters application and across the wider CDY site, as specified by Condition 18.

8.6 The ERP is provided to meet the requirements of Condition 18 and is submitted for approval.

Condition 19 (Particulars to Accompany Reserved Matters Application - Access Statement)

9.1 The condition and its reason state:

“Relevant applications for approval of Reserved Matters pursuant to this permission shall be accompanied by an access statement. Each access statement shall:

- (a) address the relevant design principles set out in the Access and Inclusivity Strategy dated September 2005;*
- (b) highlight any areas where technical or other constraints have prevented or constrained the application of these design principles; and*
- (c) include a project programme for that building or phase, to identify the key stages at which important decisions affecting inclusivity and accessibility will be made.*

Reason: To ensure a comprehensive and sustainable development and to achieve good design through the development in accordance with the Environmental Impact Assessment, in accordance with policies SD1, B1, B2, T3, KC6, KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 19

- 9.2 The Design and Access Statement incorporates details on access and inclusivity and appends the Access and Inclusivity Statement by All Clear Designs Ltd, which explains how the principles set out in the site-wide Access and Inclusivity Strategy (2005) have been applied in the design of the proposed development.
- 9.3 For consistency with previous King's Cross Central reserved matters submission, the evolution of the proposal and the preparation of the Access Statement have been guided by the applicant's designated Inclusive Design Champion, James Holmes-Siedle of All Clear Designs Ltd. The champion body has extensive experience of the King's Cross Central development, from its inception through to the Reserved Matters submissions/full planning applications made and approved to date.
- 9.4 The CDY proposals have been designed to facilitate full access from all adjacent areas of public realm and to provide level access to all areas within the site. All units are proposed to have level thresholds from the Central Yard public realm and all entrances will be clearly articulated within the building elevations and shopfront design. The southern and northern anchor units to the ECD and southern anchor unit to the WCD will have lifts installed as part of tenant works to ensure all levels will be fully accessible. All lifts will meet or exceed current building regulations. As described in the Design and Access Statement, public realm materials and finishes have been chosen with regard to access and inclusivity.
- 9.5 Accessibility issues will continue to be considered throughout the detailed design process in ensuring signage and wayfinding within the building and public realm meet the highest practicable standards. Full details are included within the Design and Access Statement.
- 9.6 The Design and Access Statement together with the Access and Inclusivity Statement is provided to meet the requirements of Condition 19.

Condition 20 (Particulars to Accompany Reserved Matters Applications – Illustrative Build-out Plan)

10.1 The condition and its reason state:

“Relevant applications for approval of Reserved Matters shall be accompanied by an illustrative build out plan showing:

- (a) the disposition of any buildings for which approval has been given and the take-up through those approvals of the land uses permitted by this planning permission;*
- (b) the disposition of any buildings for which approval of Reserved Matters is sought and how the approved uses are to be incorporated in these buildings;*
- (c) how the Development Zones within which buildings for which approval has been given under (a) and those for which approval has been sought under (b) above, may be built out and completed in conformity with this planning permission;*
- (d) development zones (or part thereof) for which buildings have yet to come forward for approval of Reserved Matters;*
- (e) the status of each area of Principal Public Realm, the phasing of development and its date of adoption or target date of adoption (where appropriate);*
- (f) demonstrate ongoing provision of green and brown roofs in accordance with condition 46; and*
- (g) the relationship between the buildings/development referred to in (a), (b), (c), (d) and (e) above.*

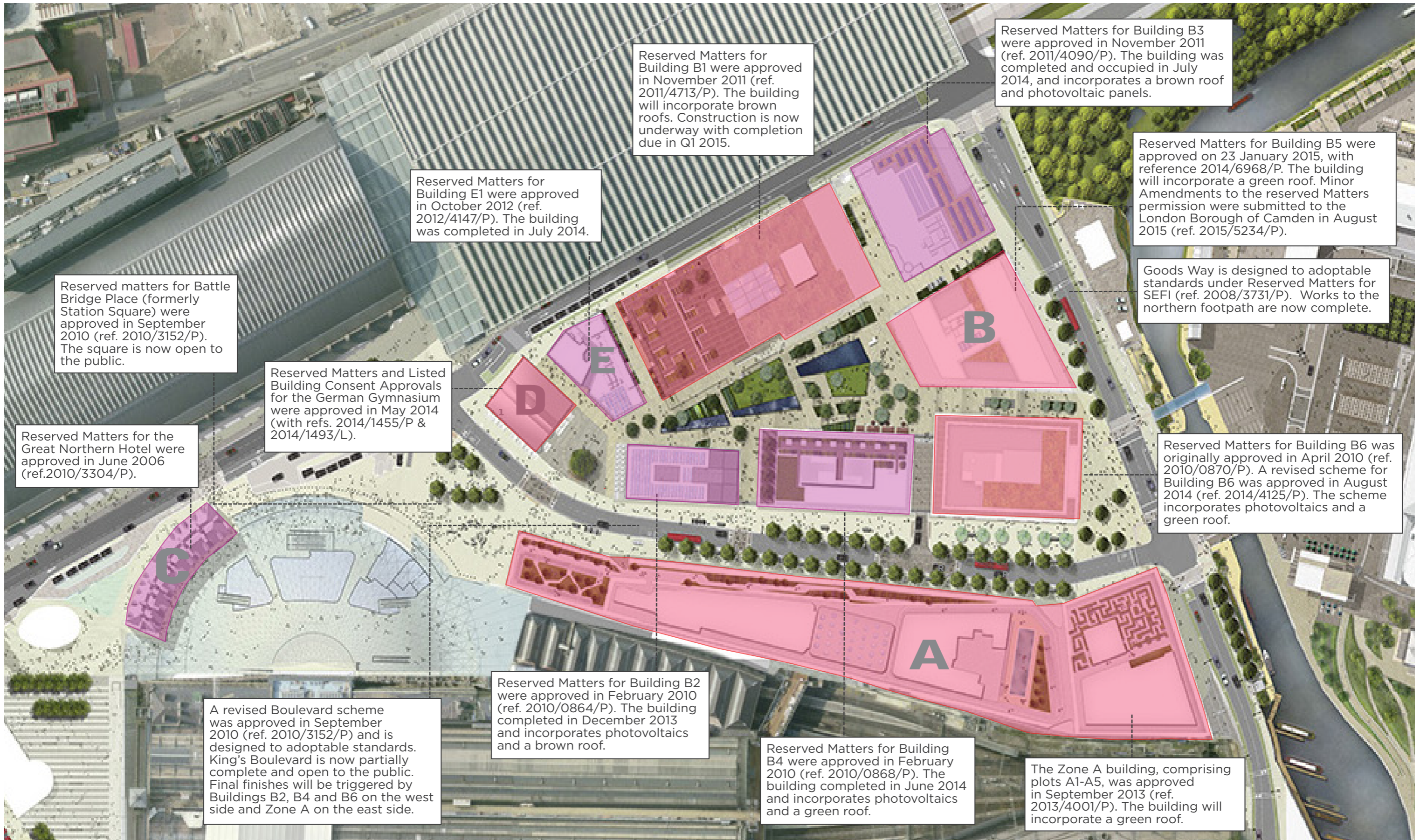
Reason: To ensure a comprehensive and sustainable development and to achieve regeneration, integration and good design in accordance the Environmental Impact Assessment, in accordance with policies S1, S2, S3, SKC1 and KC8, of the London Borough of Camden Replacement Unitary Development Plan 2006.”


Response to Condition 20


- 10.2 An Illustrative Build-out Plan addressing the sub-sections of the condition is presented at the end of this section to show how the proposals for the ECD, WCD, WWRA and associated public realm relate to the wider KXC development.
- 10.3 In respect of 20(a) above, the plan shows the buildings for which approval has already been given, coloured in red. Completed/occupied buildings are shown in purple.
- 10.4 With regard to 20(b), the plan shows the buildings for which planning permission (full and reserved matters application) is now sought, i.e. the ECD, WCD and WWRA, coloured in green. As noted within the Planning Statement, reserved matters approval is sought for the proposed works to the WWRA, the southern anchor unit to the ECD and the public realm within the Yard. The way in which the approved uses are to be incorporated in the buildings is covered in more detail by the information presented in this Compliance Statement in connection with Condition 27.
- 10.5 As required by 20(c), the plan shows how the buildings already permitted and those subject to a current Reserved Matters submission would be built-out in accordance with the Outline Planning


Permission.


- 10.6 The buildings for which Reserved Matters are yet to come forward are shown on the plan coloured yellow, as required by 20(d).
- 10.7 In relation to clause 20(e), it is anticipated that the public realm included within this application, namely, the Coal Drops Yard, Lower Stable Street and Stable Street, will be delivered alongside the ECD, WCD and WWRA buildings.
- 10.8 Granary Square and Stable Street (east) to the east of the site and Lewis Cubitt Square and Lewis Cubitt Park to the north are already complete and open to the public. The Wharf Road Viaduct and Gasholder Gardens, to the south and west respectively, are under construction. Granary Square and Stable Street will provide vehicular/service access to CDY via the existing ramp, the proposals for which are already approved as part of the Fish & Coal Offices application (ref. 2014/5272/P).
- 10.9 King's Boulevard to the south of the Regent's Canal provides a key pedestrian route to the northern part of the KXC site, connecting Goods Way and Granary Square to King's Cross/St. Pancras Stations and other parts of the city. This route is already partly completed with temporary surfaces for pedestrian use.
- 10.10 With regard to 20(f), the plan indicates the ongoing provision of green/brown roofs across the site as a whole. Areas of green/brown roofs are already or will be provided on several buildings and a green wall has been installed on the perimeter wall of the Gas Governor in Development Zone V. Further details are provided in the accompanying ESP and Design and Access Statement. In line with the Outline Planning Permission, no green or brown roofs are proposed for the ECD or WCD. Landscaping proposals have been approved on the surface of the Wharf Road Arches (including the WWRA), ref 2014/5272/P, and are currently under construction.
- 10.11 The Illustrative Build-out Plan, together with the above points, demonstrates the relationships between the different components and phases of the KXC development, as required by 20(g).
- 10.12 The details thus provided are submitted to meet the requirements of Condition 20.




 Development zones for which buildings have yet to come forward for approval

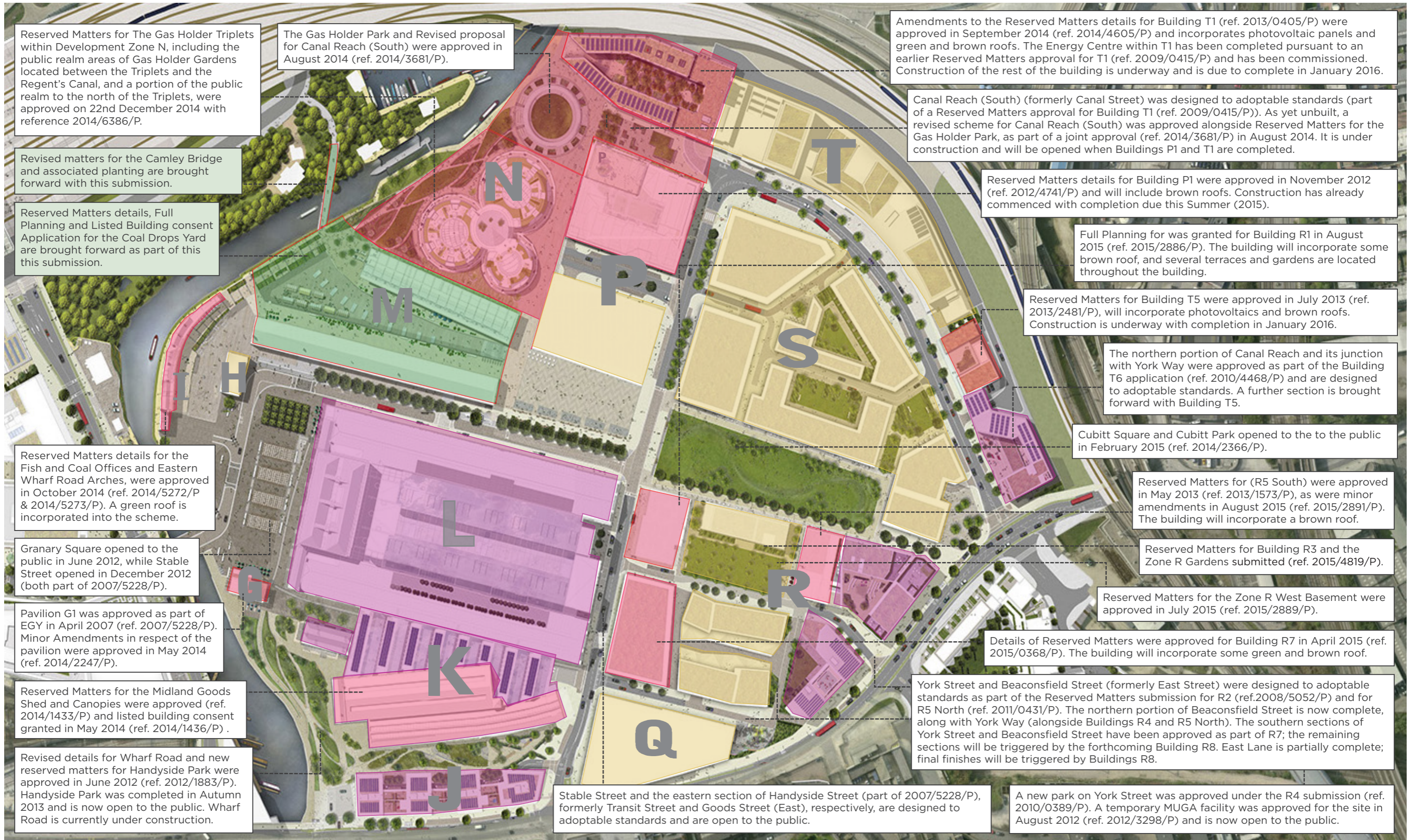
 Subject to a current Reserved Matters submission

 Buildings for which approval has been given

 Buildings brought forward with this submission

 Completed Buildings

Illustrative Build Out Plan
KXC, South of the Regent's Canal
October 2015



Condition 21 (Particulars to Accompany Reserved Matters Applications – Construction Timetable)

11.1 The condition and its reason state:

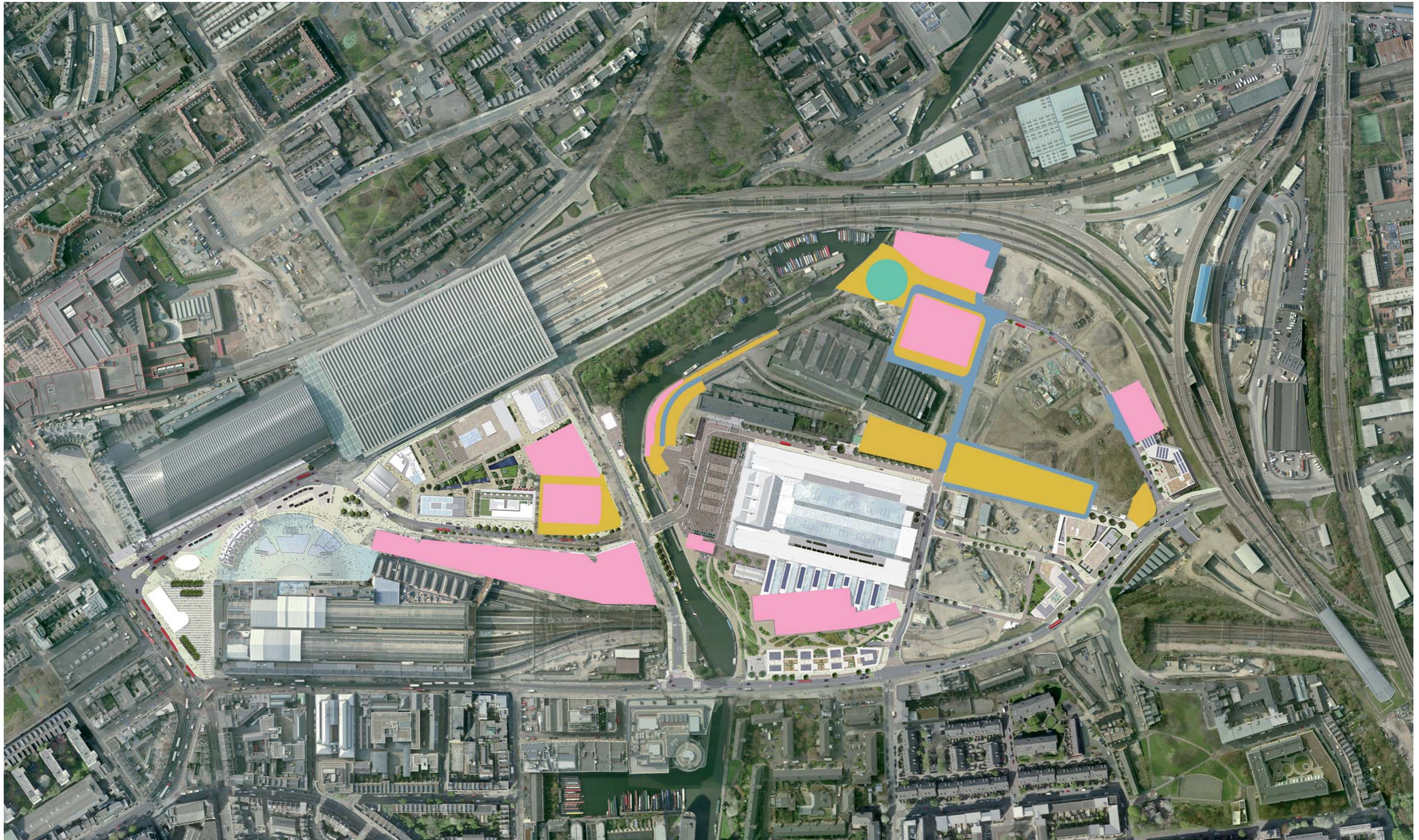
“Relevant applications for approval of Reserved Matters shall be accompanied by details of:







- (a) the construction timetable for those developments for which approval is sought;*
- (b) how that construction timetable relates to the overall sequence of the development and its division into a number of major phases; and*
- (c) demonstrates compliance with conditions 66 and 67.*

Reason: To ensure a comprehensive and sustainable development, to protect amenities and ensure safe access in accordance the Environmental Impact Assessment, in accordance with policies S1, S2, S3, SKC1 and KC6 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 21

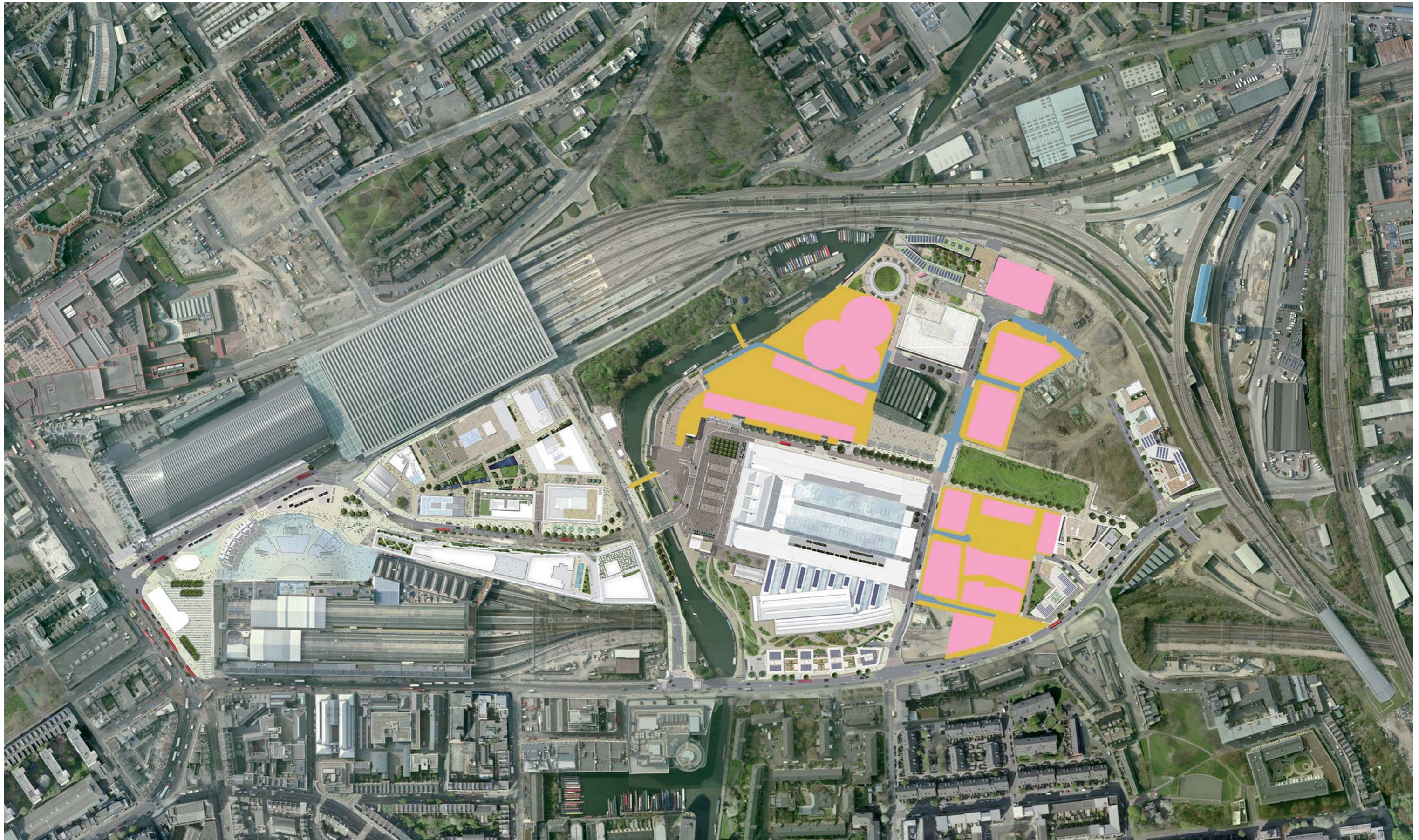
- 11.2 A construction timetable has been prepared as follows which outlines the intended construction strategy and programme through to completion of development. This is subject to the successful grant of full planning permission, reserved matters approval and listed building consent for the proposed development at CDY.
- 11.3 A diagram showing the anticipated construction timetable for the CDY proposals is provided after this section. Thereafter, a series of four plans show the current proposal within the anticipated sequence of implementation of the KXC development as a whole.
- 11.4 These details are provided to meet the requirements of Condition 21.



-  Demolition
-  Public Realm
-  Highway Works
-  Built Development
-  Relocation of features/facilities
-  Energy Centre

The Second Major Phase (Illustrative)

October 2015



- Demolition
- Public Realm
- Highway Works
- Built Development
- Relocation of features/facilities
- E Energy Centre

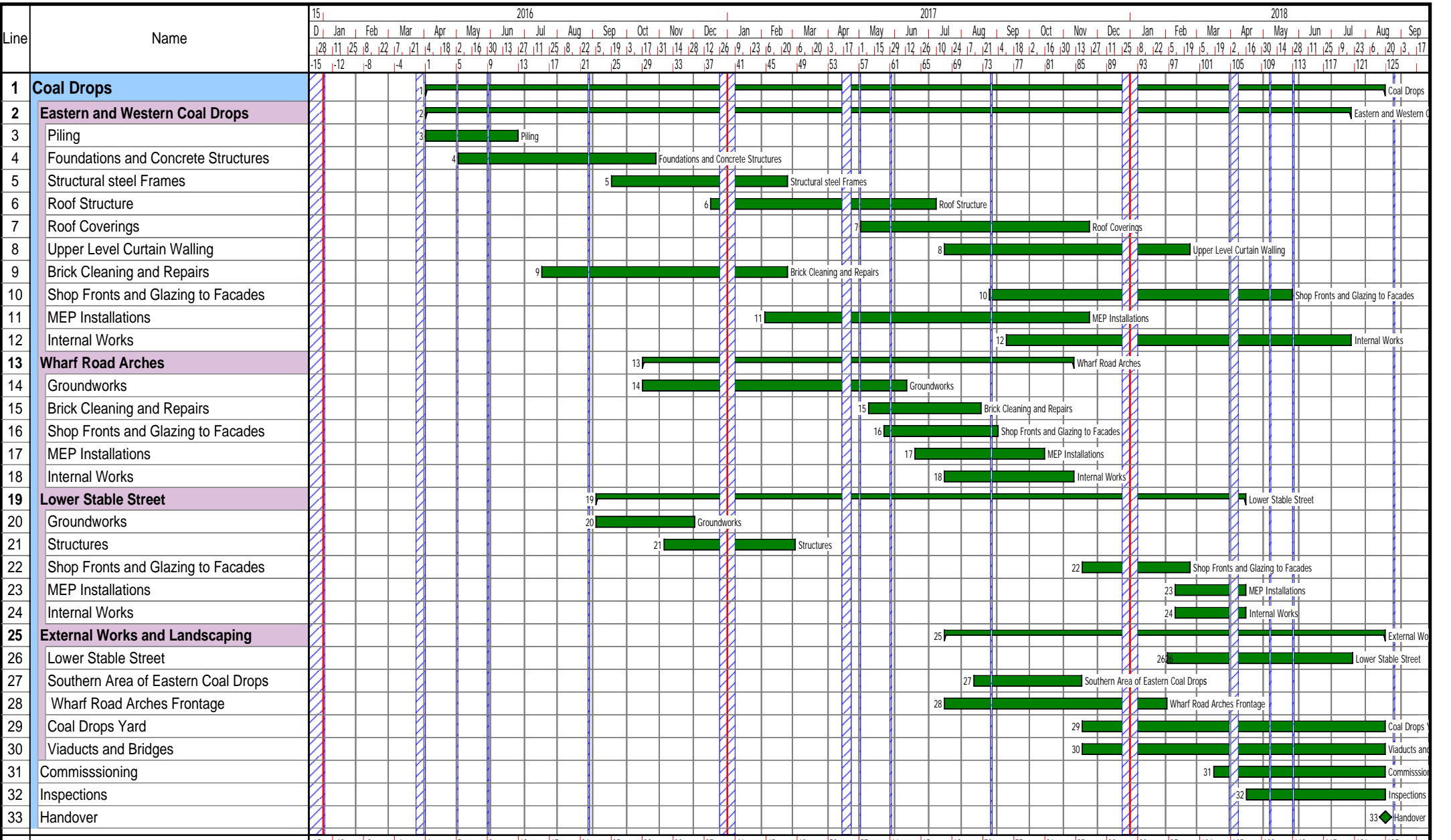
The Third Major Phase (Illustrative)

October 2015



Illustrative Scheme Plan (Completed Build Out)

October 2015



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Condition 22 (Particulars to Accompany Reserved Matters Applications – Servicing Strategy)

12.1 The condition and its reason state:

“A servicing strategy consistent with plan KXC 017 Rev R demonstrating where servicing for any building will be located will support any relevant application for approval of Reserved Matters. The strategy shall include details of the proposed hours of servicing and the mechanisms that will be used to ensure loading and unloading takes place in accordance with the strategy as approved. No servicing of any building shall take place on any part of the highway network or public realm other than in accordance with the servicing strategy so approved.

Reason: To ensure safe, efficient and sustainable access to, and protect amenities in, the development in accordance with the Environmental Impact Assessment, in accordance with policies B1, T1, KC5, KC6 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 22

- 12.2 The Servicing Strategy for the CDY proposals is described in the Design and Access Statement that accompanies this submission. It is consistent with the Outline Planning Permission ‘Urban Design Guidelines North’ that states ‘The Coal Drops would be serviced out of hours from the Lower Yard where vehicular access would be via pedestrian ramps’.
- 12.3 Nine service spaces are proposed in the CDY South Yard (the southern end of the Central Yard) public realm, accessed via the existing ramp from Stable Street and Granary Square. Access to the ramp and the CDY will be restricted by bollards, as already approved in the Fish & Coal Offices application (ref. 2014/5272/P). Deliveries for the CDY will be during limited hours (06.00-10.00) and managed via a booking system. Management practices will be put in place to restrict the time that vehicles are present in CDY for deliveries.
- 12.4 Goods will be transferred from the loading spaces to the retail units via the CDY public realm (WWRA) and the four back of house goods lifts, located within the ECD and WCD. The goods lifts positions have been carefully distributed across the scheme to minimise travel distances for retailers. The majority of the units will use their shopfronts as the service entrance to the units as they have only the one entrance and exit. The exception is the larger anchor units which will use the entrance that connects most directly to the back of house spaces within the stores. The Upper Level will be serviced by the goods lift in the northern core of the WCD.
- 12.5 As described earlier, refuse will be collected from the shared Central Waste Store (shared between the CDY and Gasholder Triplets retail units), located in the basement of the Gasholder Triplet. Refuse will be brought out from the waste store to the South Yard by the KXES team for collection by the refuse collectors during the limited access hours for vehicles. Refuse will be collected daily.
- 12.6 Submitted drawings PL-1011 to PL-1015 show the proposed location of the goods lifts and Central Waste Store. The location of the Central Waste Room service entrance complies with Parameter Plan KX017 Rev R.
- 12.7 The details provided in the Design and Access Statement meet the requirements of Condition 22 and are submitted for approval.

Condition 23 (Particulars to Accompany Reserved Matters Applications - Highways Plan)

13.1 The condition and its reason state:

“Relevant applications (or groups of related applications) for approval of Reserved Matters shall be accompanied by a Highways Plan. The Highways Plan shall show any works that are required to the existing adopted highways of York Way, Goods Way and/or Pancras Road, to achieve appropriate means of access to those buildings for which approval is sought. Development shall not commence on those buildings until a detailed scheme for the highway works required has been approved by the local planning authority and the buildings shall not be first occupied until the level of works specified by the local planning authority as being required prior to occupation have been completed and provision has been made for the completion of the remaining works.

Reason: To ensure safe, efficient and sustainable access and to protect amenities and to ensure the development is carried out in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies B1, T1, T2, T5, T12, T13, SKC1, KC5 and KC6 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 23

- 13.2 The principal vehicular access from the adopted highway to serve CDY is from York Way. Servicing and refuse vehicles will travel from York Way onto Handyside Street and from there, south on Stable Street, as set out in Parameter Plan KXC 007 Rev S. During the designated times, vehicles will be able to turn onto the existing CDY ramp from Granary Square and enter the Coal Drops Yard. Vehicles that exit CDY will be required to turn right onto Granary Square (maintaining the south only flow on Stable Street) and will exit the KXC development onto Goods Way.
- 13.3 The principles described above and infrastructure for works to facilitate the connection between Granary Square and the Coal Drops Yard have already been approved as part of the Fish & Coal Offices application (ref. 2014/5272/P). These works will be completed before the occupation of CDY. No further works are required to the existing adopted highways of York Way, Goods Way and/or Pancras Road to achieve an appropriate means of access to proposals within Development Zones I and M. Hence, no Highways Plan accompanies these submissions.

Condition 27 (Details Required by Condition – Floorplans etc.)

14.1 The condition and its reason state:

“Details and particulars including floorspace figures, floorplans and layouts of the uses, and the vehicle and other servicing and access, including provision for any coach access and parking to be accommodated in built and refurbished accommodation, shall be submitted to and approved in writing by the local planning authority before any of those uses commences and the uses will commence only in accordance with the details so approved.

Reason: To ensure a comprehensive and sustainable development, to ensure safe and efficient access, to achieve good design and protect amenities and to ensure the development is carried out in accordance with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies SKC2, SKC3, KC1, KC2, KC3, KC6 and T15 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 27

- 14.2 The layout plans within the submitted drawings package provide the floorplan, layout, and access details required by this condition. The table below summarises the floorspace figures in each of the ECD, WCD, WWRA and Lower Stable Street for both the reserved matters application and the full planning application.
- 14.3 Overall, the building provides a total floorspace of 13,348m² GEA, of which 2,071m² GEA comprises the reserved matters application and 11,277m² GEA comprises the full planning application.
- 14.4 In terms of individual uses, the proposed split between retail uses within the reserved matters application is 1,624m² GEA of A1/A2 retail space and 447m² GEA of A3/A4 retail space. The proposed split in relation to the full planning application is: 9,758 m² GEA of A1/A2 retail space, 1,192m² GEA of A3/A4 retail space and 327m² GEA of cycle space and plant included within the total of 11,277m² GEA.
- 14.5 As described in the response to Condition 22, servicing will be from the southern end of the Central Yard: 9 service bays will be demarcated within the Yard. No parking will be provided within the proposals.
- 14.6 The details submitted are to meet the requirements of Condition 27 and are for approval.

Table 14.1: All Floorspace (13,348m² GEA)

	A1/A2 Class Floorspace m ² GEA	A3/A4 Class Floorspace m ² GEA	Retail Floorspace GEA (m ²) ¹	Other (plant, cycles)
WWRA	234	447	681	173 (excluded)
WCD	2,142	795	2,937	0
ECD less southern anchor	4,053	397	4,450	0
Southern anchor of ECD	1,390	0	1,390	67 (excluded)
Lower Stable Street units	233	0	233	327 (included)
Upper Level	3,330	0	3,330	0
TOTAL	11,382	1,639	13,021	327

Table 14.2: Full Planning Application (11,277m² GEA)

	A1/A2 Class Floorspace m ² GEA	A3/A4 Class Floorspace m ² GEA	Retail Floorspace GEA (m ²) ¹	Other (plant, cycles)
WWRA	0	0	0	0
WCD	2,142	795	2,937	0
ECD less southern anchor	4,053	397	4,450	0
Southern anchor of ECD	0	0	0	0
Lower Stable Street units	233	0	233	327
Upper Level	3,330	0	3,330	0
TOTAL	9,758	1,192	10,950	327

Table 14.3: Reserved Matters (2,071m² GEA, with 240m² GEA excluded)

	A1/A2 Class Floorspace m ² GEA	A3/A4 Class Floorspace m ² GEA	Retail Floorspace GEA (m ²) ¹	Excluded (Annex B)
WWRA	234	447	681	173
WCD	0	0	0	0
ECD less southern anchor	0	0	0	0
Southern anchor of ECD	1,390	0	1,390	67
Lower Stable Street units	0	0	0	0
Upper Level	0	0	0	0
TOTAL	1,624	447	2,071	240

Table 14.4: Floorspace figures by level across WCD, ECD, the Upper Level, WWRA and LSS (m² GEA) (for individual building break down see tables above)

Level	Retail use within the reserved matters application (A1 – A4) (m ² GEA)	Other (excluded from reserved matters as per Annex B of the OPP) ¹	Retail use within the full planning application (A1 – A4) (m ² GEA)	Other (plant, cycle space included within full application)	Total (not including the Annex B exclusion)
Yard	1,336	240	4,012	327	5,675
Mezzanine	341	0	587	0	928
Viaduct	54	0	2,349	0	2,403
Upper viaduct	340	0	672	0	1,012
Upper level	0	0	3,330	0	3,330
Total	2,071	240	10,950	327	13,348

Note:

1. The exclusions are detailed by building in Table 14.1 above.

Condition 28 (Details Required by Condition – Refuse Storage and Collection)

15.1 The condition and its reason state:

“Details of arrangements for storage and collection of refuse, for the development hereby approved, including location, design, screening, operation and the provision of facilities for the storage of recyclable materials shall be submitted to and approved in writing by the LPA as part of the relevant applications for approval of Reserved Matters for each phase of the Development and the development shall be carried out only in accordance with the details so approved and shall be retained thereafter.

Reason: To ensure good design, to safeguard the amenity of the area and ensure that the development is sustainable and has adequate facilities, in accordance with the Environmental Impact Assessment, in accordance with policies SD6 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 28

- 15.2 As described earlier, the design proposals include two satellite waste rooms and a Central Waste Room (shared with the retail units in the Gasholders Triplets). The satellite rooms are intended for the temporary storage of waste by the retailers and reduce travel distances from the retail units to a waste store. Waste will be collected from the satellite rooms at least once daily by the KXES team and transferred to the Central Waste Store at a time that causes least disturbance to the public. The refuse will be taken from the Central Waste Room by the KXES team out of hours to the CDY South Yard for collection by the refuse collector. The locations of the refuse stores are further described in the Design and Access Statement (Section 2). The servicing arrangements are further described in the Design and Access Statement and Transport Statement.
- 15.3 These details are submitted to meet the requirements of Condition 28 and are for approval.

Condition 31 (Development To Be Carried Out In Accordance With Permission – Parameter Plans and Development Specification)

16.1 The condition and its reason state:

“The development shall be carried out in accordance with the Revised Parameter Plans and as described in the specified paragraphs of the Revised Development Specification dated September 2005 comprising:

- (a) the Principal Public Realm Areas shown on drawing KXC004 Rev S together with paras 4.9, 4.13 (insofar as it relates to public realm), 4.14, 4.17 and 4.19;*
- (b) the boundaries of Development Zones shown on drawing KXC005 Rev T together with paras 4.20, 4.21, 4.23 - 4.26, and with Table 2 to the extent that it provides a summary and indicative description of the proposals in each development zone only;*
- (c) the Regent's Canal works shown on drawing KXC006 Rev Q together with paras 4.27 - 4.29;*
- (d) the Principal Access and Circulation Routes shown on drawing KXC007 Rev S together with paras 4.30 - 4.47 and with Annex C to the extent that it provides a summary and indicative specification for the routes only;*
- (e) the Upper Floor Land Uses Along Street Elevations shown on drawing KXC008 Rev R together with paras 4.48 - 4.54 to the extent that these describe the overall distribution of land uses only;*
- (f) the Ground Floor Land Uses Along Street Frontages shown on drawing KXC009 Rev P together with paras 4.49 - 4.54 to the extent that these describe the overall distribution of land uses only;*
- (g) the Proposed Finished Site Levels shown on drawing KXC012 Rev T together with paras 4.62 - 4.67;*
- (h) the Development Massing shown on drawing KXC013 Rev L together with paras 4.68 - 4.72 and Table 3;*
- (i) the Maximum Building Heights shown on drawing KXC014 Rev W together with paras 4.73 - 4.75;*
- (j) the Strategic View Corridor Constraints shown on drawing KXC015 Rev S together with paras 4.79 - 4.81;*
- (k) the Basement Zones shown on drawing KXC016 Rev O together with paras 3.40 - 3.41 and 4.82 - 4.86;*
- (l) the Servicing arrangements shown on drawing KXC017 Rev R, together with para 4.87;*
- (m) the Utilities Strategy shown on drawing KXC018 Rev M, together with paras 4.88 and 4.90 - 4.98;*
- (n) the Gas Holder Triplet Development shown on drawing KXC020 Rev E together with paras 4.104 and 4.105 to the extent that they show indicative proposals only for the works and land uses; and*

(o) the Priority Zones for Green/Brown Roofs and Wind Turbines shown on drawing KXC021 Rev A, together with paras 3.43, 3.44, 4.106 and 4.107”

except that in relation to (i) above the building heights within Plot S2 identified on drawing KXC005 Rev T shall be at least 6.5m below the maximum heights shown in Parameter Plan KXC014 rev W across at least 80% of the plot, unless otherwise approved in writing by the local planning authority.

Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed as above might have an impact which has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design and to accord with the assessment and conclusions of the Environmental Impact Assessment in accordance with policies S1, S2, S3, SKC1, SKC2, SKC3, SKC4 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 31

- 16.2 The proposed use of CDY is A1, A2, A3 and/or A4 which is in accordance with the Outline Planning Permission. This use is, however, proposed to be intensified through the addition of further retail floorspace in a new Upper Level which is the principal reason why a full planning application is required. Elements of Condition 31 which relate to massing and height, namely (h) and (i) are not relevant to the works proposed by the full planning application but remain relevant to the reserved matters application.
- 16.3 The responses to the relevant sub-paragraphs of Condition 31 are dealt with in the paragraphs below.

(a) Principal Public Realm Areas (Parameter Plan KXC 004 Rev S)

- 16.4 The CDY proposals include a bridge structure to link the ECD Viaduct with the Wharf Road Viaduct, BR4 and a route between the Yard and the canal towpath. Both are being brought forward as part of the reserved matters application and are within the locations shown and are hence compliant with Parameter Plan KXC 004.
- 16.5 Three new bridge structures connecting Granary Square and Stable Street to the ECD are proposed; Parameter Plan KXC 004 proposed only one, however, it is felt that improved circulation and access are important and hence two additional bridge links are included as part of the full planning application.
- 16.6 Two new bridge structures are proposed between the ECD and WCD Viaducts as anticipated within the Outline Planning Permission. These bridges are to improve site circulation and accessibility and form part of the full planning application.
- 16.7 The reserved matters application is fully compliant with Parameter Plan KXC 004.

(b) Boundaries of Development Zones and Types of Development in Each (Parameter Plan KXC 005 Rev T)

- 16.8 Development Zones I and M, as identified on Parameter Plan KXC 005 and referenced in Table 2 of the Revised Development Specification, include the ECD, WCD and Lower Stable Street (Zone M) and the WWRA (part of Zone I) together forming the site of the CDY proposals.
- 16.9 As detailed in the drawing and key on Parameter Plan KXC 005, the Development Zone for ECD and WCD (Zone M) includes the following areas of public realm around the buildings:
- the west side of Stable Street and the area between Stable Street and the ECD (Lower Stable Street); and

- the Yard space in between the ECD, WCD and WWRA.
- 16.10 The Yard space between the ECD and WCD will be brought forward as part of the reserved matters application in accordance with Parameter Plan KXC 005. The space within Lower Stable Street will come forward within the application for full planning permission.
- 16.11 As detailed above, four bridge structures are proposed in addition to those shown on the Parameter Plans to improve the site circulation and accessibility and these all form part of the full planning application. All four bridges are located within the Zone M Development Zone Boundary on Parameter Plan KXC 005.
- 16.12 The new proposed Upper Level addition is situated between the ECD and WCD and although not detailed on Parameter Plan KXC 005, as it was not envisaged at the Outline Planning Permission stage, the structure is located within the Zone M Development Zone Boundary. The Upper Level forms part of the full planning application.
- 16.13 Both the reserved matters application and the full planning application boundary sit entirely within Development Zones I and M.
- 16.14 Both the reserved matters application and the full planning application are consistent with Parameter Plan KXC 005, paragraphs 4.20, 4.21, 4.23 – 4.36 and Table 2 of the Revised Development Specification.

c) The Regent's Canal (Parameter Plan KXC 006 Rev S)

- 16.15 As set out on Parameter Plan KXC 006, there is proposed to be a route between the Yard of the Coal Drops and the canal towpath. The Revised Development Specification details that the route will comprise of the opening up of 1 - 3 of the arches underneath the Wharf Road viaduct. The route proposed in the reserved matters application is formed by the opening up of two arches of the WWRA underneath the Wharf Road Viaduct in compliance with Parameter Plan KXC 006.
- 16.16 The proposals are consistent with Parameter Plan KXC 006. Paragraphs 4.27 to 4.29 referred to in paragraph (c) of Condition 31 are not relevant to these applications (save for the reference to the opening up of the arches mentioned above) and it is worth noting that the form of these applications do not prejudice the works proposed by those paragraphs.

d) Principal Access and Circulation Routes (Parameter Plan KXC 007 Rev S)

- 16.17 The principal access and circulation routes detailed on Parameter Plan KXC 007 relevant to these applications, and their description in Annex C of the Revised Development Specification, are as follows:
- GS2 – Taxi route and out of hours route for small service vehicles (one way), trafficable route within public realm;
 - CDY1 – Taxi route and out of hours route for small service vehicles (one way), trafficable route within public realm;
 - CDY2 – Pedestrian route, minimum width of 5.5m (one bay);
 - CDY3 – New pedestrian access between the Coal Drops yard and the Regent's Canal towpath, formed by opening up to 3 of the existing arches beneath the Wharf Road Viaduct; and
 - BR4 – New bridge linking the upper level viaduct of the Eastern Coal Drop with the Wharf Road Viaduct, bridge to provide useable width of at least 3m.
- 16.18 GS2 is proposed to be a taxi route and out of hours route for servicing of the Fish & Coal Offices and to provide servicing access to the existing CDY ramp and the CDY. GS2 is proposed to be two way, rather than one way, so that CDY1 can be operated as a pedestrian and fire tender route only and so that vehicles can enter and exit CDY from Granary Square. This two way proposal has

already been approved in the Fish & Coal Offices application (ref. 2014/5272/P).

- 16.19 As described above, CDY1 is not a taxi and service vehicle route as proposed by the Outline Planning Permission. As approved in the Fish and Coal Offices application, CDY1 will be a pedestrian zone with planting and street furniture to provide a tranquil extension to the canal corridor. This does not prejudice the servicing of the CDY retail units.
- 16.20 CDY2 is proposed to be a pedestrian route to connect Granary Square to the ECD as set out in Parameter Plan KXC 007. The bridge is one bay wide, in accordance with the Outline Planning Permission, however the width is proposed to be 5.4m, rather than 5.5m, as this is the width of the existing arch in the building which forms the pedestrian route.
- 16.21 As discussed above, CDY3 complies with Parameter Plan KXC 007 and Annex C of the Revised Development Specification as the opening beneath the Wharf Road Viaduct is proposed to be formed with 2 arches and they are located within the identified zone.
- 16.22 BR4 is proposed to be a new fully accessible pedestrian bridge with a width of 3.50m and complies with Parameter Plan KXC 007.
- 16.23 As described earlier, four additional pedestrian routes are proposed with bridge structures and these form part of the full planning application. Two of the additional bridges are proposed to connect Granary Square to the ECD and the other two are proposed to connect the ECD and WCD Viaducts.
- 16.24 The reserved matters application is in accordance with Parameter Plan KXC 007.

(e) Upper Floor Land Uses Along Street Elevations (Parameter Plan KXC 008 Rev T)

- 16.25 The Viaduct Level (upper floor) land uses are proposed to be predominantly shops and food and drink (A1-A4 use) in compliance with Parameter Plan KXC 008.
- 16.26 The uses proposed at upper levels in both the reserved matters application and the full planning application are in accordance with Parameter Plan KXC 008 and paragraphs 4.48 to 4.54 to the extent that these describe the distribution of land uses.

(f) Ground Floor Land Uses Along Street Frontages (Parameter Plan KXC 009 Rev T)

- 16.27 The Yard Level (ground floor) land uses are proposed to be predominantly shops and food and drink (A1 - A4 use) in compliance with Parameter Plan KXC 009.
- 16.28 The uses proposed at ground levels in both the reserved matters application and the full planning application are in accordance with Parameter Plan KXC 009 and paragraphs 4.49 to 4.54 to the extent that these describe the distribution of land uses.

(g) Proposed Finished Site Levels (Parameter Plan KXC 012 Rev T)

- 16.29 The proposed finished levels for CDY are consistent with the proposed finished site levels (within the 100mm and 500mm limits of deviation permitted) set out on Parameter Plan KXC 012 both in relation to the reserved matters application and the application for full planning permission. Further details are included within the accompanying drawing package.

(h) Development Massing (Parameter Plan KXC 013 Rev L)

- 16.30 The massing criterion, specifying the maximum percentage of the total floorspace applied for within each development zone that may be constructed 30m or more above finished ground floor level, is set at 0% for Development Zones I and M.
- 16.31 In accordance with Parameter Plan KXC 013, no floorspace within the reserved matters application will be constructed 30m or more above finished ground floor levels. The proposed

height of the new Upper Level within the full planning application is +44.85m, which is 23.85m above Yard level (+21.4m).

(i) Maximum Building Heights (Parameter Plan KXC 014 Rev L)

- 16.32 Parameter Plan KXC 014 identifies the height of locations on the existing ECD and WCD roof structures as +35.3m and 35.4m AOD, respectively.
- 16.33 The reserved matters proposals fully accord with the Parameter Plan referred to in sub-paragraph (i) of Condition 31. The proposed height of the new Upper Level within the full planning application varies along the length with the maximum being +44.85m.

(j) Strategic Views (Parameter Plan KXC 015 Rev S)

- 16.34 Parameter Plan KXC015 Rev S (Strategic Views) requires that no new buildings lying within the strategic viewing corridors to St Paul's Cathedral from Parliament Hill and Kenwood House exceed specific height limits.
- 16.35 It should be noted that the Parameter Plan shows the viewing corridor as defined in RPG3a which has since been replaced by the London View Management Framework SPG published in July 2010.
- 16.36 The CDY proposals as a whole (both the reserved matters application and the full planning application) are well within the maximum height limits for the Strategic Views and hence fully accord with both the London View Management Frameworks SPG and the Parameter Plan.

(k) Basements (Parameter Plan KXC 016 Rev 0)

- 16.37 Parameter Plan KXC 016 referred to in part (k) illustrates the existing basements and lower ground floor accommodation and the proposed basement accommodation across the KXC site. No basements are proposed within the CDY.
- 16.38 The new proposed lower ground floor accommodation in Lower Stable Street is located within the permitted boundary on KXC 016. The CDY proposals as a whole (both the reserved matters application and the full planning application) fully accord with the Parameter Plan.

(l) Servicing Arrangements (Parameter Plan KXC 017 Rev R)

- 16.39 The Servicing Strategy for CDY is set out in Section 1.7 of the Design and Access Statement. As noted above, in the response to Condition 22, servicing will take place within the southern part of the Yard. In accordance with Parameter Plan KXC 017, there will be no direct car park or service yard entrances along the elevations of the ECD and WCD.

(n) Utilities (Parameter Plan KXC 018 Rev A)

- 16.40 Parameter Plan KXC 018 identifies the existing Camden Sewer, located underneath the ECD viaduct which is proposed to be retained.
- 16.41 The Parameter Plan also shows a new stormwater drainage system is intended to be installed within CDY and connected to the Camden Sewer. These drainage infrastructure works were approved in 2014, ref 2014/4317/P, and have been completed.

(o) Priority Zones for Green and Brown Roofs and Wind Turbines (Parameter Plan KXC 021 Rev A)

- 16.42 Development Zones I and M are not identified as a priority zone for green/brown roofs or wind

turbines, and none are proposed.

- 16.43 In summary, the submitted drawing package and other supporting documents, together with the explanation above, demonstrate that the proposed development within the reserved matters application will be carried out in accordance with the relevant approved Parameter Plans and Revised Development Specification references, as required by Condition 31. Furthermore the proposed development within the full planning application has been guided by the principles and guidelines within the parameters and complies in all material respects save for those relating to massing and height.

Condition 33 (Development To Be Carried Out In Accordance With Permission – Floorspace Permitted Site Wide)

17.1 The condition and its reason state:

“The total floorspace constructed and used pursuant to this outline planning permission shall not exceed 713,090sq m (gross external area), provided that this total floorspace excludes:

- (a) basements to be constructed in accordance with condition 31(k) other than the public bicycle interchange/storage facilities and public health and fitness facilities in Development Zone B partly within basement space specified in Table 1 and Annex B attached;*
- (b) infrastructure and utilities forming part of and supporting the development including substations, transformers, waste storage and ancillary recycling facilities;*
- (b) rooftop plant;*
- (c) the district gas governor;*
- (d) car parking other than the multi-storey car park.*

Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed might have an impact, which has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design, to protect the setting of listed buildings, to preserve or enhance the character or appearance of conservation areas and protect Strategic Views and to accord with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies RE1, RE2, RE4, RE5, EN1, EN13, EN14, EN43, SKC1, TR1, TR2, RC1, RC2, and RC3 of the London Borough of Camden Unitary Development Plan (UDP) 2000 and policies S1, S2, S3, SKC1, SKC2, SKC3 and KC8 of the Revised Deposit Draft UDP as amended by the Proposed Modifications agreed by the Council’s Executive on the 11 January 2006.”

Response to Condition 33

- 17.2 The proposed floorspace for CDY is set out in Tables 14.1 to 14.4 (above) of this Compliance Statement in connection with Condition 27. As described in response to Condition 14 above, the majority of the floorspace within the full planning application will be counted against the maxima within the Outline Planning Permission. The floorspace within the reserved matters application will be treated as required by the Outline Planning Permission and counted in the usual way against maxima therein.
- 17.3 The total amount of floorspace approved/submitted to date, together with that proposed for CDY to be counted within the Outline Planning Permission as set out below in Table 17.1.
- 17.4 As noted within the main body of this Planning Statement, the design solution for the CDY does constitute a small increase in retail floorspace above that anticipated by the Outline Planning

Permission within Zones I and M and in relation to the site wide figure imposed by this Condition 33 and area, use and Zonal limits imposed by Conditions 34, 35 and 36, respectively (see following sections below), although this ultimately depends upon the future design and build out of future plots. The potential increase in floorspace above the Outline Planning Permission represents 2,937m² GEA of retail floorspace (including waste, storage and recycling facilities which are specifically excluded from Annex B of the Development Specification) together with 327m² GEA of plant and cycle storage space and represents a potential increase of approximately 1% of the total permitted floorspace.

- 17.5 It is proposed to enter into a deed of variation to the Section 106 Agreement to tie the CDY proposals into the original Section 106 Agreement to ensure that any on-going obligations and thresholds are fully addressed.
- 17.6 This information is provided to assist in the monitoring of floorspace coming forward across the KXC development.

Building/Plot	Total Floorspace (m ² GEA)
North of the Regent's Canal	
Eastern Goods Yard (as amended)	55,324
Building R2	48,522
Building T1 (2014)	30,616 ¹
Building R4	11,761
Building R5 North (as amended)	14,214
Building T6	16,292 ²
Building J	16,265
Building P1 (as amended)	29,600
Regeneration House	1,002
Building R5 South	8,376
Building T5	8,964
Midlands Goods Shed and Handyside Canopies	7,223
Fish & Coal Offices / Eastern Wharf Road Arches	2,405 ³
Coal Drops Yard (brought forward with this submission)	10,084⁴
Sub-total	260,648
South of the Regent's Canal	
Building B2 (as amended)	7,176
Building B4 (as amended)	17,071
Great Northern Hotel (as amended)	4,548
<i>Building B1 (as amended)</i>	43,080 ⁵
Building B3 (as amended)	20,382
Building E1	4,015
Zone A	85,837
German Gymnasium	1,225

<i>Building B6 (as amended by Revised Reserved Matters)</i>	20,597 ⁶
Sub-total	203,931
Total to date	456,579

Table 17.1: KXC site-wide cumulative floorspace totals (GEA in m²)

- 1: This figure represents the reduction of 3m² (GEA) proposed as part of the current minor amendments submission for the approved T1 scheme (ref.2014/4605/P)
- 2: This figure represents the floorspace below the outline parameter height of 67m AOD.
- 3: This figure excludes the 82m² GEA relating to the conservatory extension. Approval for this structure and floorspace, which was not envisaged as part of the Outline Planning Permission, is sought separately through an application for full planning permission, submitted in parallel to this Reserved Matters submission.
- 4: This figure comprises 2,071m² GEA within the reserved matters application and 8,013m² GEA of the total floorspace within the full planning application (see detailed explanation in Section 5 above).
- 5: This figure represents the revised B1 scheme as amended by the B1 minor amendments currently submitted to LB Camden (awaiting reference).
- 6: This figure represents the Revised Reserved Matters for B6 that is currently submitted to LB Camden (reference 2014/4125/P).

Condition 34 (Development To Be Carried Out In Accordance With Permission – Floorspace Permitted North of Regent’s Canal)

18.1 The condition and its reason state:

“The maximum floorspace of buildings constructed and refurbished in accordance with condition 33 within the Development north of Regent’s Canal shall not exceed 468,480 sqm gross external area and south of Regent’s Canal shall not exceed 244,250 sqm gross external area.

Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed might have an impact which has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design, to protect the setting of listed buildings, to preserve or enhance the character or appearance of conservation Areas and protect Strategic Views and accord with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies and policies S1, S2, S3, SKC1, SKC2, SKC3 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 34

- 18.2 The total cumulative figure to date shown in Table 17.1 for the area to the north of the Regent’s Canal is 260,648m² against the Condition 34 limit for the area to the north of the Regent’s Canal of 468,840m².
- 18.3 As noted within the main body of this Planning Statement and within section 17 above, the design solution for the CDY does constitute an increase in retail floorspace above that anticipated by the Outline Planning Permission in relation to the figure for the area to the north of the Regent’s Canal imposed by this Condition 34 (and site wide, use and Zonal limits imposed by Conditions 33, 35 and 36, respectively (see above and following sections below)), although this ultimately depends upon the future design and build out of future plots. The potential increase in floorspace above the Outline Planning Permission represents 2,937m² GEA of retail floorspace (including waste, storage and recycling facilities which are specifically excluded from Annex B of the Development Specification) together with 327m² GEA of plant and cycle storage and represents a potential increase of approximately 1% of the total permitted floorspace to the north of the Regent’s Canal.
- 18.4 It is proposed to enter into a deed of variation to the Section 106 Agreement to tie the CDY proposals into the original Section 106 Agreement to ensure that any on-going obligations and thresholds are fully addressed.
- 18.5 This information is provided to assist in the monitoring of floorspace coming forward across the KXC development.

Condition 35 (Development To Be Carried Out In Accordance With Permission – Details of Uses Permitted)

19.1 The condition and its reason state:

“Permission is hereby granted for the following uses as set out in the description of development to take place within buildings constructed and refurbished within the Development:

- (a) Business and employment uses within Class B1;*
- (b) Residential uses within Class C3 and student accommodation and a residential home within Class C2;*
- (c) Hotel use within Class C1 and serviced apartments (sui generis outside of Class C3);*
- (d) Shopping, food and drink uses within Classes A1, A2, A3, A4 and A5;*
- (e) Uses within Class D1;*
- (f) Cinema use(s);*
- (g) Uses within Class D2, and nightclub uses and casino use;*
- (h) A multi storey car park;*
- (i) Other miscellaneous uses, including public bicycle interchange/storage facilities, substations, transformers, waste storage and recycling facilities and the gas governor.*

and the floorspace constructed and used pursuant to the planning permission shall not, unless otherwise agreed in writing by the local planning authority, exceed in the case of any use or group of uses within each of the areas north and south of Regent’s Canal the individual maximum floorspace figures as set out in Table 1 attached, that Table being read together with the notes 4 to 13 inclusive.

Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed might have an impact which has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design, to protect the setting of listed buildings, to preserve or enhance the character or appearance of conservation areas and protect Strategic Views and to accord with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies S1, S2, S3, SKC1 SKC2, SKC3, KC2 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 35

- 19.2 Table 19.1 following this section shows the proposed floorspace for the uses within CDY, together with those approved for other areas north of the Regent’s Canal, in relation to those set out in Table 1 to the Outline Planning Permission.
- 19.3 As noted within the main body of this Planning Statement and within sections 17 and 18 above, the design solution for the CDY does constitute a small increase in retail floorspace above that anticipated by the Outline Planning Permission in relation to the figure for the area to the north of the Regent’s Canal imposed by this Condition 35 (and site wide, area and Zonal limits imposed by Conditions 33, 34 and 36, respectively (see above and following section below)), although this

ultimately depends upon the future design and build out of future plots. The potential increase in floorspace above the Outline Planning Permission represents 2,937m² GEA of retail floorspace (including waste, storage and recycling facilities which are specifically excluded from Annex B of the Development Specification) together with 327m² GEA of plant and cycle storage and represents a potential increase over the total permitted retail floorspace to the north of the Regent's Canal. Consent is therefore sought from the Council for this exceedence.

- 19.4 It is proposed to enter into a deed of variation to the Section 106 Agreement to tie the CDY proposals into the original Section 106 Agreement to ensure that any on-going obligations and thresholds are fully addressed.

Location	Maximum B1 Use (sqm)	Maximum C3 Residential Use (sqm)	Maximum Hotel C1 Use (sqm)	Maximum A1-A5 Use (sqm)	Maximum D1 Use (sqm)	Maximum Cinema Use (sqm)	Maximum D2 Use (sqm)	Multi Storey Car Park (sqm)
Eastern Goods Yard (as amended) ¹	6,881	0	0	5,595	45,653	0	0	0
Building T1 (as amended) ²	0	15,982	0	453	0	0	942	12,914
Building R4	487	11,274	0	487	487	0	487	0
Building R5 North (as amended)	669	13,545	0	599	599	0	0	0
Building T6 ³	0	15,973	0	319	0	0	0	0
Building J	1,253	15,012	0	1,253	1,253	0	0	0
Building P1 (as amended)	0	24,411	0	114	5,075	0	0	0
Regeneration House	1,002	0	0	0	330	0	0	0
Building T5	0	8,717	0	247 ⁵	247 ⁵	0	0	0
Midlands Goods Shed	0	0	0	3,385	3,838	0	0	0
Fish and Coal Offices and Eastern Wharf Road Offices ⁴	1,442	0	0	963	0	0	0	0
Gas Holder Triplets	0	17,305	0	1,022	0	0	0	0
Building R7	17,464	0	0	684	0	779	0	0
Building R1	8,716	0	0	387	0	0	0	0
Building R5 (South) (as amended)	351	7,519	0	351	351	0	0	0

Building R3	0	6,410	0	276	0	0	0	0
CDY⁶	0	0	0	10,084	0	0	0	0
Total:	38,265	136,148	0	26,219	57,833	779	569 (exc MUGA)	12,914
Maximum area for North of the Regent's Canal	234,000	171,275	14,600	30,865	67,880	8,475	24,275	21,500

Table 19.1: KXC floorspace north of the Regent's Canal by land use (GEA). (The totals reflect the inclusion, in some cases, of alternative permitted uses in more than one land use category.)

1: The figure for the Eastern Goods Yard is as amended by the minor amendments submission in respect of Pavilion G1 (reference 2014/2247/P).

2: This figure is as amended by the minor amendments to Building T1 submission (reference 2014/4605/P). The D2 figure represents the floorspace proposed for the MUGA within Building T1. This is not counted against the maximum D2 floorspace for Zone T. This facility was originally documented in the S106 Agreement as a facility at roof level and was not treated as floorspace. It is therefore appropriate to treat the Zone T maximum D2 floorspace as exclusive of the MUGA.

3: Building T6: These figures represent the floorspace below the original parameter height of 67m AOD as permitted by planning permission (2010/4468/P).

4: This figure is exclusive of an additional 82sqm of floorspace in connection with the associated conservatory, which is subject to a separate and associated full planning application.

5: The use of the 247sqm retail unit at ground floor of T5 will either be in class A1/A2/A3 use, or within class D1 use. It is therefore shown against both uses above.

6: This figure is exclusive of the floorspace that will sit outside the Outline (see Section 5 of the Planning Statement above).

19.5 These details enable the Council to monitor the position regarding the maximum floorspace permitted for each of the relevant uses.

Condition 36 (Development To Be Carried Out In Accordance With Permission – Floorspace and Development Zones)

20.1 The condition and its reason states that:

"Unless otherwise agreed in writing by the local planning authority, the new and refurbished floorspace constructed as part of the development hereby permitted, within the maxima set out in condition 35, will be distributed between the Development Zones in accordance with the maximum floorspace allocations in Annex B attached subject to Annex B (north and south of the canal) notes excluding notes 4 and 5 and Annex B (north of the Canal) notes excluding note 15.

Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed might have an impact which has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design, to protect the setting of listed buildings, to preserve or enhance the character or appearance of conservation areas and protect Strategic Views and to accord with the assessment and conclusions of the Environmental Impact Assessment, in accordance with policies RE1, RE2, RE4, RE5, SKC1, TR1 and TR2 of the London Borough of Camden Unitary Development Plan (UDP) 2000 and policies S1, S2, S3, SKC1, SKC2, SKC3, KC2 and KC8 of the Revised Deposit Draft UDP as amended by the Proposed Modifications agreed by the Council's Executive on the 11 January 2006."

Response to Condition 36

- 20.2 Annex B to the Outline Planning Permission refers to the maximum amount of floorspace that may be developed for specified uses within each Development Zone.
- 20.3 As noted within the main body of this Planning Statement and within the sections above, the design solution for the CDY does constitute an increase in retail floorspace above that anticipated by the Outline Planning Permission in relation to the figure for Zones I and M imposed by this Condition 36 (and site wide, use and area limits imposed by Conditions 33, 34 and 35, respectively (see above).
- 20.4 Table 20.1 below demonstrates that the maximum floorspace for the uses within CDY will exceed the maximum figures for the relevant land uses applying within Development Zones I and M. Consent is therefore sought from the Council for this exceedence.
- 20.5 The details are submitted to assist in the monitoring of floorspace provided.

	Maximum Proposed Floorspace for Each Permitted Use (m ²) GEA					
Location	B1	C3	A1-A5	D1	Cinema	D2
Fish and Coal Offices	1,442	0	963	0	0	0
CDY	0	0	10,084	0	0	0
Totals for Zone I/M as set out in Annex B to the Outline Planning Permission	1,900	n/a	9,165	2,625	n/a	2,625

Table 20.1: Floorspace in CDY relative to the maximum total for Zones I/M (GEA in m²)

Condition 45 (Development To Be Carried Out In Accordance With Permission – New Drainage Infrastructure)

21.1 The condition and its reason states:

"The new drainage infrastructure within the site shall be designed to achieve a combined (storm and foul) peak discharge to the existing combined sewers of 2292l/s or less.

Reason: To protect future occupiers of the development, services and utilities, and prevent the pollution of the water environment, in accordance with policy EN9 of the London Borough of Camden Unitary Development Plan (UDP) 2000 and policies SD9 and KC8 of the Revised Deposit Draft UDP as amended by the Proposed Modifications agreed by the Council's Executive on the 11 January 2006."

Response to Condition 45

21.2 The information to show compliance with Condition 45 is included within the Environmental Sustainability Plan ('ESP') submitted for Condition 17.

21.3 The ESP shows that through a co-ordinated approach with the other design teams responsible for the surrounding infrastructure and public realm, the proposals for CDY are compatible with the site-wide drainage strategy. By means of this strategy, each of the drainage sub-catchments, buildings and public realm areas are attenuated and the surface water and foul water flow into the sewer network restricted, such that the maximum discharge specified in Condition 45 is not exceeded.

21.4 These details meet the requirements of Condition 45 and are submitted for approval.

Condition 46 (Development To Be Carried Out In Accordance With Permission – Green and Brown Roofs)

22.1 The condition and its reason states:

"At least 15% of the roofs of new buildings constructed pursuant to the planning permission shall be green and/or brown roofs as defined in the Revised Development Specification dated September 2005.

Reason: To ensure a comprehensive and sustainable development and to satisfactorily provide for biodiversity in accordance with the Environmental Impact Assessment, in accordance with policy EN57 of the London Borough of Camden Unitary Development Plan (UDP) 2000 and policies KC8 and N6 of the Revised Deposit Draft UDP as amended by the Proposed Modifications agreed by the Council's Executive on the 11 January 2006."

Response to Condition 46

22.2 No green or brown roofs are proposed to be located on the roofs of ECD and WCD.

22.3 The surface of the WWRA is the Wharf Road Viaduct which will be landscaped and planted as approved in the Fish & Coal Offices application (ref. 2014/5272/P) (subject to any small changes required as a consequence of the alterations to the levels to ensure full accessibility).

Building	Total Roof Area (m ²)	% Area of green/brown roof	In priority zone?
Eastern Goods Yard	Not recorded	79m ²	No
Building R2	5,750	2,300m ² , 40%	Yes
Building R4	c. 1,150	150m ² , 13%	No
Building B4	c. 1,050	405m ² , 39%	No
Building B6	c. 1,375	385m ² , 28%	No
Building J	2,136	692m ² , 32%	No
R5 North	1,601	853m ² , 53%	Yes
Building B3	1,625	470m ² , 29%	No
Building B1	4,287	1,227m ² , 29%	No
(Building T1 2013)	(3,897)	(2,522m ² , 65%)	(No)
R5 South	796	378m ² , 48%	Yes
Building T5	679	285m ² , 42%	Yes
Zone A	10,320	688m ² , 7%	Yes
Building P1	2,975	778m ² , 26%	Yes
Building T1 (Minor Amends)	3,897	1,318m ² , 34%	No
Fish & Coal Offices	529	90m ² , 17%	No
Coal Drops Yard	-	-	No

Table 22.1: Green and brown roofs approved or constructed across the KXC site

22.4 The proposals meet the requirements of Condition 46.

Condition 48 (Development To Be Carried Out In Accordance With Planning Permission – Combined Heat and Power)

23.1 The condition and its reason state:

"All new building within development zones A, B, J, K L, N, P, Q, R, S and T shall incorporate the necessary pipe work to connect to district heating/combined heat and power systems."

Reason: To ensure a comprehensive and sustainable development and satisfactorily provide for an efficient energy supply in accordance with the Environmental Impact Assessment, in accordance with Policies KC8 and SD9 of the London Borough of Camden Replacement Unitary Development Plan 2006."

Response to Condition 48

23.2 Although not envisaged by the Outline Planning Permission, as explained within the Environmental Sustainability Plan, CDY will incorporate the necessary pipework for connection to the site-wide low carbon Energy Centre already completed and operational in Zone T1.

23.3 Condition 48 will be complied with.

Condition 49 (Development To Be Carried Out In Accordance With Planning Permission - Car Parking Standards)

24.1 The condition and its reason state:

"Unless otherwise agreed in writing by the local planning authority, the development shall be constructed in accordance with the following:

- (a) *maximum car parking/storage standards:*
 - i. *Residential: 800 spaces for 1,700 residential units at an average ratio of 0.47 per unit across all unit types and tenures;*
 - ii. *Student Housing: 25 spaces for 650 units at an average ratio of 1 :26 units;*
 - iii. *Hotel/serviced apartments: No parking provision south of canal other than parking for people with disabilities (to be agreed in writing by the local planning authority at the Reserved Matter stage). Hotel resident parking at 1 space per 750 sq m north of canal;*
 - iv. *Class D1/D2 uses;*
 - 1 space per 1,500 sq m gross floor area south of canal*
 - 1 space per 1,000 sq m north gross floor area of canal*
 - Additional provision may be permitted if justified for health care purposes or to meet the needs of staff working anti-social hours.*
 - v. *Class B1 uses;*
 - Staff/operational parking at 1 space per 1,500 sq m gross floor area south of canal*
 - Staff/operational parking at 1 space per 1,250 sq m gross floor area north of canal*
 - vi. *Classes A1 to A5 inclusive uses; and*
 - 1 space per 1,500 sq m gross floor area south of canal*
 - 1 space per 1,000 sq m gross floor area north of canal.*
- (b) *these standards shall apply to the overall development including parking provided along new streets within the built development; within the multi-storey car park in Development Zone T and within the basements and any undercrofts of buildings;*
- (c) *5% of the spaces provided within these standards shall be for people with disabilities. Any additional parking required by the local planning authority for people with disabilities may be provided in addition to the above standards; and*
- (d) *the standards exclude provision for city car club spaces (such spaces may be provided in addition to the above) and the provision of service bays to be approved as part of Reserved Matters for the development.*

Reason: To ensure a comprehensive and sustainable development and to ensure that the development complies with the Environmental Impact Assessment, in accordance with policies KC6, KC7, T1, T7, T9, T10 and Appendix 6 (parking standards) in the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 49

- 24.2 There is no car parking provision within the CDY proposals.
- 24.3 The closest car parking facilities are in the multi-storey car park in plot T1 on the KXC development which includes disabled spaces. Otherwise, the closest disabled parking facilities are on Goods Way (adjacent to 5 Pancras Square) and in Wharf Road, adjacent to the Midland Goods Shed and Building J.
- 24.4 Disabled users will also be able to be dropped off on Stable Street.
- 24.5 The details submitted here and in the Design and Access Statement which accompanies this submission meet the requirements of this condition.

Condition 51 (Development To Be Carried Out In Accordance With Planning Permission – Cycle Parking Provision)

25.1 The condition and its reason state:

“Unless otherwise agreed in writing by the local planning authority, the development shall be constructed in accordance with the cycle parking/storage standards as set out in Appendix 6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Reason: To ensure a comprehensive and sustainable development and in order to provide satisfactory provision for cyclists in the development in accordance with the Environmental Impact Assessment, in accordance with policies KC6, T3 and Appendix 6 (parking standards) in the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 51

25.2 Based on a GEA of 11,382m² of A1-A2 space and 1,639m² of A3-A4 retail and the cycle parking standards set out in Appendix 6 of the London Borough of Camden UDP 2006, referred to in Condition 51 of the Outline Planning Permission, and Appendix 2 to the Development Policies Document 2010, the proposed development would require the following cycle spaces for visitors and staff:

- Retail staff - 52 spaces; and
- Retail visitors – 52 spaces.

25.3 The proposals include 54 secure cycle storage spaces for staff, all located within Lower Stable Street and two access controlled shower facilities located in close proximity in Lower Stable Street and the ECD. The location of the facilities are shown on drawing PL-1011.

25.4 54 Sheffield cycle stands, designed to the same specification as those elsewhere on the KXC site, are provided on Stable Street (western footway) above the Lower Stable Street structure for visitor use. The stands are shown on drawing PL-1013.

25.5 These details exceed the requirements of Condition 51.

25.6 In addition to the 54 visitor spaces (as 27 Sheffield stands) to be provided along the western footway of Stable Street for the CDY, the reserved matters approval for minor amendments to the Eastern Goods Yard (Stable Street) (ref. 2007/5228/P) shows 74 spaces (i.e. 37 stands) along the western side of Stable Street plus potential for an additional 7 stands, totaling 44 stands. It is proposed to accommodate 28 of these stands on the ramp in front of the Fish and Coal Offices and the southern side of Granary Square which will be submitted imminently as part of a reserved matters application (shown indicatively on drawing 3 in Appendix A to the accompanying Transport Statement). The remaining 16 stands (i.e. 32 spaces) will be provided along the western side of Stable Street as part of these submissions: 43 stands are therefore shown on the drawings of Stable Street forming part of the Drawing Package that accompanies these submissions.

Conditions 55 and 56 (Archaeology – Programme of Building Recording and Analysis)

26.1 The conditions and their reasons state:

Condition 55

“No works shall take place in relation to each phase of the Development as notified under condition 21 until the applicant, their agent or successors in title has secured the implementation of a programme assessment, recording and historic analysis, which considers building structure, architectural detail and archaeological evidence. This shall be undertaken in accordance with a written scheme of investigation submitted by the applicant and approved by the local planning authority.

Reason: Important archaeological remains may exist on the site. The requirements of this condition are to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development and to minimise damage to them in accordance with the Environmental Impact Assessment, in accordance with policy B8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Condition 56

“No development shall take place in relation to each phase of the Development as notified under condition 21 until the applicant, their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the local authority.

Reason: Important archaeological remains may exist on the site. The requirements of this condition are to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development and to minimise damage to them in accordance with the Environmental Impact Assessment, in accordance with policy B8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Conditions 55 and 56

- 26.2 The CDY was the subject of an earlier building recording pursuant to a Specification and Written Scheme of Investigation (WSI) by International Heritage and Conservation Management Ltd (IHCM), dated April 2008. The recording work was carried out between May and September 2008 by Pre-Construct Archaeology Ltd (PCA), resulting in a report by PCA dated December 2009.
- 26.3 Museum of London Archaeology (MOLA) also undertook a WSI for each of WCD and ECD which was submitted under Condition 55 and approved on 23rd May 2014 (ref. 2014/3058/P). The recording was then carried out by MOLA in September/October 2014 and the subsequent reports dated January 2015.
- 26.4 MOLA also prepared a WSI for building recording for the Wharf Road Viaduct (including the Western Wharf Road Arches) which was submitted and approved under the Fish and Coal Offices permission (ref. 2014/5272/P). Building recording has been carried out.
- 26.5 Subsequent watching brief activities have been carried out by Museum of London Archaeology in the CDY during the stormwater drainage works that were carried in 2014, as approved in the WSI

forming part of application reference 2014/4317/P.

- 26.6 A WSI, prepared by Museum of London Archaeology (MOLA), is included with these submissions. It sets out the methodologies (including Health & Safety) that will be followed by a watching brief on site during the works together with site specific objectives for the CDY, the scope of the watching brief, the archaeological considerations, the treatment of finds or samples, along with the reporting of any finds, if relevant. The results of the watching brief will be set out in a report to be issued within six weeks of completing the fieldwork.
- 26.7 A watching brief is required in respect of the pile probing for the planned piles for the proposed development and, dependent on results of the pile probing, further monitoring of excavations for pile caps across the site in areas where archaeological survival had been identified may be required. Underpinning works would also be subject to a watching brief where appropriate relating to these submissions.
- 26.8 The WSI also sets out the archaeological potential of the CDY site which it states, comprises two main aspects: archaeology which predates the railway goods yard and made ground associated with deposits associated with construction of the Regent's Canal or the levelling of the site for the construction of the Goods Depot.
- 26.9 The details provided in the WSI described above meet the requirements of Conditions 55 and 56 and are submitted for approval.

Condition 60 (Amenity – Plant Noise)

27.1 The condition and its reason state:

“Applications for approval of Reserved Matters shall include full particulars of the noise impact of any plant or equipment included in that application which shall meet the following standards unless otherwise agreed in writing by the local planning authority:

- (a) noise levels at a point 1 metre external to sensitive facades to be at least 5dB(A) less than the existing background measurement (L_{A90}) expressed in dB(A) when all plant/equipment are in operation;*
- (b) where it is anticipated that any plant/equipment will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps) special attention to be given to reducing the noise levels from the piece of plant/equipment at any sensitive façade to at least 10dB (A) below the L_{A90} , expressed in dB (A).*

Reason: To ensure a sustainable development and to safeguard the amenities of the development and adjoining premises and the area generally and to ensure that the development is carried out in accordance with the Environmental Impact Assessment, in accordance with SD1, SD6, SD7 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Condition 60

- 27.2 A baseline noise monitoring survey by The English Cogger LLP (dated June 2007) was previously submitted to and approved by LB Camden¹ in order to discharge the requirements of Condition 59. A further survey was subsequently carried out between December 2007 and March 2008 to include the ‘Triangle site’, resulting in a revised report dated April 2008. Those reports, referred to collectively as the ‘Baseline Noise Survey’ were undertaken to determine the pre-existing ambient noise levels across the King’s Cross Central site, prior to the commencement of any construction works. An Operational Noise Assessment Report has been prepared by Hoare Lea in support of the current CDY proposals.
- 27.3 In conformity with Condition 60, all noise generating building services plant/equipment will be specified and installed to achieve an acoustic performance at neighbouring sensitive facades (i.e. housing, schools, hospitals, offices and workshops), of at least 5 dBA below the prevailing baseline, as defined by the above report in relation to Condition 59.
- 27.4 Taking into account the most relevant baseline monitoring locations set out in the Baseline Noise Survey, the following minimum background noise levels are applicable to the CDY development site:

Site	Background (lowest) L_{A90}		
	Day12hr	Evening 4hr	Night 8hr
Fish & Coal	56.5 dB	53.4 dB	45.6 dB
Granary West	49.6 dB	49.2 dB	43.8 dB

- 27.5 For the purposes of the assessment of the Coal Drops Yard, the Granary West noise levels are seen as most appropriate, as the Fish & Coal Offices results are higher due to the proximity of the main noise sources, namely, the railway and local roads.
- 27.6 The final plant noise emissions for the CDY cannot be fully determined at this stage due to much of the plant being provided by the tenants as part of their fit out works. However, robust noise limits will be set for each tenancy to ensure that the cumulative noise levels will meet the following values at the closest noise receptor, namely the Gasholder Triplets (in residential use), as follows:

Period	Rating Level L_{Ae,T_r}
Daytime	44 dB
Night	39 dB

- 27.7 The above noise limits apply to all non-emergency building services plant operating simultaneously. With regard to emergency plant, discussions with LBC Environmental Health Department have established that this may have a 5 dB relaxation from the relevant criteria for normally operating plant.
- 27.8 To secure compliance with Condition 60, a further 5 dB reduction to the above criteria will be made where it is anticipated that any building services plant/equipment associated with the development will have the particular characteristics described in Clause (b) of Condition 60.
- 27.9 The likely plant installation may include as a worst case, up to 6 extract flues within the ECD, 1 extract flue within the WCD together with some miscellaneous small scale cooling within Lower Stable Street and WCD. The site wide district heating and proposed cooling systems significantly reduce the requirement for local plant within the CDY. The Operational Noise Assessment Report has modelled the likely plant and shows the resulting noise levels at the upper floors of the Gasholder Triplets. The night time criteria of 39dB can be met as predicted levels are circa 35 – 36dB. In addition, at night, the majority of plant will not be operational meaning this is worst case.
- 27.10 The design standards described above will be applied to any alternative plant selections made as a result of further design development.
- 27.11 The information submitted within the Operational Noise Assessment Report (Hoare Lea), as summarised here, demonstrate compliance with Condition 60 in relation to both the reserved matters application and the full planning permission.

Conditions 64 and 65 (Amenity – Volume of Spoil Removal and Lorry Movements)

28.1 The conditions and their reasons respectively state:

Condition 64

“Unless otherwise agreed in writing by the local planning authority the volume of spoil removed from the site shall not exceed 270,000 cubic metres within any calendar year.

Reason: To safeguard the amenities of the development, the adjoining premises and the area generally and to ensure that the development is carried out in accordance with the Environmental Impact Assessment, in accordance with policies SD6, SD8, SD12, KC6 and TI2 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Condition 65

“Unless otherwise agreed in writing by the local planning authority the number of lorry movement removing spoil from the site shall not exceed 31,500 within any calendar year.

Reason: To safeguard the amenities of the development, the adjoining premises and the area generally and to ensure that the development is carried out in accordance with the Environmental Impact Assessment, in accordance with policies SD6, SD8, SD12 and TI2 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Conditions 64 and 65

- 28.2 As noted above in response to Condition 18, an ERP is submitted in support of the applications for the CDY proposals. The extent of earthworks is summarised briefly above in response to Condition 18 and detailed in the accompanying ERP. The necessary earthworks for CDY would remove up to 13,440m³ of material from the site.
- 28.3 Where possible, suitable surplus material will be redeployed within the KXC development, where fill is needed. However, for the purposes of this condition, we have assumed that the full amount of excavated spoil will be removed by lorry for off-site disposal. As such the figures below represent a worst-case scenario in terms of spoil removal and lorry movements. The net position over the relevant period for Development Zones I and M and associated public realm works together with other zones where earthworks will be under way is summarised in Table 28.1 below. The position for this year (2015) is also shown for information.

Development Area	2015	2016	2017
Zone A Development	16,783	33,566	0
Gas Holder Park and Canal Reach (South)	2,000	0	0
Fish and Coal and Eastern Wharf Road Arches	2,121	0	0
Building B5	1,998	0	0
Building R7	20,936	0	0
Building R1	13,500	0	0
Zone R West Basement ¹	7,225	12,285	0
Coal Drops Yard	0	13,440	0
Total	64,563	59,291	0

Table 28.1: Anticipated net spoil exported from KXC site (m³)

¹ The Zone R West Basement includes the footprint of both Buildings R3 and R5. As such, any figures relating to these two buildings are covered by the figures in the table above.

² The table excludes completed projects, or those which are nearing completion, which do not give rise to any further spoil removal.

28.4 The annual removal figures are all much lower than the annual site-wide limit for spoil removal of 270,000m³ specified by Condition 64.

28.5 In the table below these figures are converted to lorry movements, based on the Environmental Statement assumption of 8.5m³ of load for each lorry:

Development Area	2015	2016	2017
Zone A Development	1,975	3,949	0
Gas Holder Park and Canal Reach (South)	235	0	0
Fish and Coal and Eastern Wharf Road Arches	250	0	0
Building B5	235	0	0
Building R7	2,463	0	0
Building R1	1,600	0	0
Zone R West Basement ¹	850	1,445	0
Coal Drops Yard	0	1,582	0
Total	7,608	6,976	0

Table 28.2: Anticipated net spoil exported from the KXC site (lorry movements)

28.6 As with the volume assessment, the lorry totals for each year demonstrate that the annual lorry numbers will be much less than the maximum of 31,500 lorries for any given year, as specified by Condition 65.

Conditions 66 and 67 (Amenity – Lorry Movements Importing Infrastructure and Construction Materials)

29.1 The conditions and their reasons respectively state:

Condition 66

“Unless otherwise agreed in writing by the local planning authority the number of lorry movements importing infrastructure materials to the site shall not exceed 8,300 within any calendar year.

Reason: To safeguard the amenities of the development, the adjoining premises and the area generally and to ensure that the development is carried out in accordance with the Environmental Impact Assessment, in accordance with policies SD6, SD8, SD12, KC6 and T12 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Condition 67

“Unless otherwise agreed in writing by the local planning authority the number of lorry movements importing construction materials and plant to the site shall not exceed 73,000 within any calendar year.

Reason: To safeguard the amenities of the development, the adjoining premises and the area generally and to ensure that the development is carried out in accordance with the Environmental Impact Assessment, in accordance with policies SD6, SD8, SD12, KC6 and T12 of the London Borough of Camden Replacement Unitary Development Plan 2006.”

Response to Conditions 66 and 67

- 29.2 Infrastructure materials are not defined in the condition or elsewhere in the Outline Planning Permission, but adopting a consistent approach with previous submissions, they are taken to include road/paving build-up, kerbs, lighting poles, manholes/gullies, utility pipes and ducts and associated backfill and bedding provisions, landscape build-up and trees/planting and piling mats.
- 29.3 Since infrastructure materials make up only a small element of the incoming materials relating to the proposals for CDY, it is considered appropriate in this case to combine this aspect covered by Condition 66 with the construction materials covered by Condition 67, both conditions being similarly constructed. Taking the two elements together, the numbers of lorries delivering infrastructure and construction materials to CDY, together with deliveries to other approved or submitted works in KXC, is estimated to be as set out in Table 29.1 over the projected construction period:

Development Area	2015	2016	2017	2018
Handyside Park and Wharf Road	288	0	0	0
Building P1	1,285	0	0	0
Building T1 (2013)	709	0	0	0
Building T5	450	0	0	0
Zone A Development	7,280	8,320	5,200	1,300
Midlands Goods Shed and Handyside Canopies	350	0	0	0
German Gymnasium, Battle Bridge Place and Clarence Passage	345	0	0	0
Gas Holder Park and Canal Reach (South)	355	0	0	0
Building B6	1,437	656	0	0
Fish and Coal Offices, Eastern Wharf Road Arches & landscaping	312	0	0	0
Gas Holder Triplets	4,760	4,250	480	0
Building B5	2,914	6,446	2,729	0
Building R7	5,471	2,361	155	0
Building R1	0	2,710	2,574	390
Zone R West Basement	0	905	0	0
Building R5 South	0	2,130	2,095	0
Building R3 and Zone R Gardens	0	1,300	2,185	140
Coal Drops Yard	0	2,483	3,252	1,219
TOTALS	25,956	31,561	18,670	3,049

Table 29.1: KXC projected lorry movement for infrastructure and construction materials

Notes:

1. The table excludes completed projects, specifically Building R4, the Shared Service Yard and the Interim Service Road.
2. Zone A has been included for completeness, however, the date for commencement of development is at this time not finalised.

29.4 The figures for any one year are only a small proportion of the overall combined limit of 81,300 lorries (8,300 plus 73,000) for infrastructure and construction materials under Conditions 66 and 67 for the KXC site as a whole for any one calendar year. The conditions, therefore, would be met.

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