

Planning Compliance Report

**Buildings W1 and W2
Development Zone W (Triangle Site)**

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Introduction

- 1.1 This Reserved Matters submission is made in relation to Development Zone W (also known as the 'Triangle Site') of the King's Cross Central ('KXC') development. The site is separated from the larger part of the KXC Development (the 'Main Site') by York Way and straddles the boundaries of both the London Borough of Camden ('LBC') and the London Borough of Islington ('LBI').
- 1.2 Development Zone W is subject to an outline planning permission granted on 22 July 2008 by the Secretary of State with references APP/VS570/A/07/2051902 and APP/X5210/A/07/2051898¹ (the 'Triangle Outline Planning Permission'). Although the permission is independent of the outline planning permission for the Main Site, granted on 22 December 2006 with reference 2004/2307/P, the applications were submitted at the same time and are closely related with a number of common documents setting out the shared design objectives and principles for the wider KXC development. In particular, the proposals for the Triangle Site were subject to an Environmental Impact Assessment which considered the KXC development as a whole, and described in a Development Specification document (Revised August 2005) with accompanying Parameter Plans. The Triangle Outline Planning Permission was recently amended by approvals for non-material amendments pursuant to S96A of the Town and Country Planning Act 1990 dated 7 and 8 March 2016 (LBI and LBC references P2015/5354/NMA and 2015/7100/P respectively). The changes effected by that approval are explained in more detail below.
- 1.3 There are two Section 106 Agreements relating specifically to the Triangle Site, both dated 4 April 2008. The first, referred to in this submission as the 'Camden S106 Agreement' was made between the Mayor and Burgesses of the London Borough of Camden, the Secretary of State for Transport, London & Continental Railways Ltd and Argent (King's Cross) Limited and relates only to the provision of affordable housing on the site. The second agreement considers a wider range of matters and is made between the same parties plus the Mayor and Burgesses of the London Borough of Islington (the 'Joint S106 Agreement'). A draft Deed of Variation to the Camden S106 Agreement to amend the level of 'Intermediate' affordable housing secured through that agreement is due to be considered by LBC Members at the Development Control Committee on 17 March. Further background on the draft Deed of Variation is provided later in this section. The draft deed is appended to the report for information as Appendix A.
- 1.4 The Triangle Outline Planning Permission (as amended) permits three buildings within Development Zone W, referred to originally as Blocks A, B and C but now known as W1, W2 and W3, respectively. The buildings are set around a central podium garden.
- 1.5 The approved Revised Development Specification gives the following description of development for the Triangle Site as a whole, as follows:

¹ The Triangle Outline Planning Permission was granted by the Secretary of State on appeal. The original planning application references allocated by the London Borough of Islington and Camden were P041261 and 2004/2311/P, respectively.

“Mixed use development of part of the former railways lands within the Camden King’s Cross Opportunity Area and an Islington Area of Opportunity, as set out in this Revised Development Specification. The development comprises residential; shopping, food and drink and financial and professional services within the A1, A2, A3 and A4 use classes; a health and fitness centre (use class D2) with the potential to incorporate a crèche and community facilities (use class D1); amenity and open space; habitat areas; recycling, cycle storage and other ancillary uses; parking; highways works to provide access; and other supporting infrastructure works and facilities.”

- 1.6 This submission relates to Buildings W1 and W2, plus the shared part-lower ground, part-basement service area which sits below all three buildings, designed by Fielden Clegg Bradley Studios and David Morley Architects, respectively. The buildings are predominantly residential, providing a total of 218 residential units across Open Market, General Needs Social Rented (‘Social Rented’) and Intermediate tenures and a total floorspace of 21,813m² (GEA). Building W1 is wholly Open Market and ranges in height from 12 to 17 storeys (including ground floor) while W2 incorporates a mix of all three tenures and stands at 8 storeys (also including ground floor). Overall, the buildings provide residential floorspace totalling 20,605m² (GEA).
- 1.7 Both buildings provide 775m² (GEA) of commercial space at lower ground and podium (ground floor) levels comprising four units for retail, food and drink (Classes A1-A4) uses. Plant, infrastructure, car/cycle parking, refuse storage and other ancillary uses are located at lower ground/basement level.
- 1.8 This Compliance Report provides a comprehensive overview of how the relevant pre-commencement planning conditions and Section 106 obligations are being addressed in respect of Buildings W1 and W2 and the lower ground/basement service area. Details of Building W3, the surrounding public realm and the landscaping to the podium garden will be submitted separately for Reserved Matters approval at a later date.
- 1.9 The location of Buildings W1 and W2 in the context of Development Zone W and the Reserved Matters boundary for this submission are shown on the plan following this section.
- 1.10 The report acts as a ‘navigation’ document for this Reserved Matters submission and its relationship to the various conditions and obligations. The submission includes the Reserved Matters details required by and referred to in the conditions and specified in the Definitions attached to the Triangle Outline Planning Permission. These include: layout, scale, appearance, access and landscaping, except as already established by the relevant Parameter Plans.

Approval of Non-Material Amendments Pursuant to S96A of the Town and Country Planning Act 1990

- 1.11 During early pre-application discussions with officers, it was agreed that the scheme would benefit from the podium garden being open to the public and made level with the Southern Gateway at Randell’s Road. Further, the areas designated for cycle parking, refuse and plant within the lower ground level were considered to be insufficient to meet the desired levels of provision and were poorly connected to some of the cores (as shown on the Parameter Plans) or created significant blank facades of ancillary uses, particularly on the northern façade of W1. In contrast, the extent of retail envisaged by Parameter Plan TS005 was extremely generous and was unlikely to be fulfilled by demand.

- 1.12 At the same time, the design team was developing a more detailed understanding of the location and loading constraints of the Thameslink Canal Tunnels which in turn informed the exact location of the foundations of Building W1W and consequently the location of the cores. The position of the cores across both buildings were also reviewed to achieve better internal efficiencies and a layout that would accommodate the required number of units, particularly in Building W2 which is subject to minimum requirements for affordable housing under the Camden S106 Agreement and draft Deed of Variation to the same. The permitted location of the cores shown on Parameter Plans TS004 to TS007 also restricted the number of dual or triple aspect apartments, particularly on W2 where the W2N core was located on the corner of the building.
- 1.13 Officers and the Applicant also explored the townscape impact of W1 in its permitted form and considered that the creation of two distinct blocks rather than a continuous stepped massing of three blocks would be more responsive to recent development on the west side of York Way and to long views of the site, particularly from the north. The separation of the blocks would also benefit the podium garden in terms of allowing more light penetration into the space and a sense of openness into the garden, and would achieve a higher number of dual aspect units by increasing the number of corners.
- 1.14 In the context of these discussions, two connected applications for non-material amendments pursuant to S96A of the Town and Country Planning Act 1990 were submitted to LBI and LBC to effect these changes. These applications were approved on 7 and 8 March 2016 by LBC and LBI, respectively, and are collectively referred to in this submission as the 'NMA Approval'.
- 1.15 Specifically, the following amendments were approved through the submission of substitute Parameter Plans:
- Adjustments to the position of residential cores in Buildings W1 and W2, as shown on substitute Parameter Plans TS006 and TS007 (Rev L); and
 - The removal of the stepped roofline and dropped shoulders on Building W1 in favour of three increasing volumes up to +64m AOD, +73m AOD and +82m AOD. This results in a small increase to the shoulder height around the edge of each block but does not exceed the original maximum heights of the building at its tallest points. W2 is amended to a continuous maximum height of +55m AOD which matches the taller set-back for this building on the original plan (Rev K). The revised heights are shown on the substitute Parameter Plans TS006 and TS007 (Rev L).
- 1.16 In addition, the NMA Approval grants a variation to the wording of Condition 17 of the Triangle Outline Planning Permission to allow for the approval of further revisions to internal layouts and sections through the submission of plans at the Reserved Matters stage. The principle of and justification for these amendments were set out in the Supporting Statement to the non-material amendment applications and are reflected in the submitted drawings which now accompany this Reserved Matters submission for approval. These amendments provide for a lower finished site level to the central podium garden than that shown on Parameter Plan TS006, to facilitate level access to the space from the Southern Gateway. This in turn results in changes to the configuration of servicing and retail spaces at lower ground/basement levels by effectively consolidating the lower and upper ground floors, albeit within the site level parameters set by the respective Parameter Plans for the lower and upper

ground floor and garden levels (see response to Condition 17 in Section 13 of this Compliance Report). The revised arrangement at lower ground floor level enables an increased area for cycle storage, the relocation of plant and provision of retail storage space within the area currently identified for 'parking and access to the upper levels' and the relocation of the loading bay which will now be within the footprint of Building W1. Retail floorspace identified on Parameter Plan TS005 is within the lower ground floor and podium (garden) levels to maintain access from York Way, with 'ancillary areas' shown on the same plan now located at lower ground/basement level.

- 1.17 The NMA Approval also made amendments to the wording of Condition 21 removing the restriction on access to the central podium garden so that it can be enjoyed by the public.

Draft Deed of Variation to the Camden S106 Agreement

- 1.18 The Triangle Outline Planning Permission is supported by two Section 106 Agreements, the Joint S106 Agreement and the Camden S106 Agreement. The latter agreement focusses on the delivery of affordable housing within the Triangle Site. Among other obligations, it provides a 'Baseline Mix' of affordable units and tenures on the Triangle Site targeting the delivery of 84 affordable homes of which 36 would be for Social Rent and the remaining 48 would be Intermediate housing. The Intermediate tenure was itself broken down into four products of 12 units each; Key Worker Sub Market Rented, Shared Ownership, Shared Equity and Right to Buy Homebuy.
- 1.19 The Camden S106 Agreement includes a 'cascade' mechanism in the event specified minimum transfer prices fail to be achieved for certain tenures. Only the Social Rented, Key Work Sub Market Rented and Shared Ownership Units are subject to the cascade provisions. The other intermediate tenures were not required to be transferred to an affordable housing provider and therefore are not subject to a minimum price. The minimum prices for these units were set at the time of the outline planning application being determined at levels that were considered affordable to providers in the context of normal grant funding levels. Where it is evidenced that the aggregate minimum transfer price for a tranche of units is not or cannot be achieved, the cascade provisions are triggered. If triggered, the cascade mechanism would ultimately reduce the number of Social Rented units by 50% from 36 to 18 units. The overall number of affordable homes would reduce from 84 to 66 and the tenure split would comprise 18 Social Rented and 48 Intermediate units.
- 1.20 The policy and funding context for delivering affordable housing have changed significantly since the completion of the Camden S106 Agreement, including reductions in grant funding and changes to affordable housing tenure. As a consequence, the minimum affordable housing price can no longer be achieved for the Social Rented units (which are to be let at target rents). As noted above, if the cascade is formally triggered, this would result in fewer homes for social rent and a focus on less affordable, higher value Intermediate properties.
- 1.21 The Applicant has provided evidence to LBC and LBI, prepared by Quod, which demonstrates that on the basis of realistic affordable housing values for the Social Rent, Key Worker Sub Market Rented and Shared Ownership units set out in the Camden S106 Agreement, the minimum transfer price for these units under that agreement could not be achieved on either a stand-alone basis for social rent units;

or an aggregate basis (i.e. where all of these units were transferred as a 'package' to a single affordable housing provider).

- 1.22 The Quod analysis shows that there would be a shortfall of approximately £2.4 million between what an affordable housing provider would be able to pay on the basis of compliance with the Camden S106 Agreement and the minimum transfer values. Consequently, the Applicant and LBC (in consultation with LBI) considered that it was no longer possible to deliver the Baseline Mix as envisaged under that agreement and agreed to vary the Camden S106 Agreement.
- 1.23 The revised proposal under the draft Deed of Variation is offered as an alternative trigger to the cascade and would comprise 36 'General Needs Social Rented' units (also referred to as 'Social Rented' units) and 23 Intermediate sub-market rented units (referred to in this submission as the 'Intermediate' units) in place of 12 Key Worker Sub Market Rented units and 12 Shared Ownership units. The remaining 24 Intermediate units (i.e. the Shared Equity and Right to Buy Homebuy units) would be converted to market sale. The draft Deed of Variation also sets out the size of the units in terms of bedrooms and net internal floor area.
- 1.24 The proposal would involve the same level of provision of Social Rented units as the Camden S106 Agreement, including the provision of ten 3-bed units. This represents a much improved position compared to the alternative outcome if the cascade mechanism was invoked. The Intermediate units would be offered for sale at the lower of 80% of Open Market Value or 4x the maximum household income for persons eligible for intermediate housing as set out in the London Plan, or available to rent at 80% of Open Market Rent. Given the high value of property in the area, concerns have been raised by affordable housing providers regarding the affordability of shared ownership products in this location. The provision of sub-market rented homes has the potential to be significantly more affordable.
- 1.25 Although not party to the original agreement, officers at LBI have been consulted throughout the process and are supportive of the revised proposal. The draft Deed of Variation to the Camden S106 Agreement is recommended for approval by LBC officers and is due to be considered by Members of the LBC Development Control Committee on 17 March 2016.

Summary of the Proposals

- 1.26 The proposed development reflects the revised Baseline Mix set out in the draft Deed of Variation to the Camden S106 Agreement and the amendments made to the Triangle Outline Planning Permission by the NMA Approval. The scheme is fully described in the separate Urban Design Report but the essence of the proposals are summarised below:

	Building W1	Building W2	Lower Ground/ Basement Service Area	Reference
Land uses	Residential, retail, food and drink (Class A1-A4)			Section 15 (Condition 19) of this Compliance Report
	21,813m ²			

Total floorspace (GEA)	14,133m ²	6,911m ²	769m ²	Section 11 (Condition 15) of this Compliance Report
Maximum building heights (AOD)	W1E: +80.55m AOD W1W: +64m AOD	+55.00m AOD	N/a	Section 13 (Condition 17) of this Compliance Report and Parts 4.0 and 5.0 of the UDR
No. of storeys (including ground floor)	W1E: 17 storeys W1W: 12 storeys	8 storeys	N/a	Parts 3.0, 4.0 and 5.0 of the UDR.
Residential units/tenure mix	140 Open Market	36 GNSR 23 Intermediate 19 Open Market	N/a	Section 16 (Condition 20) of this Compliance Report, Sections 4.2 and 5.2 of the UDR and the Details of Proposed Residential Accommodation document.
Wheelchair accessible units	14 Open Market	7 Social Rented 2 Intermediate 2 Open Market	N/a	Section 2.9 of the Access and Inclusivity Statement.
Retail/food and drink units	1 unit: 199m ² GEA	3 units: 522m ² GEA	Ancillary retail: 54m ² GEA	Section 11 (Condition 15) of this Compliance Report
No. of car parking spaces	N/a	N/a	48, including 5 wheelchair accessible spaces	Section 20 (Condition 25) of this Compliance Report and Section 3.3 of the UDR
No. of cycle spaces	N/a	N/a	361 within lower ground/ basement area, including 11 accessible cycle/ scooter spaces	Section 21 (Condition 26) of this Compliance Report and Section 3.2 of the UDR
Main public entrances	Main entrance to both cores (W1W and W1E) via W1C pavilion off podium garden. Secondary	Both cores (W2N and W2S) have dual entrances from York Way and	Vehicular and cycle access from the Northern	Section 13 (Condition 17) of this Compliance Report and

	entrance to W1W from Northern Gateway.	the podium garden	Gateway with access to York Way	Parts 4.0 and 5.0 of the UDR
Principal materials	<p>The design principles set out in the UDR establish a palette of materials which can be applied by the different building architects across the Triangle Site. Aspects such as accent colour (e.g. to spandrel panels), window reveal materials, mortar colour and the bonds/patterns to the masonry will allow variations on a theme, and reinforce individual characters across the site.</p> <p>A warm, dark masonry brick is proposed as the primary material to the residential storeys above street level (i.e. L01 upwards). Decorative metalwork will provide a contrast to the solidity of the brickwork and allow definition of the individual components such as window framing, spandrel panels and balcony metalwork. A 'light' base will be reinforced through a mixture of transparent and opaque glazing modules for active frontages and entrances, combined with metal panels where less visual permeability is required.</p>			Section 2.3 and Parts 4.0 and 5.0 of the UDR
Green/brown roofs	44m ² of green roof will be provided alongside the penthouse terraces on rooftop W1W, as well as 118m ² of biodiverse brown roof atop W1E	147m ² of green roof will be provided at roof level.	N/a	Section 19 (Condition 24) of this Compliance Report Section 2.3 of the ESP
Landscaped roof terraces/balconies	Yes – balconies or wintergardens are provided to all of the 2/3 bed units and 63% of the 1 bed units, totalling 264m ² . Those units without a balcony or terrace will benefit from a Juliet balcony to the main living space.	<p>Yes – Balconies are provided to all 2/3 bed units and 34% of the 1 bed units, totalling 485m². Studio apartments and the remaining 1-bed units will include a Juliet balcony to the main living space.</p> <p>The penthouse units (Type W1W-PO1 and PO2) at level 11 benefit from terraces totalling 265m².</p>	N/a	Sections 4.2 and 5.2 of the UDR
Connection to site-wide low carbon energy system	Yes			Section 6 (Condition 10) of this Compliance Report and

		Section 2.4 of the ESP
Overall reduction in carbon emissions against Part L	The carbon emissions for the residential element of Buildings W1 and W2 are expected to be 190 tonnes CO ₂ /yr, including the contribution made by connection to the sitewide low-carbon energy system. This represents a 47% reduction over the Part L2 TER 2013. The final performance of the retail units will depend on the nature of the end use and the tenant fit-out.	Section 6 (Condition 10) of this Compliance Report and Section 2.4 of the ESP
Predicted BREEAM/ Code for Sustainable Homes rating	It is envisaged that Buildings W1 and W2 development will achieve Level 4 under the Code for Sustainable Homes (registered as a legacy project). The retail units are fitted out only to shell and core. However, they are expected to achieve a minimum BREEAM rating of 'Very Good'.	Section 6 (Condition 10) of this Compliance Report and Section 2.5 of the ESP

Content of the Submission

- 1.27 The appropriate completed LBC and LBI application forms are submitted in observance of Condition 3 of the Triangle Outline Planning Permission. The other conditions addressed by this submission are listed numerically on the application forms and set out with brief summary description below. Please note that the Planning Compliance Report only addresses planning conditions relevant to this submission and therefore some conditions are not included.

Condition	Description
2	Commencement (Timing of First Reserved Matters Submission)
4	Approval of Reserved Matters General (Deadline for Approval of all Reserved Matters Submissions)
6	Landscaping and Trees (Details of Landscaping)
9	Landscaping and Trees (Steps in Landscaping)
10	Environmental Sustainability Plan
11	Earthworks and Remediation Plan
12	Access Statement
13	Servicing Strategy
14	Details Required by Condition (Structures)
15	Details Required by Condition (Floorplans etc.)
16	Details Required by Condition (Refuse Storage and Collection)
17	Development to be Carried Out in Accordance with Permission (Parameter Plans and Development Specification)
18	Floorspace Permitted
19	Uses Permitted (Maximum Floorspace Figures)
20	Uses Permitted (Maximum Number of Residential Units)
22	Residential Daylight and Sunlight
23	Drainage Infrastructure
24	Green and Brown Roofs
25	Car Parking Standards
26	Cycle Parking
27	Noise (Baseline Noise Survey)
28	Noise (Noise Impact of Plant and Equipment)
29	Noise (Groundborne Noise)
30	Noise (Environmental Noise)

- 1.28 In the remainder of this Compliance Report, each of the relevant conditions are addressed in turn, by providing an account of how the submission satisfies that

condition. In some cases, for example the illustrative build-out plan and construction timetable, the relevant information is provided in this report by means of text and plans. In others, compliance is demonstrated by cross-reference to the following free-standing documents submitted with the application:

- Drawing Package - compilation of scheme layout plans, elevations, sections and images (a full list of the submitted drawings is provided in the schedule attached at the end of this section);
- Urban Design Report - including an explanation of the scheme concept and detailed scheme description, including car and cycle parking provision, the servicing strategy and details of refuse and recycling facilities;
- Environmental Sustainability Plan;
- Access and Inclusivity Statement;
- Earthworks Remediation Plan;
- Daylight and Sunlight Report; and
- Structureborne Noise Assessment.

1.29 In the Triangle Outline Planning Permission, the conditions are presented under a sequence of subject headings and sub-headings. To aid ease of use of this report, the conditions referred to in turn are each accompanied by those corresponding headings.

1.30 The proposals for Buildings W1 and W2 have been developed through a progressive process of pre-submission consultations between the King's Cross Central General Partner Limited ('KCCGPL') design team, Planning Officers at LBI and LBC and other relevant stakeholders and local bodies, over several months. The proposal represents a high quality predominantly residential development that will make a significant and positive contribution to the on-going regeneration of King's Cross.

Schedule of Drawings

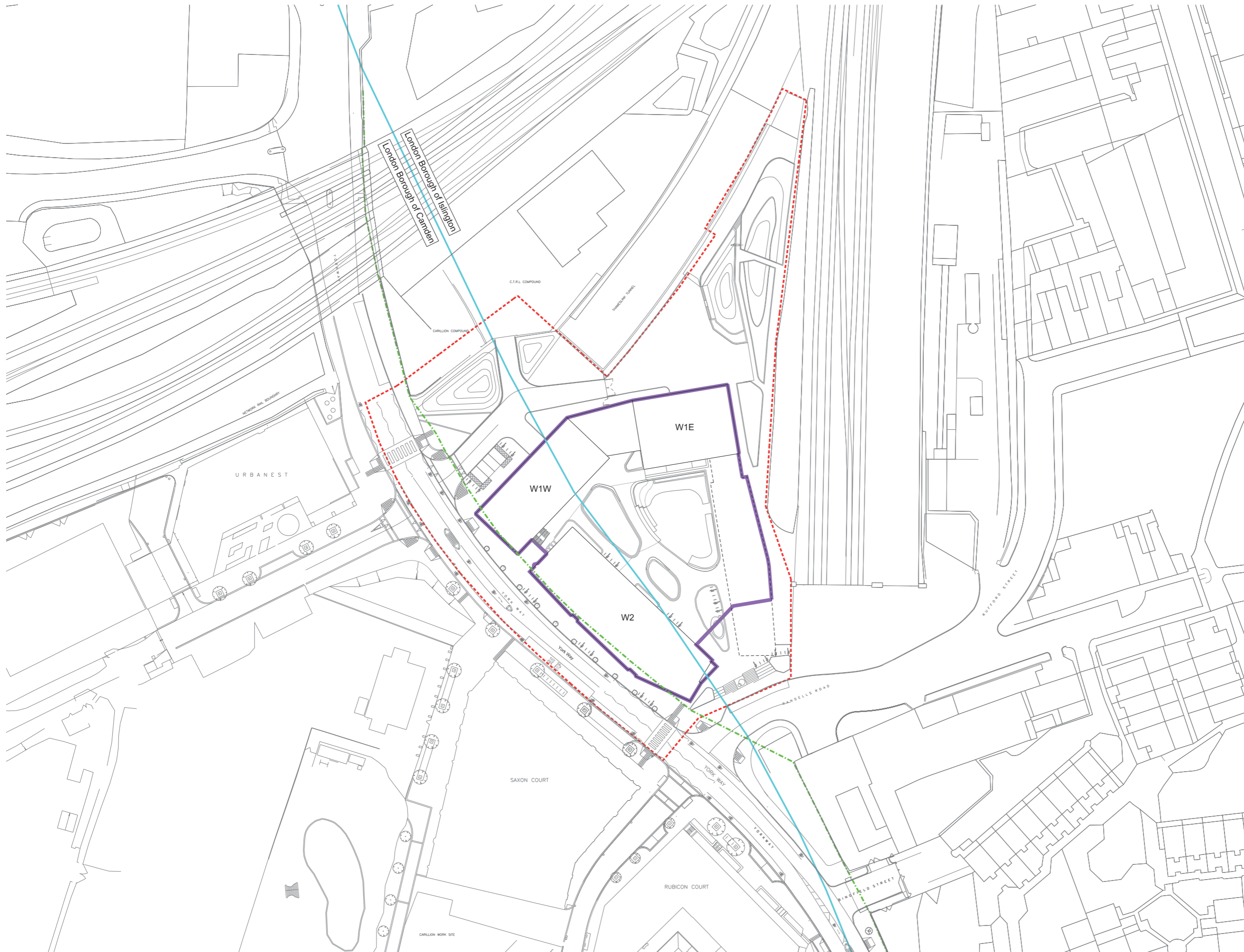
Drawing Title	Scale at A3	Drawing No.	Rev
For Approval			
Context Plans			
Location Plan	1:2500	KXC-W0-001-DMA569-PL-20-001	00
Existing Site Plan	1:1000	KXC-W0-001-DMA569-PL-10-100	00
Site Plan	1:1000	KXC-W0-001-DMA569-PL-20-117	00
Level B1 (Part-Basement Part-Lower Ground Layout)	1:500	KXC-W0-001-DMA569-PL-20-1B1	00
Level 00 / Podium Layout	1:500	KXC-W0-001-DMA569-PL-20-100	00
Context Elevations			
W1 North Façade Context Elevation	1:500	KXC-W0-001-DMA569-PL-20-301	00
W1E East Façade Context Elevation	1:500	KXC-W0-001-DMA569-PL-20-302	00
W2 South Façade Context Elevation	1:500	KXC-W0-001-DMA569-PL-20-303	00
W1/W2 West Façade Context Elevation	1:500	KXC-W0-001-DMA569-PL-20-304	00
Context Sections			
W1E Section Looking West	1:500	KXC-W0-001-DMA569-PL-20-220	00
W2 South Section	1:500	KXC-W0-001-DMA569-PL-20-230	00
W2 Mid Section Looking North	1:500	KXC-W0-001-DMA569-PL-20-231	00
W2 North End Section	1:500	KXC-W0-001-DMA569-PL-20-232	00
W1W / W1C / W1E Section Looking North	1:500	KXC-W0-001-DMA569-PL-20-233	00
W1W / W2 Section Looking North - East	1:500	KXC-W0-001-DMA569-PL-20-240	00

Schedule of Drawings

Drawing Title	Scale at A3	Drawing No.	Rev
Building W1 Drawings			
Plans			
W1 Plan Level 00 (Podium)	1:200	KXC-W1-001-1768-PL-20-100	00
W1 Plan Level 01	1:200	KXC-W1-001-1768-PL-20-101	00
W1 Plan Level 02	1:200	KXC-W1-001-1768-PL-20-102	00
W1 Plan Level 03	1:200	KXC-W1-001-1768-PL-20-103	00
W1 Plan Level 04	1:200	KXC-W1-001-1768-PL-20-104	00
W1 Plan Level 05	1:200	KXC-W1-001-1768-PL-20-105	00
W1 Plan Level 06	1:200	KXC-W1-001-1768-PL-20-106	00
W1 Plan Level 07	1:200	KXC-W1-001-1768-PL-20-107	00
W1 Plan Level 08	1:200	KXC-W1-001-1768-PL-20-108	00
W1 Plan Level 09	1:200	KXC-W1-001-1768-PL-20-109	00
W1 Plan Level 10	1:200	KXC-W1-001-1768-PL-20-110	00
W1 Plan Level 11	1:200	KXC-W1-001-1768-PL-20-111	00
W1 Plan Level 12	1:200	KXC-W1-001-1768-PL-20-112	00
W1 Plan Level 13	1:200	KXC-W1-001-1768-PL-20-113	00
W1 Plan Level 14	1:200	KXC-W1-001-1768-PL-20-114	00
W1 Plan Level 15	1:200	KXC-W1-001-1768-PL-20-115	00
W1 Plan Roof Plan	1:200	KXC-W1-001-1768-PL-20-116	00
Elevations			
W1E North Elevation	1:200	KXC-W1-001-1768-PL-20-310	00
W1W North Elevation	1:200	KXC-W1-001-1768-PL-20-311	00
W1E East Elevation	1:200	KXC-W1-001-1768-PL-20-320	00
W1W East Elevation	1:200	KXC-W1-001-1768-PL-20-321	00
W1E South Elevation	1:200	KXC-W1-001-1768-PL-20-330	00
W1W South Elevation	1:200	KXC-W1-001-1768-PL-20-331	00
W1E West Elevation	1:200	KXC-W1-001-1768-PL-20-340	00
W1W West Elevation	1:200	KXC-W1-001-1768-PL-20-341	00
Details			
W1 Typical Opening	1:50	KXC-W1-001-1768-PL-21-410	00
W1 Juliet Balcony	1:50	KXC-W1-001-1768-PL-21-411	00
W1 Inset Balcony	1:50	KXC-W1-001-1768-PL-21-412	00
W1 Winter Garden	1:50	KXC-W1-001-1768-PL-21-413	00
W1 Inset Balcony / Parapet Interface	1:50	KXC-W1-001-1768-PL-21-414	00
W1 Podium Soffit	1:50	KXC-W1-001-1768-PL-21-415	00

Schedule of Drawings

Drawing Title	Scale at A3	Drawing No.	Rev
Building W2 Drawings			
Plans			
W2 Plan Level 00 (Podium)	1:200	KXC-W2-001-DMA569-PL-20-100	00
W2 Plan Level 01	1:200	KXC-W2-001-DMA569-PL-20-101	00
W2 Plan Level 02	1:200	KXC-W2-001-DMA569-PL-20-102	00
W2 Plan Level 03	1:200	KXC-W2-001-DMA569-PL-20-103	00
W2 Plan Level 04	1:201	KXC-W2-001-DMA569-PL-20-104	00
W2 Plan Level 05	1:200	KXC-W2-001-DMA569-PL-20-105	00
W2 Plan Level 06	1:200	KXC-W2-001-DMA569-PL-20-106	00
W2 Plan Level 07	1:200	KXC-W2-001-DMA569-PL-20-107	00
W2 Roof Plan	1:200	KXC-W2-001-DMA569-PL-20-108	00
Elevations			
W2 North and South Elevations	1:200	KXC-W2-001-DMA569-PL-20-301	00
W2 West Elevation	1:200	KXC-W2-001-DMA569-PL-20-302	00
W2 East Elevation	1:200	KXC-W2-001-DMA569-PL-20-303	00
Details			
W2 Bay Study - West Elevation	1:50	KXC-W2-001-DMA569-PL-21-410	00
W2 Entrance Bay Study - West Elevation	1:50	KXC-W2-001-DMA569-PL-21-411	00
W2 Bay Study - South Elevation	1:50	KXC-W2-001-DMA569-PL-21-412	00
W2 Bay Study - East Elevation	1:50	KXC-W2-001-DMA569-PL-21-413	00
Drawings for Information			
Level B1 Layout - Comparison with TS004	1:500	KXC-W0-001-DMA569-PL-20-195	00
Level 0 Layout - Comparison with TS005	1:500	KXC-W0-001-DMA569-PL-20-196	00
Level 0 Layout - Comparison with TS006	1:500	KXC-W0-001-DMA569-PL-20-197	00
Level 16 - Roof Layout - Comparison with TS007 Rev L	1:500	KXC-W0-001-DMA569-PL-20-198	00



Note:
As explained in the accompanying Compliance Report, the landscaping, public realm and Building W3 will come forward in a future RMA. Details of these areas are shown for illustrative purposes only.

- - - - - TRIANGLE OUTLINE PLANNING PERMISSION BOUNDARY
- RESERVED MATTERS SUBMISSION BOUNDARY
- - - - - ADOPTED HIGHWAY BOUNDARY
- BOROUGH BOUNDARY

0 25m

Revisions
00 - Issued For RMA

Notes
© David Morley Architects
Do not scale off drawing. Check all dimensions on site and advise any discrepancies before commencing work. All dimensions in millimetres unless otherwise noted.
Site Information based on:
- Topographical survey Pitman Craven 16531-006-100-KXC Topographical Survey
- And FW-SK-2024-P01
- 2014/03/05_Webmap_01/0003954

Client:
King's Cross Central General Partner Limited

For Approval

DAVID MORLEY ARCHITECTS
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Development Zone W (Triangle Site)

Site Plan

Site	Ref	Project	Consultant	Drawn	Checked	Content	Revision
KXC	WO	001	DMA569	PL	20	117	00
Date of First Issue	Scale @ A1 / A3	Revision Date					
08/12/2015	1:500/1:1000	15/02/2016					

2

Condition 2 (Commencement)

2.1 The condition states:

“The permission shall lapse unless the first Reserved Matters Application is made within eight years of the date of this permission.”

Response to Condition 2

- 2.2 This submission for Buildings W1 and W2 is the first Reserved Matters application for the Triangle Site and is made in less than 8 years from 22 July 2008, which is the date of the Triangle Outline Planning Permission.
- 2.3 The details provided above meet the requirements of condition 2 and discharge the condition in full.

Condition 4 (Approval of Reserved Matters – General)

3.1 The condition states:

“No later than 12 years following the date of this permission an application or applications shall have been submitted to the Local Planning Authority for the approval of all Reserved Matters.”

Response to Condition 4

3.2 As noted in Section 2, this is the first Reserved Matters submission for the Triangle Site and is made within 12 years from the date of the Triangle Outline Planning Permission (22 July 2008). Further Reserved Matters submissions are anticipated within the remaining period for Building W3 and landscaping details for the public realm, Northern Gateway, ecology garden and Podium Garden.

Condition 6 (Landscaping and Trees – Details of Landscaping)

4.1 The condition states:

“The details of the landscaping to be submitted as part of the applications for Reserved Matters shall include;

- a) The design of building foundations and the layout, with the dimensions and levels, of service trenches and other excavations on site in so far as these items will affect any trees adjoining that part of the site*
- b) New tree and other planting, earth works, ground finishes, top soiling, levels, drainage, including falls and drain types;*
- c) The treatment of land within the Habitat Area shown on plan TS004 Rev K.*
- d) The central amenity space with planting shown on TS006.*

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

Response to Condition 6

- 4.2 Only part (a) of the condition is relevant to this submission for Buildings W1 and W2 in so far as it brings forward details of the lower ground/basement service area structure. The extent of this structure is shown on submitted drawing KXC-W0-001-DMA569-PL-20-LB1. There are no existing trees on or adjacent to the area falling within the proposed lower ground/basement structure or Buildings W1 and W2.
- 4.3 As explained in Section 1, details of the public realm along York Way and Randell’s Road and the proposed landscaping to the Podium Garden (referred to in the condition as the ‘central amenity space’), the Northern Gateway and Ecology Garden (formerly known as the ‘Habitat Area’) pursuant to parts (b), (c) and (d) of Condition 6 will be submitted as part of a separate Reserved Matters submission in due course.
- 4.4 The applicant notes the requirement in Condition 21 (as amended by the recent NMA Approval) requiring the development of the Podium Garden before the first occupancy of any dwelling at the same level. Details of the planting for this area will be submitted for approval in good time to allow for completion before occupation of the relevant units.

Condition 9 (Landscaping and Trees – Steps in Landscaping)

5.1 The condition states:

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

Response to Condition 9

- 5.2 Steps are proposed between Buildings W1 and W2 to access the Podium Garden from York Way. Further steps and ramps are anticipated within the Podium Garden to provide access from the Southern Gateway to the garden and the entrance to Building W1. Details of the route between W1 and W2 and the layout of the Podium Garden, including any ramps and steps within it, will be brought forward with the future Reserved Matters submission for landscaping and public realm and do not form part of the current submission.
- 5.3 The Access and Inclusivity Statement submitted separately in response to Condition 12 (see Section 8), address the design of the building itself and how it responds to the access needs of all members of the public.

Condition 10 (Environmental Sustainability Plan)

6.1 The condition states:

“Relevant applications (or groups of related applications) for Reserved Matters approval 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 of the application(s) for approval of reserved matters are submitted;*
- c) *The speculation for green and/or brown roofs on buildings within Blocks A, B and C;*
- d) *How energy shall be supplied to the building(s), highlighting:*
 - i. *How the building(s) relate(s) to the strategy for district heating and combined heat and power across the King’s Cross Central development.*
 - ii. *The assessment of the cost-effectiveness and the reliability of the supply chain for bio fuels (referred to in paragraph 12 of page 35 of the “All Parties” S106 Agreement)*
 - iii. *Any other measures to incorporate renewables*
- e) *How the proposed building(s) have been designed to achieve a BREEAM and/or Eco Homes rating of “very good” (or an equivalent assessment method and rating) or better;*
- f) *The incorporation of bird boxes, bat roofs and other wildlife features on buildings.”*

Response to Condition 10

6.2 The submission includes a separate Environmental Sustainability Plan (ESP) which addresses each of the factors listed in the condition and demonstrates that the proposed development achieves high levels of sustainability.

6.3 The report at the same time provides information to:

- Satisfy conditions 23 and 24 concerned with drainage infrastructure and green/brown roofs, respectively;
- Show how Buildings W1 and W2 respond to the obligations set out in Sections J, K, L and M of the Joint Section 106 Agreement. These sections deal, in general, with environmental sustainability and observance of the site-wide KXC Sustainability Strategy and Energy Assessment and, specifically with the environmental performance of buildings, energy reduction, construction materials and waste, operational waste, water efficiency and sustainable drainage; and
- Address current national, regional and local planning policy/guidance in relation to sustainability issues and, notwithstanding that this is a Reserved Matters submission, details how the Buildings W1 and W2 perform against policies that

have been adopted since the Triangle Outline Planning Permission was granted.

6.4 The ESP is submitted to meet the requirements of Condition 17.

Condition 11 (Earthworks and Remediation Plan)

7.1 The condition states:

“Relevant applications (or groups of related applications) for approval of the 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. All work shall be carried out in accordance with the Earthworks and Remediation Plan as approved.”

Response to Condition 11

- 7.2 The information to satisfy Condition 11 is included in a separate Earthworks and Remediation Plan (ERP) forming part of this submission.
- 7.3 The ERP sets out the proposed earthworks and remediation proposals for this submission for Buildings W1 and W2, and the lower ground/basement service area. The report provides information on the existing ground conditions and prevailing geo-environmental setting on Development Zone W in the context of emerging proposals for three buildings, a lower ground floor/basement service area and car park, and podium landscaped garden. In addition the document highlights the potential contamination risks present at the site and provides a strategy for addressing the identified risks as part of the earthworks and construction phases of the development.
- 7.4 Notwithstanding that this Reserved Matters submission relates only to W1 and W2 and the shared lower ground/basement service area, the approach has been to consider the earthworks and remediation requirements for Development Zone W in the round, to provide context for a number of individual submissions and demonstrate a consistent joined up approach across the Triangle Site.
- 7.5 The majority of the earthworks associated with the development of Zone W will arise from the construction of the lower ground floor/basement and pile excavations for the buildings above. As shown in submitted Drawing KXC-W0-001-DMA569-PL-20-1B1, the proposed lower ground/basement area extends across much of the site, encompassing the footprints of Buildings W1 and W2 and the majority of W3, as well as the area below the Podium Garden. For the limited areas falling outside the current Reserved Matters submission, namely piling for Building W3, the proposed soft landscaped areas and the public realm, indicative floorplans, pile designs and emerging landscape designs have been used to estimate volumes of export and import of spoil, such that a worst case position can be presented for Development Zone W as a whole.
- 7.6 Based on the proposed scheme for W1 and W2 and the assumptions cited above for areas outside the scope of the current submission, it is anticipated that there will be approximately 15,280m³ of cut and approximately 7,215m³ of fill, resulting in a total figure of 22,495m³ of exported and imported materials. This equates to an estimated 2,647 lorry movements carrying all excavated and imported material from and to the Triangle Site, based on 8.5m³ of unbulked (as dug) material per lorry movement.
- 7.7 In terms of site conditions and remediation, the ERP concludes that clean capping would be required in areas of soft landscaping due to the data revealing some presence of asbestos containing materials within the site soils. This is limited to the

Northern Gateway and Ecology Garden which fall outside the scope of the current submission.

- 7.8 The report also sets out the approach for unforeseen areas of contamination and recommends a number of best practice measures to be adopted during construction.
- 7.9 The ERP is provided to meet the requirements of Condition 11 and is submitted for approval.

Condition 12 (Access Statement)

8.1 The condition states:

“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 and update the Access Audit included at Annex C of that strategy;*
- b) Highlight any areas where technical or other constraints have prevented or constrained the application of these design principles;*
- c) Include a project programme for that building or phase, to identify the key stages which important decisions affecting inclusivity and accessibility will be made.”*

Response to Condition 12

8.2 A separate Access and Inclusivity Statement forms part of this submission. The statement demonstrates compliance with the criteria contained in the condition, including how the principles set out in the site-wide Access and Inclusivity Strategy (2005) have been applied in the design of the building. It also updates the Access Audit included in Annex C of that strategy.

8.3 In accordance with Section H of the Joint Section 106 Agreement, the evolution of the current proposals and the preparation of the Access and Inclusivity Statement have been guided by the applicant’s designated Inclusive Design Champion, James Holmes-Siedle at All Clear Designs Ltd.

8.4 The Access Statement is submitted to meet the requirements of Condition 12.

Condition 13 (Servicing Strategy)

9.1 The condition states:

“Servicing shall take place in accordance with plans TS003, TS004 and TS005 unless otherwise agreed in writing with the Local Planning Authority”

Response to Condition 13

9.2 The Servicing Strategy (i.e. deliveries and plant maintenance) for Buildings W1 and W2 is described in Section 3.4 of the Urban Design Report and shown on submitted drawing KXC-W0-001-DMA569-PL-20-1B1. The refuse strategy is also set out in the same section and summarised in Section 12 of this Compliance Report.

9.3 In summary the servicing arrangements for Buildings W1 and W2 are based on the following principles:

- In all cases (i.e. residential and commercial), it is expected that deliveries will be undertaken via the service yard and loading area to the north of W1 as envisaged by parameter plans TS003, TS004 and TS006. The loading area is sized at 35m² (4.3m x 8.2m) and will be used for the off-loading and unpacking of goods and materials and the storage of material handling equipment. The loading area/service yard will be actively managed to ensure the safe co-ordination of vehicle movement and parking within this area. Access to the parking/ service area will be controlled by a 24 hour manned security within the building.
- Direct access into the lift cores of both W1E and W1W will be provided by the building management team for large scale deliveries and removals via the entrances at lower ground floor level off the Northern Gateway.
- Access to W2 for large items delivery and removals is via the service yard, thus avoiding vans and lorries parking outside the building on York Way. The shared circulation route at lower ground/basement level will provide dedicated access to each core.
- The retail uses in Buildings W1 and W2 are estimated to generate 26 delivery and servicing trips a day. These will also be serviced from the loading bay, with vehicles parking in the service area and goods being wheeled to the relevant retail unit/store via the shared circulation route.
- Mechanical and Electrical plant is positioned around the north and eastern perimeter of the development where the spaces benefit from direct access to the Northern Gateway and the service yard for plant replacement and ventilation to the outside.

9.4 The above strategy ensures the retail frontage within the public realm, in particular along York Way, is kept free from plant space and external louvres that would reduce the amount of active frontage available.

9.5 The details above and within the UDR demonstrate compliance with Condition 13.

Condition 14 (Details Required by Condition - Structures)

10.1 The condition states:

“Details of the siting of buildings as shown on plans TS004 revision K to TS007 revision K inclusive shall be submitted to the Local Planning Authority and approved in writing prior any works taking place in relation to such buildings. All works should be carried out in accordance with the details as approved.”

Response to Condition 14

- 10.2 The precise siting of Buildings W1, W2 and the lower ground/basement service area, within the limits of deviations shown on Parameter Plans TS004 Rev K to TS007 (as amended by the NMA Approval) Rev K, is shown on the plans submitted for approval and listed after Section 1 of this Compliance Report. In particular, drawings KXC-W0-001-DMA569-PL-20-1B1 and 100 show the proposed buildings and basement service area at Lower Ground (LB1) and Ground Floor (L00) levels.
- 10.3 The details provided in the accompanying Drawing Package meet the requirements of Condition 14 and are submitted for approval.

Condition 15 (Details Required by Condition - Floorplans etc.)

11.1 The condition states:

“Details and particulars (including floorspace figures, floor plans and layouts of the uses), and the vehicle and other serving and access arrangements, including provision of parking to be accommodated in built accommodation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved.”

Response to Condition 15

- 11.2 The plans included within the submitted drawings set provide the floorplan, layout and access details required by the condition. Table 15.1 that follows this section summarises the floorspace figures for each building floor by floor.
- 11.3 Overall, Buildings W1 and W2 will provide a total floorspace of 21,813m² GEA, excluding plant, infrastructure and utility elements as per Annex B of the Triangle Outline Planning Permission². Those exclusions total 3,060m² GEA and comprise internal plant, cycle storage, the car park, refuse storage and the loading bay.
- 11.4 The total residential floorspace proposed is 20,605m². This comprises 14,077m² in Building W1 and 6,389m² in Building W2 from Level 00 upwards. A further 139m² GEA is provided at lower ground/basement level (Level LB1) for storage, circulation and the cleaner’s store.
- 11.5 The buildings also include four commercial units (Class A1-A4) at Levels LB1 and 00, totalling 775m² GEA, including retail storage space of 54m² at lower ground/basement level. The floorspace for each unit (in GEA), including ancillary storage space, is as follows:
- Unit 1 – 167m²
 - Unit 2 – 242m²
 - Unit 3 – 167m²
 - Unit 4 – 199m²
- 11.6 Taking account of the excluded areas and car/cycle parking noted above, the basement area totals some 769m² GEA. Of this, 433m² represents shared circulation space, for example the corridor linking the cores, retail storage and refuse stores to the loading bay, and is therefore not attributable to any one particular use.
- 11.7 The details submitted are to meet the requirements of Condition 15 and are for approval.

² Appendix B to the Triangle Outline Planning Permission confirms in Note 2 that the total floorspace applied for excludes plant, infrastructure and utility elements which would form part of the development and for which planning permission is sought, for example substations, transformers, waste storage and recycling facilities, service access and a covered loading bay. Notes 3 and 4 of the same appendix confirm that car and cycle parking/storage and residential balconies are both excluded.

Floor Level	Residential		Retail (A1-A4)		Shared	<i>Excluded</i>
	W1	W2	W1	W2		
LB1	139		197		433	2,904
L00	810	199	56	522	0	156
L01	1,081	690	0	0	0	0
L02	1,078	917	0	0	0	0
L03	1,076	917	0	0	0	0
L04	1,082	917	0	0	0	0
L05	1,082	917	0	0	0	0
L06	1,072	916	0	0	0	0
L07	1,072	916	0	0	0	0
L08	1,068	-	0	-	0	0
L09	1,063	-	0	-	0	0
L10	1,063	-	0	-	0	0
L11	506	-	0	-	0	0
L12	506	-	0	-	0	0
L13	506	-	0	-	0	0
L14	506	-	0	-	0	0
L15	506	-	0	-	0	0
Sub-totals (excl. LB1)	14,077	6,389	56	522	433	3,060
Totals	20,605		775		433	3,060

Condition 16 (Details Required by Condition - Refuse Storage and Collection)

12.1 The condition states:

“Details and arrangements for storage and collection of refuse, including location, design, screening, operation and inclusion of facilities for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved.”

Response to Condition 16

12.2 The Servicing and Waste Strategy is described in Section 3.4 of the submitted UDR.

12.3 The proposed refuse, storage and collection arrangements, including the segregation of recyclables, are shown on the LB1 (lower ground/basement) and L00 level drawings KXC-W0-001-DMA569-PL-20-1B1 and 100, within the submitted drawing set.

12.4 In summary, the refuse strategy is based on the following principles:

- W1E and W1W each house a ventilated refuse store located adjacent to the core at lower ground floor level with external access from the Northern Gateway. Refuse collection vehicles will park adjacent to each of the stores within the Northern Gateway and the service yard and have access to the secure entry doors via an agreed means.
- The store for the Open Market and Intermediate units in W2S is located in the basement service area adjacent to the core. A ramped corridor links the store to the loading bay. Building management will wheel the bins to the loading bay area on the relevant day for collection by the local authority.
- The stores for W1 and W2S will be connected by a chute to allow residents to deposit waste from Level 00.
- The store for W2N is located at street level off York Way with a dedicated entrance located between the street and the lift lobby to enable residents to deposit their own refuse directly in the store en route to and from their apartments.
- The bin stores to each of the respective residential blocks have been designed according to the formulae provided by LBI and LBC, and to hold at least 8 days of waste generation. Each store will therefore accommodate the following number of bins:
 - W1E: 24no x 1100 litre bins
 - W1W: 15no x 1100 litre bins
 - W2S: 12no x 1100 litre bins
 - W2N: 12no x 1100 litre bins
- Bulk refuse stores serving the residents of W1 and W2 are located within the basement demise to accommodate larger items such as unwanted furniture and white goods.
- The retail units will be served by a commercial refuse store at lower ground level adjacent to the loading bay, sized to provide 10no x 1100 litre bins. This allows for two days waste generation by the four units, although it is assumed

that refuse will be collected on a daily basis by a commercial contractor. All units incorporate direct connections/soft spots to enable access to the basement service corridor and the refuse store. Waste disposal contractors will use the service yard and loading bay to collect the waste; no commercial refuse will be collected from York Way.

- 12.5 The details provided above and in the UDR meet the requirements of Condition 16 and are submitted for approval.

Condition 17 (Development to be Carried out in Accordance with Permission Parameter Plans and Development Specification)

13.1 The condition (as amended by the NMA Approval) states:

“The development shall be carried out in accordance with the Development Parameters shown on the Revised Parameters Plans (as revised by subsequent reserved matters approvals) and as described in the specified paragraphs of the Revised Development Specification dated August 2005 comprising:

- a. The access arrangements shown on drawings TS003 revision K together with paragraph 4.10;*
- b. The lower ground level arrangements shown on drawing TS004 revision K together with paragraphs 4.11-4.15;*
- c. The upper ground level arrangements shown on drawing TS005 revision K together with paragraphs 4.16-4.18;*
- d. The garden level arrangements shown on drawing TS006 revision K including the maximum building heights shown together with paragraphs 4.19-4.22;*
- e. The upper level arrangements shown on drawing TS007 revision K including the maximum building heights shown together with paragraphs 4.23-4.25*
- f. The section shown on drawings TS008 revision E and TS009 revision E to the extent that they show indicative proposals only for the works and land uses, together with paragraphs 4.26 and 4.27.”*

Response to Condition 17

13.2 The following paragraphs test compliance with the Revised Parameter Plans (including substitute plans TS006 and TS007 which were amended by the recent NMA Approval) and specified paragraphs of the Triangle Site Revised Development Specification.

(a) Access Arrangements (Parameter Plan TS003 Rev K)

13.3 Parameter Plan TS003 shows a new joint access off York Way to serve both the Triangle Site and the CTRL London West Portal Muster Area, located to the north of W1. This is referred to in the submission documents as the ‘Northern Gateway’. The extent and configuration of the access are subject to Limits of Deviation.

13.4 The current proposals do not include details of the Northern Gateway, which will come forward as part of a separate Reserved Matters submission in due course. However, the scheme is consistent with Parameter Plan TS003 and paragraph 4.10 of the Revised Development Specification, with access to Building W1 and the lower ground/basement service area proposed from the Northern Gateway. The design also supports access to the CTRL facility, which is already built, as envisaged in the same paragraph.

13.5 The proposed arrangements, including indicative details for the Northern Gateway, are shown on submitted drawing KXC-W0-001-DMA569-PL-20-1B1 and demonstrate compliance with the relevant Parameter Plan.

(b)/(c) Lower Ground Level Arrangements (Parameter Plan TS004 Rev K) and Upper Ground Level Arrangements (Parameter Plan TS005 Rev K)

- 13.6 Parameter Plans TS004 and TS005 envisaged two 'ground floor' levels which addressed the increasing site level along York Way and sought to accommodate both retail and ancillary/service uses below a private podium garden for residents of the Triangle apartments at 'garden level' (Parameter Plan TS006). During early discussions with officers, it was agreed that the scheme would benefit from the garden being open to the public and level with the Southern Gateway at Randell's Road. At the same time, it became apparent to the design team that the areas designated for cycle parking, refuse and plant within the lower ground level were insufficient to meet the desired levels of provision and were located in areas which were either mismatched with the position of cores or created significant blank facades of ancillary uses, particularly on the northern façade of W1. In contrast, the extent of retail envisaged by Parameter Plan TS005 was extremely generous and was unlikely to be fulfilled by demand. As a result, the recently approved application for non-material amendments shows proposals for the site level of the podium garden to be lowered to between +27 and +27.5m, creating level access onto Randell's Road and sets out the consequential amendments to the reorganisation of uses at lower ground floor level.
- 13.7 The new level of the podium garden is below the maximum height of +33.2m AOD for the amenity space set out on Parameter Plan TS006 and within the +/-2.5m limit of deviation for the proposed finished level of the retail space indicated on TS005. Consequently, it does not have an appreciable impact on the appearance of the ground floor levels from the public realm or height of the buildings overall. Retail is retained along and accessed from the York Way frontage as envisaged by TS004 and TS005 and paragraphs 4.11 and 4.16 of the Revised Development Specification, maintaining a positive pedestrian experience along the street. Most of the ancillary functions of the buildings such as plant, refuse, car and cycle parking have now been consolidated within a single lower ground/basement level with much of this space hidden in the upward slope of the site as anticipated by paragraph 4.12 of the Development Specification. Drawing KXC-W0-001-DMA569-PL-20-1B1 shows the layout of the service area, which forms the majority of the lower ground floor, alongside the retail unit on the western end of Building W1. As noted in (a) above, this area is accessed via the Northern Gateway, in accordance with Parameter Plans TS003 and TS004 and paragraph 4.13 of the Revised Development Specification.
- 13.8 Whilst the service route described in paragraph 4.18 is outside the scope of this submission, the design of Building W1 includes an integrated loading bay as part of W1E which is pulled back into the building footprint, beyond the 2.5m Limit of Deviation. The proposal for an integrated loading bay does not change the principle established by TS005 and paragraph 4.18 for servicing to take place via the Northern Gateway, albeit it is now set within a consolidated lower ground floor level, and will bring additional benefits in terms of minimising conflict with pedestrians, reducing the visual impact of parked vehicles and maximising the space for the Ecology Garden to the north.
- 13.9 Parameter Plan TS004 shows an area identified as a 'Garden Lobby/Lift' adjacent to a retail unit at the western end of Building W1. Paragraph 4.11 explains that this lift would provide access "for residents and other key holders to the amenity space above". The restriction on access has subsequently been removed by amendments

to Condition 21 under the NMA Approval. Although the detailed design will form part of a later Reserved Matters submission for public realm and landscaping, the current proposals include provision for lift access to the podium garden (with steps alongside) within the area identified between Buildings W1 and W2 (see drawing KXC-W0-001-DMA569-PL-20-100).

- 13.10 Paragraph 4.14 refers to pedestrian access at the lower ground level to Building W1 from the north elevation and to the retail unit from York Way. As well as the main entrance from the podium garden, residents may also access Building W1 from the north façade via the Northern Gateway. Retail Unit 4 is accessed from York Way, with a secondary entrance for 'back of house' functions such as refuse and deliveries from the Northern Gateway. These entrances are shown on submitted drawings KXC-W0-001-DMA569-PL-20-1B1 and KXC-W1-001-1768-PL-20-100.
- 13.11 Details of the ecology garden in the north-eastern part of the site identified on Parameter Plan TS004 as the 'Proposed Habitat Area' including its extent, border treatment and planting, will be brought forward under a separate Reserved Matters submission.
- 13.12 Submitted drawings KXC-W0-001-DMA569-PL-20-1B1 and 100 show that in accordance with paragraph 4.17, pedestrian access to the retail units and residential cores to Building W2 will be provided directly off York Way. The proposals also enable the future delivery of public realm at the southern end of the site with the lowered podium structure of the basement service area setting the site levels to allow level access from Randell's Road to the central garden space, as described above. Details of the landscaping to the Southern Gateway and the podium garden will be brought forward in a separate Reserved Matters submission.
- 13.13 It is considered that the proposed approach to the lower and upper ground floor arrangements outlined above does not materially impact on or alter the principles established by the Triangle Outline Planning Permission, that is to create a mixed use development comprising three principal buildings with a shared lower ground level and central amenity space to provide a mix of market and affordable homes, retail and leisure uses. Indeed the approach brings additional benefits by facilitating public and level access to the podium garden.
- 13.14 The principle of the amendments was accepted by the recent NMA Approval which set out the rationale to the design approach with a view to the detail being provided by way of a Reserved Matters submission. This is reflected in the revised wording to Condition 17. The proposals are considered to be consistent with the underlying reasoning behind Condition 17 and would not lead to any effects that were not assessed in the Environmental Impact Assessment which supported the outline planning application in 2005. The Applicant therefore requests that the Local Planning Authorities enable these limited and beneficial variations through the approval of the submitted drawings which form the Drawing Package.

(d) Garden Level Arrangements (Parameter Plan TS006 Rev L)

- 13.15 Parameter Plan TS006 shows development at garden level (Level 00 on the submitted drawings), including the development zone area boundaries for each building. In some cases, these boundaries are subject to limits of deviation. In relation to Buildings W1 and W2, the proposed development aligns with the boundaries as defined on the Parameter Plan.

- 13.16 As noted in paragraph 13.2, Parameter Plan TS006 was amended by the NMA Approval, specifically:
- the removal of the stepped roofline and dropped shoulders on Building W1 in favour of three increasing volumes up to +64m AOD, +73m AOD and +82m AOD, and the removal of a set-back on W2 to create a continuous maximum height of +55m AOD; and
 - the plan no longer shows the location of the residential cores to allow for an adjusted internal layout that reflects the position of the TCT and maximises the number of dual aspect units.
- 13.17 Blocks W1E and W1W will have maximum heights of +80.55m and +64.00m AOD, respectively. Both are within the maximum permitted heights shown on Parameter Plan TS006 (as amended). W1C falls significantly below the maximum permitted height at +31.21m AOD. Building W1 will have a continuous roofline of +55.00m AOD in accordance with the maximum height shown on the plan.
- 13.18 Para 4.19 states that W1 and W2 should be solely residential at this level and above, reflecting the original restriction on public access to the garden in Condition 21 (now removed). Although the retail units within Building W2 have some frontage onto the podium garden due to the lowered site levels described above, there is no direct access into the units from the garden. Instead, users of the garden will see glimpses of activity within the retail units and of York Way beyond, which will animate the garden space and enhance legibility. It is considered that this connection with other uses and the public realm responds better to the public nature of the garden, while the position of the entrances to W1 and W2 and the provision of apartments in W1 at podium level maintain a focus on the residential use that surround it in line with the intent of paragraph 4.19.
- 13.19 As a result of the amendments to the wording of Condition 21, the levels to the podium garden have been lowered to create level pedestrian access into the space from Randell's Road. Public access is also provided from York Way via the steps and lift proposed between W1 and W2 and the residential cores of both buildings (see submitted drawing KXC-W0-001-DMA569-PL-20-100), consistent with paragraph 4.20 of the Development Specification. The podium garden continues to provide access to/from the residential cores within W1 and W2. The main entrance to W1 is located at the northern end of the garden, while separate entrances to both cores of W2 provide residents with access to/from the apartments and York Way at the lower level.
- 13.20 As a result of the NMA Approval, paragraph 4.21 regarding the private central amenity space is no longer relevant.

(e) Upper Level Arrangements (Parameter Plan TS007 Rev L)

- 13.21 Parameter Plan TS007 was also amended by the NMA Approval. For the reasons set out in (d) above, the revised plan shows the simplified roofline and associated maximum permitted heights and does not include specified locations for the cores. The plan, which is stated in paragraph 4.23 to indicate development at Level 08, no longer shows the maximum permitted height of W2 on the basis it now sits below this level and the information repeats that on TS006. This building is now represented by a dashed line consistent with Building W3 which also sits at a lower level. The floorspace at this level is solely residential.

- 13.22 Parameter Plan TS007 also shows the Development Zone Boundaries and associated limits of deviation for W1.
- 13.23 The proposals are consistent with Parameter Plan TS007 Rev L and paragraphs 4.23 to 4.25 in so far as they apply to the revised plan.

(f) Sections (Parameter Plans TS008 and TS009, both Rev E)

- 13.24 The Development Specification includes two sections, Parameter Plans TS008 and TS009, which show the arrangement of W1 as three distinct volumes rising from 11 residential storeys alongside York Way to 14/17 storeys to the east. As explained previously, the massing of W1 was amended by the NMA Approval to omit the stepped roofline and dropped shoulders, and to create a more simplified form. Although revised Parameter Plans TS006 and TS007 continue to show increasing maximum permitted heights across three blocks, it was considered that this massing would be too dominant, particularly in views from the north where it would appear as a continuous 'wall' of development. Consequently, the middle block, W1C, has become a lower two storey element which sits well below the maximum permitted height (see response to (d) above), reinforcing the sense of two distinct residential blocks and marking the central point of arrival to the building. Further details on the proposed massing are provided in the submitted Urban Design Report and the Drawing Package.
- 13.25 The details provided in paragraphs 13.2 to 13.24 above and in the submitted documents demonstrate compliance within 17.

Condition 18 (Floorspace Permitted)

14.1 The condition states:

“The total floorspace constructed and used pursuant to this outline planning permission shall not exceed 26,600 sq. m (gross external area). This total floorspace excludes:

- a. Plant, infrastructure and utilities forming part of supporting the development including substations, transformers, waste storage and ancillary recycling facilities*
- b. Services access including a covered loading bay*
- c. Residential balconies*
- d. Car and bicycle parking provided (with lifts and stairs) at lower ground level.”*

Response to Condition 18

- 14.2 The proposed floorspace in W1, W2 and the lower ground/basement service area (subject to the exclusions set out in the condition and notes to Appendix B of the Triangle Outline Planning Permission) is set out in detail in Section 11, presented in connection with Condition 15. Building W3 will be brought forward separately in due course.
- 14.3 This submission brings forward 21,813m² GEA of floorspace within Development Zone W. The zonal maximum of 26,600m² GEA would therefore not be exceeded by the current proposals.
- 14.4 The details submitted enable the Local Planning Authorities to monitor the position with regard to floorspace build-up and do not require approval.

Condition 19 (Uses Permitted – Maximum Floorspace Figures)

15.1 The condition states:

“Notwithstanding the provisions of the Use Classes Order, permission is hereby granted only for the following uses;

- a. Residential use within Class C3*
- b. Shopping, food and drink uses within Classes A1, A2, A3 and A4*
- c. Crèche, day, nursery, day centre and public hall uses within Class D1*
- d. Health and fitness, indoor sport and leisure uses within Class D2*
- e. Other miscellaneous uses, including car and bicycle parking, plant, sub-stations, transformers, waste storage and recycling facilities and a covered loaded bay.*

*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, the individual maximum floorspace figures as set out in **Appendix B** (floorspace schedule) attached, that table being read together with the notes 1-3 inclusive. ”*

Response to Condition 19

15.2 The table following this section shows that the proposed floorspace for the uses within Buildings W1 and W2 and the lower ground/basement service area (subject to the exclusions set out in the notes to Appendix B of the Triangle Outline Planning Permission) would not exceed the maximum figures for the relevant land uses applying to Development Zone W as set out in the floorspace schedule attached as Appendix B to the permission.

15.3 These details enable the Local Planning Authorities to monitor the position with regard to the proposed floorspace and do not require approval.

	Residential	Retail (Use Classes A1-A4)	D1/D2 Uses
Buildings W1 and W2	20,605	775	0
Total GEA	20,605	775	0
Maximum Permitted Floorspace as set out in Appendix B of the Triangle Outline Planning Permission (m ² GEA)	21,100	2,500	3,000

Condition 20 (Uses Permitted – Maximum Number of Residential Units)

16.1 The condition states:

“The residential floorspace constructed and used pursuant to this permission when completed shall include no more than 246 residential units with Class C3 of the Use Classes Order 1997 unless otherwise approved in writing by the Local Planning Authority.”

Response to Condition 20

- 16.2 This submission for Buildings W1 and W2 is the first to come forward within Development Zone W. Both blocks are identified for residential uses with retail at street level by Appendix B to the Triangle Outline Planning Permission and the accompanying Revised Development Specification and Parameter Plans. Building W3 is yet to be brought forward for Reserved Matters approval but is identified for D1/D2 uses in the same documents. The permission does not anticipate any residential uses in that building.
- 16.3 This submission will bring forward 218 residential units across both buildings, within the maximum figure of 246 units set out in Condition 20.
- 16.4 These details enable the Local Planning Authorities to monitor the position with regard to the number of residential units and do not require approval.

Condition 22 (Residential Daylight and Sunlight)

17.1 The condition states:

“Applications for the approval of Reserved Matters in relation to the residential accommodation shall be accompanied by details of how the proposed design applies the standards recommended in the Building Research Establishment’s ‘Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice 1991.’”

Response to Condition 22

- 17.2 A Daylight and Sunlight Report prepared by Delva Patman Redler is submitted as a separate document and sets out details of how the design for Buildings W1 and W2 has applied the standards recommended in the BRE’s ‘Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice’ (1991) (the ‘BRE Guidelines’), as referred to in Condition 22. The report also has regard, where relevant, to the updated guide published in 2011 which replaced the 1991 document referred to in the condition.
- 17.3 The BRE Guidelines specify that daylight to new-build residential accommodation should be assessed using the Average Daylight Factor (ADF) method. This is a detailed method which considers the amount of sky visibility on the vertical face of the window, the window size, room size and room use.
- 17.4 All rooms within both residential buildings up to and including the second floor (L02) (totalling 122 rooms) have been tested. These lowest floors of buildings within an urban context typically represent the ‘worst case’ scenario. The results can be extrapolated up the buildings and naturally the daylight and sunlight levels will improve as you rise up the building dependant on aspect.
- 17.5 The report shows that of the 122 rooms tested, 101 (82.7%) will comfortably comply with the BRE requirements.
- 17.6 Of the 21 rooms that do not meet the BRE Guidelines, some by only a small margin, 6 are located in Building W1. Five of these serve bedrooms which generally have a lower expectation for daylight due to the usual hours of occupation. The living rooms serving each of these units comfortably comply with the BRE standards. The final room that does not meet BRE guidelines within W1 is a ground floor market studio within W1E. This falls shy of the suggested standard primarily due to the recessed nature of the room and its position at Level 00 adjacent to the future building W3. The daylight to all 6 rooms will improve further up the building.
- 17.7 The other 15 rooms that do not meet the BRE Guidelines are in Building W2 and have deep recessed balconies or are situated on the northern façade, both naturally inhibiting daylight. All 15 rooms are bedrooms which are considered to be less sensitive to lower daylight levels. Notably, the living rooms serving these units comfortably comply with the BRE standards.
- 17.8 In relation to sunlight, the criteria given in the BRE Guidelines calculates the annual probable sunlight hours (APSH) having regard to the amount of sun available in both the summer and winter for each window facing within 90 degrees of due south.

Summer is considered to be the six months between March 21st and September 21st, with winter considered to be the remaining months.

- 17.9 The report shows that that all but two living room windows in Building W1 will comfortably comply with the BRE Guideline. These 2 living rooms fall below the benchmark due to the recessed nature of the rooms which naturally inhibits the availability of sunlight.
- 17.10 A total of 8 rooms fall below the benchmark in Building W2. This is in part due to the scale and proximity of the neighbouring buildings on York Way.
- 17.11 Overall, the daylight and sunlight amenity to the residential elements of Buildings W1 and W2 are considered to be very favourable given the context of other buildings in high density urban locations and the desirability of providing private amenity space in the form of recessed balconies which has an inevitable impact on daylight and sunlight. The relevant standards have been applied in a positive and responsive manner and any variance with the BRE standards has been minimised by careful design, which has achieved a high standard of overall residential amenity within the buildings.
- 17.12 These above summary and the submitted Daylight and Sunlight Report are considered to meet the requirements of Condition 22.

Condition 23 (Drainage Infrastructure)

18.1 The condition states:

“The new drainage infrastructure within the site shall be designed such that the peak stormwater discharge to the existing combined sewers shall not be more than 67 litres per second.”

Response to Condition 23

- 18.2 The information to show compliance with Condition 23 is included within Section 2.3 of the ESP submitted for Condition 10. This shows that through a range of sustainable design features, together with a coordinated approach to new drainage infrastructure with the design teams working on other zones, the proposals for W1 and W2 are compatible with the drainage strategy for Development Zone W and will minimise drainage discharge to the existing combined storm and foul sewers. Through this strategy, the proposed buildings incorporate attenuation measures such as blue roofs which will store water in the roof build up to manage run off into the sewer network. This forms part of a holistic strategy which will see further measures brought forward with the public realm and podium garden to ensure the maximum drainage discharge of 67 litres/second specified in the condition is not exceeded.
- 18.3 The details above and in the submitted ESP are considered to meet the requirements of Condition 23.

Condition 24 (Green and Brown Roofs)

19.1 The condition states:

“New building constructed pursuant to the planning permission within Blocks A, B and C shall incorporate Green and/or Brown Roofs as specified in Paras 3.31 and 3.32 of the Revised Development Specification dated August 2005.”

Response to Condition 24

- 19.2 Condition 24 refers to Paragraph 3.31 of the Revised Development Specification which envisage green (sedum) roofs to Building W2 and brown roofs to the penthouses of W1 and lift overruns on W2. Paragraph 3.32 of the same document suggests that these roofs could sit alongside terraced roof areas finished in paving or timber decking.
- 19.3 Buildings W1 and W2 will feature approximately 309m² of green and brown roofs in accordance with Condition 24. On W1, 44m² of green roof will be provided alongside the penthouse roofs of W1W with a further 118m² of biodiverse brown roof on top of the roof to W1E. Building W2 will include 147m² of green roof on the eastern side of the building. Both buildings will also include blue roofs to attenuate surface water runoff.
- 19.4 Additional brown roof was considered to the lift overruns on Building W2. However, this location presented a number of challenges, including the small area available, the separation from the much larger green roof beneath, and the location above the parapet surrounding the main rooftop which could limit opportunities for planting successfully bedding in. On balance, it was felt that the level of provision elsewhere at roof level met the intent of paragraphs 3.31 and 3.32 referred to in the condition.
- 19.5 Green roofs proposed will consist of a vegetation mat which provides an instant greening effect, planted with supplementary plug planting to offer extra richness, increased biodiversity and improved visual amenity. All planting will be of lightweight, low maintenance, wind, frost and drought resistant plants, used en masse to include, herbs, ferns, sedums and succulents.
- 19.6 The biodiverse brown roofs will incorporate informal mounds and troughs with piles of logs and different sized stones, reminiscent of the habits found on the undeveloped site, to provide micro habitats for insects.
- 19.7 Terraces will be provided to the penthouse units at level 11 and will feature planters to be maintained by occupiers of the relevant units. The additional planting offered by these terraces will make a contribution, albeit small, to the ecological enhancement of the site.
- 19.8 Further details of the proposed roofs are provided in the submitted ESP and shown on the roof plans, KXC-W1-001-1768-PL-20-111 and 116 (for W1) and KXC-W2-001-DMA569-PL-20-108 (for W2). This information is provided to meet the requirements of Condition 24.

Condition 25 (Car Parking Standards)

20.1 The condition states:

“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: an average of 0.40 spaces per unit across all unit types and tenures, to be provided within the lower ground level shown on drawing TS004 Rev K;*
 - ii. Class D1/D2 uses: 1 space per 1:1000 sq. m gross floor area;*
 - iii. Classes A1-A4 inclusive uses; No provision other than for people with disabilities (to be agreed in writing by the Local Planning Authority at the Reserved Matters stage)*
- (b) 4 visitor parking spaces to be provided to the north block A as shown in drawing TS003 revision K*
- (c) Any additional parking required by the Local Planning Authority by people with disabilities may be provided in addition to the above standards*
- (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 the Reserved Matters for the development.”*

Response to Condition 25

- 20.2 Details of car parking provision within the proposed development are set out in Section 3.3 of the submitted UDR.
- 20.3 In summary, a total of 48 residents' parking spaces are proposed within the lower ground/basement area, of which 5 are designated for wheelchair users. This equates to an average of 0.22 spaces per unit across all unit types which is lower than the maximum of 0.40 spaces per unit stated in part (a)(i) of the condition.
- 20.4 The number proposed also allows for up to 9 spaces to be allocated to Social Rented units in line with the parking ratio set out in paragraph 8 of Schedule 1 to the draft Deed of Variation to the Camden S106 Agreement (Intermediate units do not have the benefit of any car parking spaces under the same paragraph). However, at this stage, the registered provider of the Social Rented units is not confirmed and therefore it is not known if the provider will take up any of the parking spaces for these tenures. It is worth noting that neither the Triangle Outline Planning Permission or Camden S106 Agreement impose a minimum requirement for car parking to the Social Rented units.
- 20.5 In addition, 10 motorcycle parking bays are proposed within the central island area.
- 20.6 No parking is proposed for the retail units in accordance with part (a) (iii) of the condition. Further, it is not intended that users of any future leisure facility will have access to the car parking at basement level.

- 20.7 In accordance with part (b) of the condition, it is envisaged that two visitor spaces and two wheelchair parking spaces (operated on a blue badge basis) will be provided at ground floor level off the new access route to the north of Building W1. These additional spaces are shown for information on submitted drawing KXC-W0-001-DMA569-PL-20-1B1 and will be brought forward as part of the separate Reserved Matters submission for the public realm.
- 20.8 These details are provided to demonstrate compliance with the condition and do not require approval.

Condition 26 (Cycle Parking)

21.1 The condition states:

“Unless otherwise agreed in writing by the Local Planning Authority, the development shall provide for the use of occupiers of the development cycle parking/storage for 246 bicycles at Lower Ground Level”

Response to Condition 26

- 21.2 Details of the proposed cycle parking for occupiers of the development are provided in Section 3.2 of the submitted UDR.
- 21.3 In summary, a total of 363 bicycle spaces are proposed for residents of Buildings W1 and W2, distributed across eight individual cycle stores within the lower ground/basement area. This number is based on a ratio of 1 cycle space per bedroom, and exceeds the Joint S106 Agreement requirement for 246 spaces in Condition 26 of the Triangle Outline Planning Permission.
- 21.4 The number proposed exceeds the standards set out in Appendix 2 of the Development Policies Document (2010) of LBC’s Local Plan which requires 1 space per unit, and meets the requirement for 1 space per bedroom in Appendix 6 of LBI’s Development Management Policies Document (2013), albeit it is noted that this includes visitor provision as well.
- 21.5 It is anticipated that 236 spaces will utilise the Josta Parker system, with a further 127 spaces provided via wall mounted hangars. At least one Josta Parker stand is provided per unit.
- 21.6 Ratios for visitors are not prescribed by Condition 26 or the related Section 106 Agreements and so we have considered the current standards in the LBI and LBC Local Plans instead to ensure that adequate provision is made by any future Reserved Matters submission(s) and that the position of the spaces relates to the different uses within the buildings.
- 21.7 Appendix 2 of the LBC Development Policies Document requires a minimum of 1 space per 250m² (GEA) for visitors to A1-A5 and D1/D2 uses over a threshold of 500m². A visitor space should also be provided for every 10 residential units.
- 21.8 Appendix 6 of LBIs Development Management Policies Document does not distinguish between visitor and employee/resident spaces in its standards, although it does acknowledge that visitor spaces may be provided within the public realm. These standards require 1 space for every 60m² of A1-A5 floorspace, 1 per bedroom for residential use and 1 space for every 275m² of D1/D2 uses.
- 21.9 The illustrative scheme for the public realm, shown on submitted drawing KXC-WO-001-DMA569-PL-20-100, demonstrates that it could accommodate up to 104 spaces for visitors to both the residential apartments, retail and (eventually) leisure uses using 52 Sheffield Stands.
- 21.10 Based on retail floorspace of 775m², 218 residential units and an assumed leisure floorspace in W3 of 3,000m², this would equate to 37 visitor spaces under the standards in LBC’s Development Policies Document. LBIs standards, which consider

visitors and residents/staff together, would require a total of 385 spaces across the development. Of this number, 24 would be required for the retail and leisure users/employees.

- 21.11 The intended future provision of up to 104 spaces in the surrounding public realm and podium garden more than meets the requirements of both LBI and LBC policies, particularly when considered in the context of the significant residential provision at lower ground/basement level. The number of spaces would also accommodate any staff parking requirement for the retail and leisure uses if necessary, notwithstanding that we would expect these to be provided by the tenant within their own demise as part of the fit-out.

Conditions 27, 28 and 30 (Noise)

22.1 The conditions state:

“Prior to commencing any construction on the site, a base line noise monitoring survey shall be carried out and made available to the Local Planning Authority”

“Before development commences, details shall be submitted to, and approved by, the Local Planning Authority to demonstrate that the noise impact of any plant or equipment to be installed on the site will meet the following standards:

- a. Noise levels at a point 1 metre external to sensitive facades to be at least 5dB(A) less than the existing measurement (LA90), 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, discreet 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 level from that piece of plant/equipment at any sensitive façade at least 10dB(A) below the LA90, expressed in dB(A).*

The development shall be carried out in accordance with the details, as approved unless otherwise agreed in writing by the Local Planning Authority.”

“Construction of residential development within Blocks A and B (as shown on drawing TS006 revision K) shall not begin until approval in writing from the Local Planning Authority has been issued for a scheme to protect that development from environmental noise. The scheme shall be designed to ensure that, with windows closed and an alternative ventilation system provided:

- External environmental noise within the bedrooms shall not exceed 35 dB LAeq, 8 hr between 23:00 and 07:00 hours, and shall not normally exceed 45 dB LAm_{ax}(f) at other times;*
- External environmental noise within other living rooms shall not exceed 40 dB LAeq, 16 hr between 07:00 and 23:00 hours.”*

Response to Conditions 27, 28 and 30

22.2 A baseline noise monitoring survey was undertaken by The English Cogger LLP (dated June 2007) and approved in relation to the Main Site by the LBC pursuant to Condition 59 of the KXC Outline Planning Permission³. A further survey was carried out between December 2007 and March 2008 which included the Triangle Site and this led to a revised report dated April 2008 (the ‘2008 Noise Survey’).

22.3 Given the time that has elapsed since the 2008 Noise Survey and the contextual changes that have taken place, additional measurements were taken on the Triangle Site by Hoare Lea in 2014. These are set out in the Acoustic Report which forms Appendix B to this document. This document captures the pre-existing ambient

³ Discharge of Condition 59 by the London Borough of Camden was confirmed by letter dated 12 June 2007.

noise levels for the Triangle Site prior to commencement of construction works for the purposes of Condition 27 of the Triangle Outline Planning Permission.

22.4 The Acoustic Report is also submitted to address the requirements of Conditions 28 and 30 and demonstrates that:

- the proposed plant on W1 and W2 will achieve the day and night time noise emission targets (Condition 28); and
- environmental noise levels (e.g. from rail and road noise) can be appropriately mitigated to achieve the targets in the condition through the use of high performance window units on the worst affected facades and appropriate sound insulation within the façade and ventilation systems when these elements are specified at the detailed design stage (Condition 30).

22.5 The Acoustic Report is provided to meet the requirements of Conditions 27, 28 and 30 and is submitted for approval.

Condition 29 (Noise)

23.1 The condition states:

“Before development commences, a scheme shall be submitted to, and approved by, the Local Planning Authority to demonstrate how the proposed dwellings would be insulated to a standard that will ensure that internal groundborne noise levels do not normally exceed 35 dB L_{Amax,s}. The dwellings shall be constructed in accordance with the scheme, as approved, unless otherwise agreed in writing by the Local Planning Authority”

Response to Condition 29

- 23.2 A Structureborne Noise Report by Ramboll Acoustics is submitted separately to provide the details required by Condition 29.
- 23.3 Ramboll Acoustics has assessed the passage of trains through the Thameslink Canal Tunnels ('TCT') and East Coast Main Line ('ECML') which pass along the northern and eastern boundaries of the site and the potential for internal groundborne noise to exceed the 35dB L_{Amax,s} level identified in the condition. The works include vibration measurements and assessment of the impacts of the ECML and Finite Element Modelling to determine the effects of the TCT. Building W1 sits closest to both of these tunnels and therefore only this building has been assessed on the basis that W2 will meet the required criteria if W1 does.
- 23.4 The CTRL Act 1996 specified a design standard of 40dB L_{Amax,s}. Network Rail is similarly committed to meet this design standard for the TCT. This was considered and confirmed at a local public inquiry where the inspector found it to be acceptable, notwithstanding that the London Borough of Camden policy at the time (reflected in the condition) to achieve 35dB L_{Amax,s}. The inspector took the view that anything stricter than 40dB L_{Amax,s} would not be reasonable. To meet the 40dB criterion, Network Rail has used a 'soft' High Attenuation – Low Vibration Track (HA-LVT) for the rail tracks within the TCT. Assuming no structural isolation at foundation of floor level and nominal performance of the HA-LVT, the modelling shows that the predicted structureborne noise levels inside Building W1 to level 05 are expected to be below the 35dB L_{Amax,s}:

Floor Level	Noise level, dB L _{Amax,s}	
	W1W	W1E
Podium (L00)	36	31
Level 01	33	31
Level 02	30	32
Level 03	28	30
Level 04	26	30
Level 05	26	28

- 23.5 While the maximum noise level reported at podium level of Building W1W is 36dB L_{Amax,s}, this is localised in a very small area at podium level. On average, the noise level inside partitioned rooms, will be below 35 dB L_{Amax,s}. This small exceedance is therefore not considered to be significant and would not on its own warrant any specific isolation or mitigation measures.

- 23.6 The predicted structureborne noise for level 06 and above is consistently below 30dB $L_{Amax,s}$. Further, noise from the TCT will be lower in Building W2 as it sits further away from the lines.
- 23.7 The results of the vibration measurements to assess the effect of the ECML show that there will be limited impact to Building W1E, this being the closest part of the building and therefore the most affected. Calculations based on vibration measurements to the most exposed part of W1E confirm that structureborne noise caused by the ECML will be in the region of 30dB $L_{Amax,s}$, well below the limit specified in the condition. Consequently the remainder of Building W1 and Building W2 will also meet the required criterion.
- 23.8 Based on the results set out in the report, structureborne noise emanating from the TCT and ECML will fall within the required level stated by Condition 29 and therefore neither Building W1 nor W2 will require any building isolation or other mitigation.

Appendix A

Draft Deed of Variation to the Camden S106 Agreement

**THE MAYOR AND BURGESSES OF THE LONDON
BOROUGH OF CAMDEN**

- and -

**KING'S CROSS CENTRAL (TRUSTEE NO. ONE) LIMITED
AND KING'S CROSS CENTRAL (TRUSTEE NO. TWO)
LIMITED**

**DEED OF VARIATION PURSUANT TO SECTION 106A OF THE TOWN AND COUNTRY
PLANNING ACT 1990 AND OTHER POWERS**

**RELATING TO THE SECTION 106 AGREEMENT DATED 4 APRIL 2008 FOR KING'S
CROSS TRIANGLE LONDON**



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Hogan Lovells International LLP
Atlantic House, Holborn Viaduct, London EC1A 2FG

BETWEEN:

- (1) **The Mayor and Burgesses of the London Borough of Camden** of 5 Pancras Square, London N1C 4AG ("**Camden**") which expression shall include its statutory or other successors;
- (2) **King's Cross Central (Trustee No. One) Limited** (company registration number 06387698) and **King's Cross Central (Trustee No. Two) Limited** (company registration number 06387722) both of 4 Stable Street, London N1C 4AB acting as trustees on behalf of **King's Cross Central Limited Partnership** (registered with number LP12617 under the Limited Partnership Act 1907) acting by its general partner **King's Cross Central General Partner Limited** (registered in England and Wales with company number 06387691) whose registered office is at 4 Stable Street, London N1C 4AB together called (the "**Developer**") which expression shall include its successors in title and assigns.

WHEREAS:

- (A) On 4 April 2008 Camden, the Secretary of State for Transport, London & Continental Railways Limited and Argent (King's Cross) Limited entered into a deed pursuant to the provisions of section 106 of the Town and Country Planning Act 1990 as amended and other enabling powers (the "**Agreement**").
- (B) The policy and funding context for delivering Affordable Housing have changed very significantly since completion of the Agreement, such that it is no longer appropriate to deliver Affordable Housing Units in accordance with the Agreement.
- (C) Camden, Islington and the Developer have held discussions of the kind contemplated by the cascade mechanism at Part 2, Section A, paragraph 19 of the Agreement, regarding the number, type and tenure of Affordable Housing units that may be delivered in accordance with local priorities.
- (D) Camden (in Consultation with Islington) considers that the provisions of this Deed represent a better outcome for Affordable Housing than the fixed outcome of the cascade process at Part 2, Section A, Schedule A, Part 4 of the Agreement.
- (E) Camden (in Consultation with Islington) and the Developer have agreed to vary the Agreement and to enter into supplemental obligations as set out in this Deed of Variation (the "**Deed**").

NOW THIS DEED WITNESSES AS FOLLOWS:

1. This Deed is entered into by the parties pursuant to section 106 and section 106A of the Town and Country Planning Act 1990 as amended and all other powers enabling Camden in this behalf.
2. Save as expressly provided in this Deed the words and expressions used in this Deed shall have the same meaning as in the Agreement.
3. Saving and excepting as expressly provided for by the provisions of this Deed the covenants and provisions contained in the Agreement shall continue to have full force and effect.

4. **NEW AFFORDABLE HOUSING PROVISION**

4.1 From the date of this Deed, the Agreement shall be read and construed with the following deletions, amendments and additions made to it:

- (a) Part 2 Section A of the Agreement is deleted and replaced with the provisions in Schedule 1 of this Deed.
- (b) the definition of "Affordable Housing Provider" in clause 1.2 is amended to read as follows:

"an organisation delivering Affordable Housing including a Registered Social Landlord and any other appropriate bodies that Camden in Consultation with Islington have approved as meeting the following qualifying criteria:

- (i) it must be able to demonstrate excellence in estate management;
 - (i) it must be able to demonstrate excellence in tenant management,
- and "**AHP**" shall be construed accordingly";

- (c) the second sentence in recital (M) of the Agreement is deleted; and
- (d) Part 2 Section B is deleted.

4.2 To the extent that any other consequential amendments should be made to the Agreement in order to give proper effect to the provisions of this Deed such consequential amendments shall be deemed to have been incorporated in this Deed.

5. **GENERAL**

- 5.1 The Agreement shall be read and constructed as if the variations and supplemental provisions set out in clauses above had appeared in the Agreement as originally executed.
- 5.2 This Deed shall be registered as a local land charge by Camden.
- 5.3 The Developer agrees to pay Camden (on or prior to completion of this Deed) its reasonable and proper legal costs not exceeding £650 incurred in relation to the completion of this Deed.

IN WITNESS whereof the parties have duly executed this Deed on the date first before written.

SCHEDULE 1

REPLACEMENT PROVISIONS RELATING TO HOUSING AND AFFORDABLE HOUSING

DEFINITIONS

"Affordable Housing"	Low cost housing provided to those households who cannot afford to occupy homes available in the open market comprising Social Rented and Intermediate Housing.
"Affordable Housing Floorspace"	A minimum of 4,151 sq m GEA of Affordable Housing floorspace to deliver 3,321 sq m NIFA including the Social Rented Floorspace within the Site, such floorspace to provide 59 units of Affordable Housing under the Baseline Mix.
"Affordable Housing Units"	The Social Rented units and the Intermediate Housing Units.
"Baseline Mix"	The provision of the Affordable Housing Floorspace as 59 Affordable Housing Units within the Site in accordance with the Baseline Mix table in Schedule 3.
"Child Density"	The density of child population (such children aged between nought and seventeen) within the Residential Units forming part of the Development, to be projected in accordance with the Population and Child Yields table in Schedule 2.
"Estate Management Charges"	<p>The reasonable and proper costs incurred by the Developer in the estate management of the Development and attributable to Affordable Housing Units such costs to include (but not be limited to) provision of the following services:</p> <ul style="list-style-type: none">(a) cleaning of the estate, including operations such as sweeping, mopping, jet-washing and de-greasing;(b) litter picking;(c) emptying of external litter bins;(d) cleaning of compactor areas;(e) repairs and maintenance (including planned preventative maintenance) within the estate including water features, railings, bollards, bins, lamp-posts, grilles, louvers and lanterns;(f) checking and replacement of lamps;(g) checking and cleaning of drains and gulleys;

- (h) seasonal grounds maintenance including trees, grass and planters and weed control
- (i) pest control;
- (j) public safety warden patrols;
- (k) CCTV; and
- (l) traffic management where required.

"General Needs Social Rented"

Social Rented housing available to meet housing needs of those unable to occupy homes available in the open market to be let at rents which are in accordance with Target Rents.

"Housing Delivery Plan"

A housing plan including details of the Residential Units which includes Affordable Housing Units brought forward by the Developer in the delivery of the Development to include the following information:

- (a) the number of units, size, dwelling and tenure mix;
- (b) the stage reached in the tendering/procurement of the Social Rented and Sub-Market Units;
- (c) the confirmed or anticipated (as appropriate) dates for the start of construction and Practical Completion of the relevant units;
- (d) the confirmed or anticipated ownership and management arrangements for each tenure of the relevant Affordable Housing Units;
- (e) the number, unit size and mix of Wheelchair Accessible Homes and their storey level;
- (f) details of the design of the Affordable Housing Units with a view inter alia to show that the Affordable Housing Units have been designed with the aim of keeping as low as reasonably practicable Service Charge costs to the Affordable Housing Units.

"Intermediate Housing"

Affordable Housing which is not Social Rented Housing and which is made available at a discount from Market Housing to households who would not otherwise have been able to afford adequate housing on the open market.

"Intermediate Housing Units"

The 23 units of Intermediate Housing within the Baseline Mix comprising 23 Sub-Market Housing units or such other forms of Intermediate Housing tenure as may be substituted subject to the Developer or AHP

(as appropriate) demonstrating to Camden's reasonable satisfaction (in Consultation with Islington) that the housing is similarly affordable.

"Local Lettings Plan"

A plan setting out a sensitive lettings policy for the lettings of Social Rented units within the Development the underlying objectives of which shall be to:

- (a) establish and sustain a mixed, stable and sustainable community at the development;
- (b) foster a sense of ownership and community;
- (c) learn from the profile of successful high density developments that have matured over a number of years; and
- (d) facilitate effective management of the development.

"Market Housing"

Residential Units within the Development which are not Affordable Housing Units.

"Marketing Plan"

A plan setting out the marketing methods to be carried out in relation to the sale of the Sub Market Housing under part (a) of that definition to persons eligible for Intermediate Housing.

"NIFA"

The net internal floor area of residential units including bedrooms, bathrooms, living and other rooms and internal divisions but excluding all shared/party walls between units and external walls or parts thereof.

"Open Market Rent"

The rent calculated in accordance with the definition of "Market Rent" at Practice Statement 3.4 of the Royal Institution of Chartered Surveyors Appraisal and Valuation Standards (5th Edition) or such amended definition as may replace it from time to time.

"Open Market Value"

A price to be calculated in accordance with the definition of "Market Value" at Practice Statement 3.2 of the Royal Institution of Chartered Surveyors Appraisal and Valuation Standards (5th Edition) or such amended definition as may replace it from time to time.

"Preferred AHP"

The AHP who best meets the Qualifying Terms and who is selected by the Developer to deliver the Affordable Housing Units.

"Qualifying Terms"

Terms for a contract for the transfer of Affordable Housing Units such that the purchasing AHP:

- (a) commits to complete the purchase within a reasonable period following exchange of

contracts;

- (b) for Social Rented units, commits to enter into the appropriate nominations agreement that adheres to the Local Lettings Plan and complies with the Sustainable Estates Policy;
- (c) commits to deliver Affordable Housing within the relevant definitions as set out in this Agreement and complies with other relevant terms of this Agreement insofar as they affect the property being transferred;
- (d) commits to meeting any qualifying terms included in any Housing Delivery Plan which has been approved at the time of the tender for the Affordable Housing.

"Registered Social Landlord"

A registered social landlord registered as such by the Housing Corporation under Section 1 of the Housing Act 1996 or under such statutory regime as may replace it from time to time and "**RSL**" shall be construed accordingly.

"Service Charges"

The reasonable and proper costs incurred by the Developer and/or AHP in the maintenance management and upkeep of the common areas and general fabric of the buildings containing Affordable Housing within the Development.

"Social Rented"

Affordable Housing including General Needs Social Rented to meet the housing needs of those eligible for nomination through Camden and Islington's housing allocation scheme (which shall apply to the Development in accordance with the Local Lettings Plan) available at rents which are in accordance with Target Rents.

"Social Rented Floorspace"

A minimum of 2,981 sq m GEA of Social Rented Housing floorspace within the Site, to deliver 2,385 sq m NIFA, such floorspace to provide 36 units of Social Rented Housing, in accordance with the Baseline Mix.

"Sub Market Housing"

A specialist form of Intermediate Housing in which the unit is either:

- (a) sold for the lower of:
 - (i) 80% of the Open Market Value; or
 - (ii) 4 x the maximum household income for persons eligible for Intermediate Housing as set out in the London Plan as amended from time to time or the most recent London Plan Annual Monitoring Report or any other

update of affordability criteria published by the Mayor of London from time to time; or

- (b) available for rent at a rental price which is no more than 80% of Open Market Rent (a minimum of 20% below Open Market Rent).

"Sustainable Estates Policy"

A policy adopted by Camden in the management of certain housing within the borough of the nature adopted at Maiden Lane, Durdans House, King's Cross including Flaxman Court, 25 Gresse Street and 38-40 Grafton Way and other estates to enable the achievement of a balanced and stable mix of residents.

"Target Rents"

Rents calculated in accordance with the formula set out in the Guide to Social Rent Reforms in the Local Authority Sector published by the Department of the Environment, Transport and the Regions in March 2001 or such amended formula published by the Government from time to time.

"Use Classes Order"

The Town and Country Planning (Use Classes) Order 1987 as amended.

"Wheelchair Accessible Homes"

Housing that:

- (a) meets the minimum requirements of the Wheelchair Housing Design Guide 1997 published by the National Wheelchair Housing Association Group (NATWHAG) and as amended from time to time as set out in Appendix 5 of the GLA Supplementary Planning Guidance "Accessible London: achieving an inclusive environment" dated April 2004 reproduced at Schedule 4 as amended from time to time; or
- (b) is easily adaptable at a reasonable cost for residents who are wheelchair users.

OBLIGATIONS

1. DELIVERY OF AFFORDABLE HOUSING

The Developer shall Practically Complete the Affordable Housing to be provided in accordance with this Agreement prior to First Occupation of more than 70% of the Market Housing.

2. BASELINE MIX

The Developer shall provide the Affordable Housing Floorspace in accordance with the Baseline Mix.

3. LOCATION/DISTRIBUTION AND RETENTION OF AFFORDABLE HOUSING

- 3.1 Affordable Housing Units will be located within Building W2 (as shown on drawing TS006 Rev L appended at Appendix 3).
- 3.2 Subject to the terms of this Agreement, the Affordable Housing Units shall be used, occupied and retained for the purpose of providing Affordable Housing.

4. HOUSING DELIVERY PLAN

- 4.1 The Developer shall submit a Housing Delivery Plan to Camden for approval (in Consultation with Islington) in accordance with the Review Procedure.
- 4.2 The Developer shall deliver the Affordable Housing Units in accordance with the approved Housing Delivery Plan and the terms of this Agreement.

5. MARKETING OF INTERMEDIATE HOUSING

Camden will use reasonable endeavours to assist the Developer and any AHP in marketing and where appropriate promoting the availability of Intermediate Housing to its existing tenants, such reasonable endeavours to include (but not be limited to) the provision of appropriate non-sensitive data on households in housing need utilising information from Camden's own waiting list and any data held at the sub-regional level.

6. SUB-MARKET HOUSING

- 6.1 The Developer shall confirm to Camden how many units meet part (a) of the definition of Sub Market Housing and how many units meet part (b) of the same definition. The Developer shall use reasonable endeavours to deliver the relevant units in accordance with part (b) of the same definition, however it may deliver units in accordance with part (a) of the same definition if that is reasonably required for reasons of funding or deliverability.
- 6.2 For any Sub Market Housing units that meet part (a) of the same definition, the Developer and Camden (in Consultation with Islington) shall agree in accordance with the Review Procedure:
 - (a) the form of the covenant to be imposed on every lease granted, transferred or imposed;
 - (b) the Marketing Plan to be followed for all initial sales and subsequent re-sales; and
 - (c) those persons that shall be eligible to buy relevant Sub Market Housing.
- 6.3 The Developer shall only market, sell or permit the sale of any Sub Market Housing unit under part (a) of the same definition in accordance with the details so agreed.
- 6.4 The Developer shall ensure there is provision within the Sub Market Housing units delivered in accordance with part (b) of the same definition for households with a range of incomes below the upper income threshold for intermediate housing published from time to time by the Mayor of London in his annual monitoring report, [which at the date of this Deed is £66,000 per annum or £80,000 per annum for intermediate family housing for households with dependents].
- 6.5 The Sub Market Housing units delivered in accordance with part (b) of the same definition shall be made available in the following priority order:

- (a) existing local authority or registered provider tenants within LB Camden and/or within LB Islington;
- (b) other residents in LB Camden and/or LB Islington;
- (c) other households not falling within the above categories but who require affordable rented accommodation and who would not otherwise be able to afford adequate housing generally on the open market.

7. WHEELCHAIR ACCESSIBLE HOMES

7.1 Subject to sub paragraph 7.2 the Developer shall provide ten per cent (10%) of the Social Rented units as Wheelchair Accessible Homes.

7.2 Camden will agree to a reduction in the percentage of Wheelchair Accessible Homes referred to in sub paragraph 7.1 if the Developer can demonstrate to Camden's reasonable satisfaction (in Consultation with Islington) that:

- (a) the lower percentage would meet the need for those units within LB Camden and LB Islington at the time of delivery; or
- (b) the relevant funding, design and other delivery mechanisms justify a lower percentage.

7.3 The Developer shall provide up to ten per cent (10%) of Market Housing within Building W1 (see drawing TS006 Rev L appended at Appendix 3) and Intermediate Housing within Building W2 as Wheelchair Accessible Homes, the percentage to be derived from appropriate professionally undertaken research into the likely take up of such units within LB Camden and LB Islington and consideration of the relevant funding, design and other delivery mechanisms such research to be undertaken to the reasonable satisfaction of Camden (in Consultation with Islington).

7.4 Camden (in Consultation with Islington) will agree to a percentage of Wheelchair Accessible Homes referred to in sub paragraph 7.3 lower than ten per cent (10%) in circumstances where:

- (a) the research referred to in sub paragraph 7.3 shows that the lower percentage would meet the likely take up of such units within LB Camden or LB Islington (as appropriate) at the time of delivery; or
- (b) the Developer can demonstrate to Camden's reasonable satisfaction that the relevant funding, design and other delivery mechanisms justify a lower percentage.

7.5 The Developer may provide Wheelchair Accessible Homes on upper floors provided that there is suitable lift access and the internal floor arrangements can accommodate wheelchairs/disabled persons.

8. CAR PARKING

8.1 Car parking will be provided for Affordable Housing Units as follows:

- (a) Social Rented housing: such that, taking account of the parking made available for Social Rented Wheelchair Accessible Homes the car parking space ratio is no higher than 0.25 space per unit. Prioritisation shall be given to the Wheelchair Accessible Homes and, thereafter, larger (3 bedroom) units; and

- (b) Intermediate Housing: Sub Market Housing shall not have the benefit of car parking spaces.

9. DESIGN AND DELIVERY

- 9.1 Social Rented units will be provided in accordance with the Housing Corporation Scheme Development Standards (or their replacement) as amended from time to time if the relevant AHP is in receipt of or will be receiving Housing Corporation Grant to help fund the delivery of such units.
- 9.2 The Developer will design Affordable Housing Units in accordance with the requirements of this Agreement so that there is no significant difference between buildings of different tenures in terms of their generic design quality and workmanship with respect to the external envelope of such buildings always provided this will not limit:
 - (a) the Developer's scope to utilise external cladding materials for Affordable Housing Units commensurate with (i) keeping development costs (excluding land value, site infrastructure and planning obligations) in line with the likely level of financial receipts from an AHP as far as reasonably practicable and (ii) the aim of keeping Service Charges affordable. The parties acknowledge that as an example there is scope for the Developer to utilise a higher solid:glazing ratio on Affordable Housing Units than Market Housing; and
 - (b) the Developer's scope to incorporate diversity in the design of the Residential Units at the Development in order to create a desirable urban environment.
- 9.3 The Developer shall carry out all works of construction, conversion and fitting out in a good and workmanlike manner using good quality materials to make the Affordable Housing Units suitable for occupation as Affordable Housing.

10. LOCAL LETTINGS PLAN

- 10.1 Lettings of Social Rented units within the Site will be subject to the operation of the Local Lettings Plan which sets out how Camden's and Islington's housing allocation scheme shall apply within the Development.
- 10.2 The Local Lettings Plan will prioritise those living in wards located in the CIZ and thereafter shall apply to those living within the WIZ and thereafter borough-wide across Camden and Islington.
- 10.3 The Developer and Camden (in Consultation with Islington) shall prepare jointly the first Local Lettings Plan [and shall both use reasonable endeavours to agree its contents in consultation with any relevant AHP(s) before such AHP(s) commence the nomination and letting of Affordable Housing units.
- 10.4 The Local Lettings Plan will be reviewed jointly thereafter at least every two (2) years from the First Occupation of any Social Rented unit in the Development. The updated Local Lettings Plan shall be subject to the approval of the Developer, Camden (in Consultation with Islington) and the relevant AHPs in order to achieve the underlying objectives of the Local Lettings Plan.
- 10.5 The first Local Lettings Plan and subsequent reviews will take into account inter alia the characteristics of the existing community and will be used to inform future lettings.
- 10.6 The issues that will be addressed within the Local Lettings Plan reviews will include:

- (a) the need to achieve a balanced mix of incomes across all forms of Affordable Housing tenure and, to the extent it is appropriate to do so in order to achieve (b) to (g) below, within all forms of Affordable Housing tenure;
- (b) the benefit of local connections: to include, wherever possible, households with local family or employment links;
- (c) the contribution to community: to include, wherever possible, households that make an active contribution to community life always provided that any household who satisfies this criteria should not automatically take priority over a person and/or household in housing need;
- (d) household characteristics: for example achieving a sustainable age profile having regard to occupancy levels and a balanced mix of household vulnerability;
- (e) child density: Child Density within such a high density urban environment should not exceed twenty-three per cent (23%) overall provided that meeting this criteria should not automatically take priority over a person and/or household in housing need;
- (f) tenancy history: the attraction of households with a history of successfully maintaining a tenancy with no serious breaches normally within a two (2) year period (or a longer time period if reasonably justified by the AHP) prior to the proposed Occupation date;
- (g) prioritisation criteria to reflect the above, to encourage longevity of tenancies and to ensure households with specific needs are appropriately supported.

10.7 In recognition of the high density characteristics of the Development the provisions of the Local Lettings Plan shall reflect Camden's Sustainable Estates Policy and the importance of ensuring effective, proactive management.

10.8 Camden will use reasonable endeavours to afford the Development sustainable estate status under the Sustainable Estates Policy before the Developer first commences the tendering/procurement process described in paragraph 13.

11. **SERVICE CHARGES**

11.1 Occupants of Affordable Housing Units shall be liable to pay Service Charges.

11.2 The Developer shall design buildings containing Affordable Housing in consultation with the relevant AHP (if applicable).

11.3 The Developer shall use reasonable endeavours to keep the Service Charges for Affordable Housing Units as low as reasonably practicable.

11.4 Subject to having complied with meeting the requirements of sub paragraph 11.3 the actual level of Service Charges shall be at the discretion of the Developer or AHP as appropriate.

12. **ESTATE MANAGEMENT CHARGES**

12.1 Occupants of Affordable Housing Units shall be liable to pay Estate Management Charges.

- 12.2 The Developer will use reasonable endeavours to keep the Estate Management Charges for Affordable Housing Units as low as reasonably practicable.
- 12.3 Estate Management Charges will only be payable by occupants of Social Rented units on the following basis:
- (a) Occupiers of the Social Rented units shall pay Estate Management Charges provided that Estate Management Charges shall only be paid in respect of such areas that have been Practically Completed;
 - (b) Subject to the requirements of sub paragraph 12.4 below, occupiers of the Social Rented units shall pay Estate Management Charges that represent a proportion of the costs properly incurred in the estate management of such areas. The proportion shall be calculated each year as follows:

The floorspace (GEA) of Social Rented units that is Practically Completed ÷ The total floorspace (GEA) within the Development that is Practically Completed.
 - (c) Occupiers of the Social Rented units shall not pay Estate Management Charges for estate management services provided within the adjacent Main Site Development.
- 12.4 The Estate Management Charges paid by occupiers of the Social Rented units shall be benchmarked against and not exceed the estate management charges at mature and comparable estates in Central London.
- 12.5 The Developer shall provide to Camden for agreement details of the first Estate Management Charges in respect of the units referred to in sub paragraph 12.4 at least three (3) months before any costs are levied, a response to such submission to be made in accordance with the Review Procedure. Any subsequent increases shall be notified to Camden at least three (3) months before any increased charges are levied and if Camden disputes such increase it shall forthwith provide to the Developer benchmarking information as set out in sub paragraph 12.4. In the event of a dispute in relation to the initial costs or a continuing dispute in relation to any increase in those costs, it will be determined in accordance with clause 15 and the disputed element of any increase shall not be charged until the level has been either agreed or determined in accordance with clause 15.
- 13. TENDERING/PROCUREMENT OF AFFORDABLE HOUSING UNITS**
- 13.1 The Developer may tender the Affordable Housing Units for transfer to an AHP on the Qualifying Terms.
- 13.2 The Developer shall issue the invitation to tender to such AHPs as the Developer deems appropriate, provided that it shall have due regard to any suggestions previously made in writing by Camden.
- 13.3 Following receipt of replies to the invitation to tender, the Developer shall:
- (a) provide Camden with the list of AHPs to whom it is intended the final tender documentation will be sent; and
 - (b) issue the final tender documentation to all AHPs who replied to the invitation to tender requesting tender documentation and to any other AHP(s) at the Developer's discretion.

13.4 The Developer shall ensure that the AHPs will have at least six (6) weeks from the date of issuing the final tender documentation to respond and submit its tender to the Developer or its nominated agent before the tender submission deadline.

13.5 Following the tender submission deadline the Developer shall:

- (a) review the tender submissions to identify whether any meet the Qualifying Terms; and
- (b) select a Preferred AHP from those tender submissions which meet the Qualifying Terms ("**Qualifying Offer**") (if any).

14. **TRANSFER OF THE AFFORDABLE HOUSING**

14.1 The Developer shall use reasonable endeavours to enter into a contract for the transfer of the Affordable Housing Units to the Preferred AHP referred to in sub paragraph 13.5 within six (6) months of the tender submission deadline in sub paragraph 13.4 such transfer contract to be in accordance with the terms of the Preferred AHP's Qualifying Offer.

14.2 If a contract has not been entered into within three (3) months from the tender submission deadline referred to in sub paragraph 13.4 the Developer shall notify Camden of the progress on the contract and consult with Camden regarding its proposals for exchange of the contract within the said six (6) months.

15. **EXPEDITED PROCUREMENT OF AFFORDABLE HOUSING**

15.1 Subject to the provisions of sub-paragraph 15.2 the Developer shall not be required to undertake the obligations contained in paragraphs 13 or 14 in circumstances where the Developer enters into a contract with an AHP for the transfer of the relevant tranche of Affordable Housing Units on the basis of the Qualifying Terms.

15.2 Prior to entering into a contract under the provisions of sub paragraph 15.1 the Developer shall demonstrate to Camden's reasonable satisfaction that the proposed contract is based upon the Qualifying Terms.

16. **GENERAL PROVISIONS**

16.1 The provisions of this Schedule 1 shall not bind:

- (a) subject to sub paragraph (b), any mortgagee of the owner for the time being of any interest in an Affordable Housing Unit or any receiver or manager (including an administrative receiver) appointed pursuant to the Law of Property Act 1925 or otherwise by a party who has provided loan facilities to such owner and who exercises any power of sale;
- (b) if a mortgagee of an AHP or any receiver appointed by such mortgagee seeks to dispose of any Affordable Housing Unit (which for the avoidance of doubt for the purposes of this sub paragraph (b) does not include Sub-Market Housing units) pursuant to its power of sale such person shall first use reasonable endeavours to sell the Affordable Housing Unit or such part thereof to another AHP provided that if after a period of three (3) months (or such additional period (not exceeding one (1) month) as may be agreed if negotiations with the AHP are well advanced) having used all reasonable endeavours) such person shall not have sold the Affordable Housing Unit to another AHP the mortgagee of the AHP or such

receiver shall from that date be under no obligation to sell the Affordable Housing Unit or such part thereof to an AHP and shall be entitled to exercise its powers of sale or make a disposition as the case may be free of any restrictions;

- (c) any person who exercises any right to buy or acquire an Affordable Housing Unit pursuant to a right under the Housing Act 1985 as amended or any other statutory power; or
- (d) the successors in title to the persons described in sub paragraphs (a) and (c).

17. **EQUIVALENCE**

Where appropriate, the allocation and or prioritisation of Affordable Housing shall be undertaken in Consultation with Islington and Camden shall use reasonable endeavours to ensure that each Council has equivalent rights to numbers of units, floorspace and types of Affordable Housing.

SCHEDULE 2

SUPPLEMENTAL PROVISIONS RELATING TO HOUSING AND AFFORDABLE HOUSING

POPULATION AND CHILD YIELDS

	Population Yields		
	Social Housing units	Market Housing units	Intermediate units
1 bed	1.30	1.50	1.50
2 bed	3.08	1.75	2.00
3 bed	3.50	2.25	3.00

	Child Yields		
	Social Housing units	Market Housing units	Intermediate units
1 bed	0	0.00	0
2 bed	1.58	0.10	0.30
3 bed	2.00	0.20	0.80

SCHEDULE 3

BASELINE MIX

No. of Affordable Housing Units				
Tenure	Unit Type	Unit Size (NIFA m²)	No. of units	Floor Area (m²) NIFA
General Needs Social Rented	1 bed	48	8	384
General Needs Social Rented	2 bed	61	9	549
General Needs Social Rented	2 bed	68	9	612
General Needs Social Rented	3 bed	84	10	840
General Needs Social Rented total			36	2,385
Intermediate Housing	1 bed	38	19	722
Intermediate Housing	2 bed	53	2	106
Intermediate Housing	2 bed	54	2	108
Intermediate Housing total			23	936
TOTAL			59	3,321

SCHEDULE 4

SUPPLEMENTAL PROVISIONS RELATING TO HOUSING AND AFFORDABLE HOUSING

SUPPLEMENTARY PLANNING GUIDANCE

"ACCESSIBLE LONDON : ACHIEVING AN INCLUSIVE ENVIRONMENT" APRIL 2004

APPENDIX 5 – WHEELCHAIR HOUSING STANDARDS

The following key features of wheelchair housing are requirements in the Wheelchair Housing Design Guide by Stephen Thorpe, commissioned and funded by NATWHAG, the National Wheelchair Housing Association Group and published in 1997 by BRE Bookshop, ISBN 1 86081 1647 available from <http://www.brebookshop.com/details.jsp?id=33004>.

1. APPROACH

- Level or gently sloping route to all external entrances, and to external facilities such as storage, parking, garden and clothes drying area.
- Paths slip resistant and smooth, minimum width 1200mm.
- Ramps to be avoided.
- Path gateways to provide minimum 850mm clear opening width.
- Good cover at point of transfer from vehicle to wheelchair.

2. PARKING

- Located adjacent to the front entrance.
- Under cover.
- 3.6 metres wide.
- Located beside 900mm wide path connecting the front door, parking bay and the adjacent road.

3. ENTRANCE

- Entrance to be covered and well lit.
- Entrance landing to be level, and min 1500 x 1500mm.
- All external doors to give 800mm clear opening and to have accessible thresholds.

4. INTERNAL CIRCULATION

- Corridors minimum 900mm wide, 1200mm wide where 90° turn necessary and 1500mm wide where 180° turn necessary.
- Internal doorways to give minimum 775mm clear opening width and to have level thresholds.
- Provision for storage and recharging of battery-operated wheelchair.

- Minimum turning space inside entrance 1200 x 1500mm.
- Rooms all on one level or accessible by wheelchair accessible lift. Where lift required, to comply with BS5900 (1991).
- Bedrooms, living rooms and dining rooms with adequate space for wheelchair users to turn through 180° with furniture in place i.e. turning circle 1500mm or ellipse 1800mm x 1400mm.
- Main bedroom to bathroom connected by full height knockout panel, or other means.
- Suitable provision for future hoist to run between main bedroom and bathroom.
- Kitchen layout provides effective and appropriate space for use by a wheelchair user. Clear manoeuvring area minimum 1800 x 1400mm.
- Bathroom layout ensures independent approach/transfer to and use of all fittings, including manoeuvring space clear of fittings.
- Extra space in bathroom for both bath and shower with at least one to be fully installed. Shower area to be wheelchair accessible with floor drain.
- Suitable controls of mains water stopcock, gas and electric main consumer units. Suitable isolating valves to sink, washing machine, etc.
- Glazing line in living/dining/bedrooms no higher than 810mm above room floor level.

The Common Seal of **The Mayor and Burgesses of the London Borough of Camden** was affixed to this Deed in the presence of:)
)
)
)

Authorised Signatory

Executed by KING'S CROSS CENTRAL (TRUSTEE No. ONE) LIMITED in the presence of :-)
)
)

Director

Director/Secretary

Executed by KING'S CROSS CENTRAL (TRUSTEE No. TWO) LIMITED in the presence of :-)
)
)

Director

Director/Secretary

Appendix B

Acoustic Report by Hoare Lea



Zone W, Triangle Site
Kings Cross, London
KCCLP

Reserved Matters - Acoustic Report
Revision 03

Tel: +44 (0) 20 3668 7100
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Western Transit Shed
12-13 Stable Street
London N1C 4AB

AUDIT SHEET

Rev	Description	Prepared and checked by	Reviewed by	Date
2	Draft issue	JC	BJ	13.11.2015
3	Final issue with minor amendments	GW	BJ	10.03.2016

This report is provided for the stated purposes and for the sole use of the named Client. It will be confidential to the Client and the client's professional advisers. Hoare Lea accepts responsibility to the Client alone that the report has been prepared with the skill, care and diligence of a competent engineer, but accepts no responsibility whatsoever to any parties other than the Client. Any such parties rely upon the report at their own risk. Neither the whole nor any part of the report nor reference to it may be included in any published document, circular or statement nor published in any way without Hoare Lea's written approval of the form and content in which it may appear.

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1.0 INTRODUCTION

All reserved matter conditions relevant to the acoustic aspects of the development have been reproduced in this document. The conditions have been extracted from the Secretary of State's decision notice issued on 22nd July 2008, reference: APP/V5570/A/07/2051902 and APP/V5210/A/07/2051898 and each addressed in turn.

Note that Condition 29, pertaining to vibrations and groundborne noise, is not within Hoare Lea Acoustics' scope of works. The relevant assessments are being carried out by others and do not feature in this report.

2.0 CONDITION 27

"Prior to commencing any construction on the site, a base line noise monitoring survey shall be carried out and made available to the Local Planning Authority."

The following section provides a summary of the noise surveys undertaken to understand baseline acoustic environment and to inform the design.

2.1 Site location

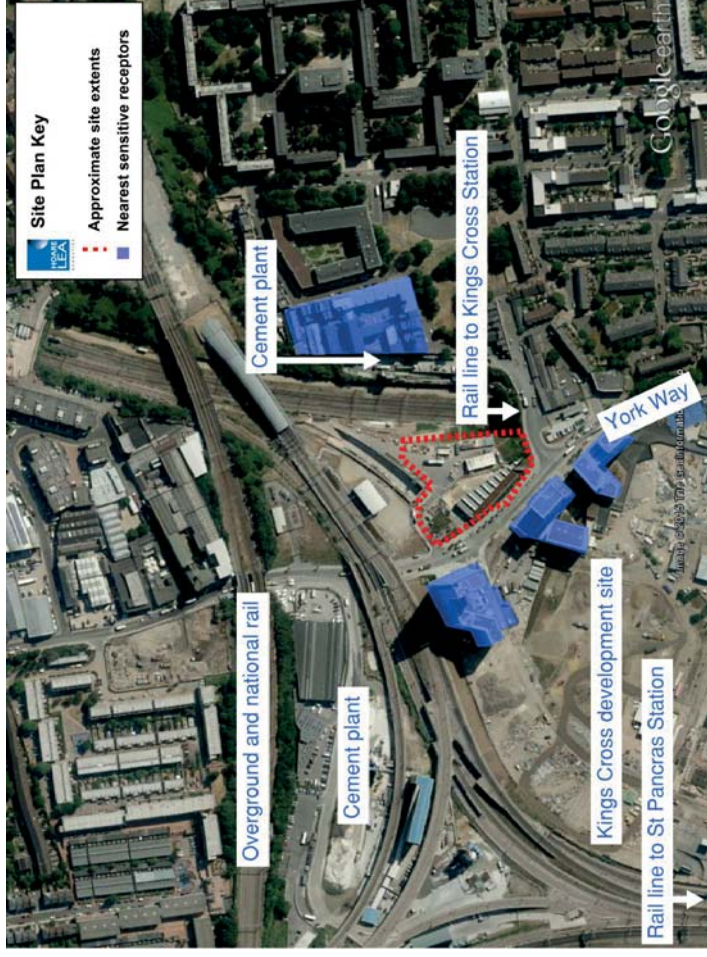


Figure 1 Site plan

2.1.1 Description of surrounding acoustic climate

The site is located on a parcel of land bound by York Way to the west and mainline rail lines to the east and north. There are a number of existing residential buildings in the locality, as well as areas dedicated to light and heavy industry. Figure 1 details the site's locality.

The noise climate is principally dictated by road traffic on York Way and rail traffic on the surrounding lines. Additionally, there are contributions from the cement plant and the substation located on the opposite side of the rail lines to the north.

Due to the site's position at the final section of rail before both St Pancras and Kings Cross, trains use these sections to wait for available platforms, and invariably this means large diesel engines sitting in close proximity to the site with their engines idling.

Additionally the tunnel located just to the north of the site will be in use from the end of April 2015 by Thameslink services, and will require further assessment for the potential impact on the development.

Also of note is that the site straddles the boundary of the Camden and Islington London Boroughs, and both Boroughs are therefore responsible for the development.

2.2 Noise Surveys

A series of noise surveys were carried out to inform the design development. Surveys were carried out by Hoare Lea Acoustics as well as a third party acoustic consultant.

2.2.1 2007 Surveys

Noise surveys were carried out by a third party acoustic consultant¹ in June of 2007 as part of the master-planning works.

Two long term noise surveys were carried out on the triangle site, one in order to measure noise from the road and another to measure rail noise.

Given the time that has passed since the original survey and that site conditions have changed a great deal, additional measurements were carried out in 2014.

2.2.2 2014 Surveys

The configuration of the site in 2014 meant that it was not possible to install a piece of long term equipment to measure roadside noise. Instead, a long term logger was installed to the rear of the site, close to the rail lines, and analogous with the position of the rail noise monitor from the 2007 survey.

Additional short term measurements were undertaken on the site.

Full results from this survey are presented overleaf.

¹ The English Cogger Partnership, now Sustainable Acoustics

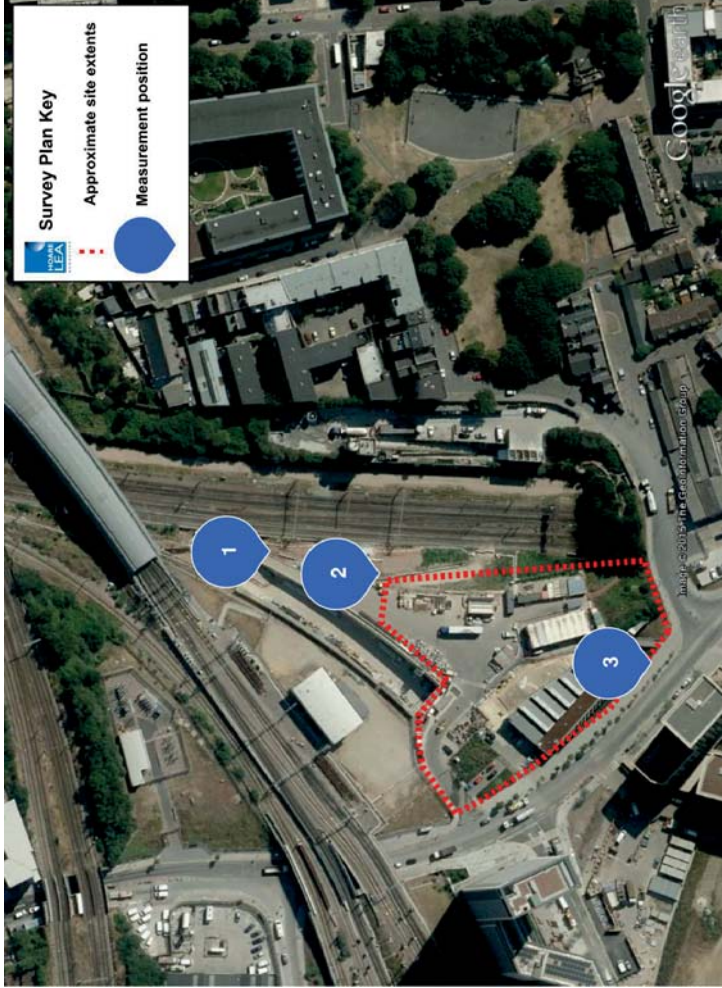


Figure 2 Site measurement positions

Position 2 was used as the long term logger position.

Table 1 Day and night lowest background noise levels at long term position (Position 2)

Date	Daytime (07:00-23:00) L _{AF90,15mins} , dB	Night (23:00-07:00) minimum L _{AF90,15mins} , dB
Friday 28/11/2014*	46	43
Saturday 29/11/2014	44	41
Sunday 30/11/2014	41	39
Monday 01/12/2014	41	39
Tuesday 02/12/2014*	48	-

Table 2 Day and night average noise levels at long term position (Position 2)

Date	Daytime (07:00-23:00) L _{Aeq,18hour} , dB	Night (23:00-07:00) L _{Aeq,8hour} , dB
Friday 28/11/2014*	65	59
Saturday 29/11/2014	64	57
Sunday 30/11/2014	63	60
Monday 01/12/2014	65	60
Tuesday 02/12/2014*	68	-

*Not measured over a full 16 hour period

Table 3 Noise levels measured (over 10 minute periods) at short term positions

Position	Date	Time	L _A Fmax	L _{Aeq,10min}	L _{AF90}
1	02/12/2014	15:00	89	69	53
2		15:30	85	66	53

Additional measurements of individual train 'events' were also undertaken. Details of these results are available on request.

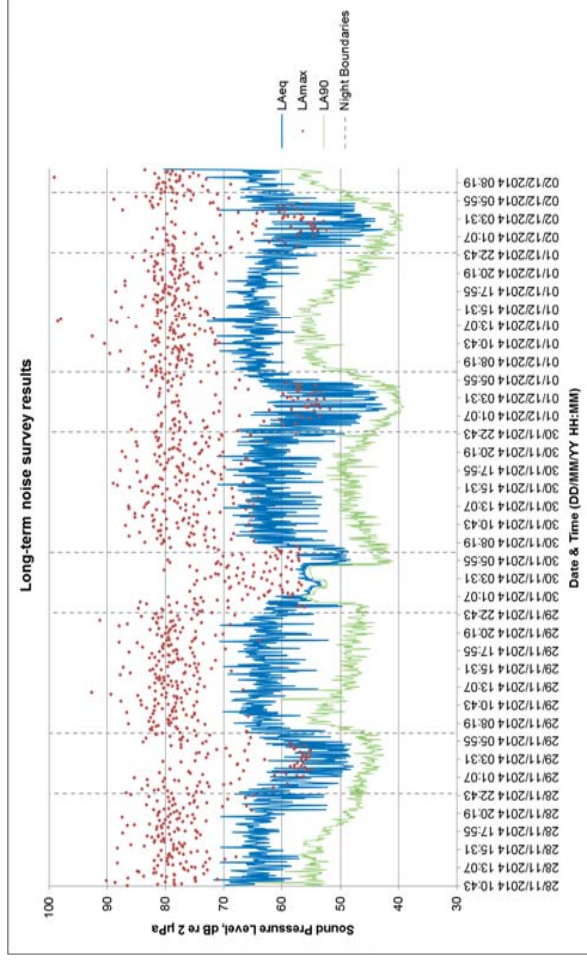


Figure 3 Results from long term measurement (Position 2)

2.2.3 Train event noise

Due to the frequency of train events in proximity to the proposed development an extensive set of measurements were undertaken to determine the level of impact from both maximum noise events and underlying background sound levels. Information was used to inform the design on suitable acoustic performance specifications.

The frequency spectrum of train events was measured at position 3 (shown in Figure 1) and is presented in Table 4 below.

Table 4 Spectral noise levels measured on York Way, 24th February 2015, $L_{eq,10 mins}$

Position	Sound pressure level, dB per octave band centre frequency, Hz							
	63	125	250	500	1k	2k	4k	8k
3	76	71	68	67	68	62	55	48

The investigated determined the frequency of events and the overall impact on day and night-time background noise levels. Results are shown in Figure 4 and Figure 5.

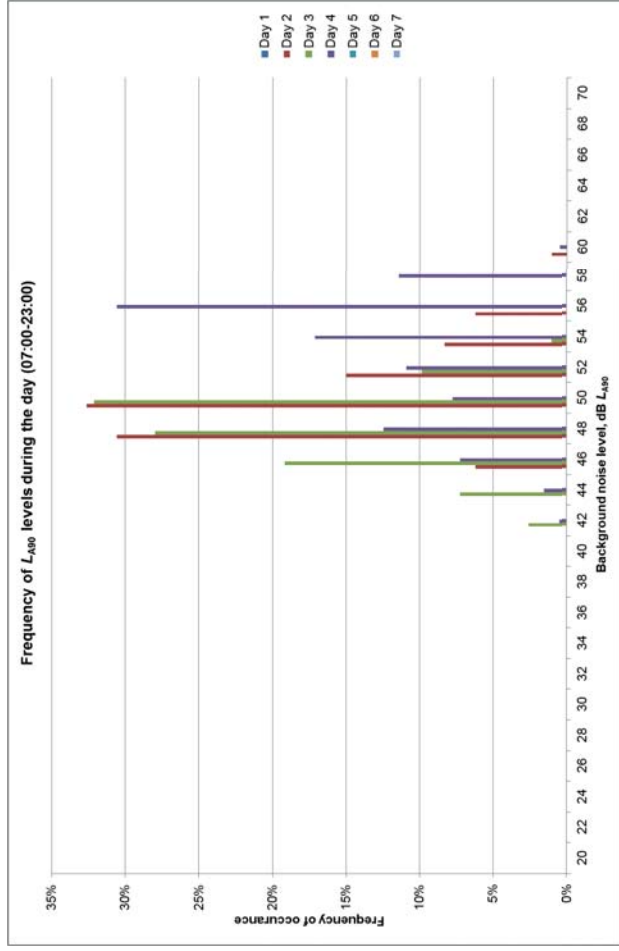


Figure 4 Frequency of L_{A90} background noise levels during daytime hours

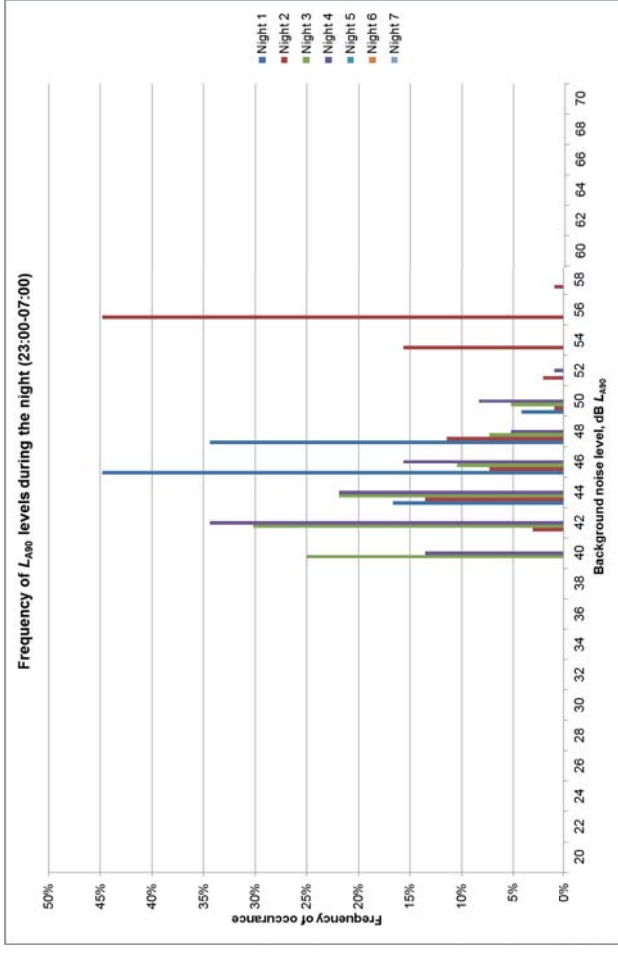


Figure 5 Frequency of L_{A90} background noise levels during night hours

3.0 CONDITION 28

“Before development commences, details shall be submitted to, and approved by, the Local Planning Authority to demonstrate that the noise impact of any plant or equipment to be installed on the site will meet the following standards:

- a. Noise levels at a point 1metre external to sensitive facades to be at least 5 dB(A) less than the existing 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 level from that piece of plant/equipment at any sensitive façade at least 10 dB(A) below the L_{A90} , expressed in dB(A).

The development shall be carried out in accordance with the details, as approved unless otherwise agreed in writing by the Local Planning Authority.”

3.1 External noise emissions limits

Limits are to be enforced, as per the planning condition, at 1 meter from the nearest noise sensitive façade. Two residential buildings located on the opposite side of York Way have been identified as the most at-risk noise receptors on this basis, and have been used in this assessment as the boundary for where the noise emissions limits criteria are to be met.

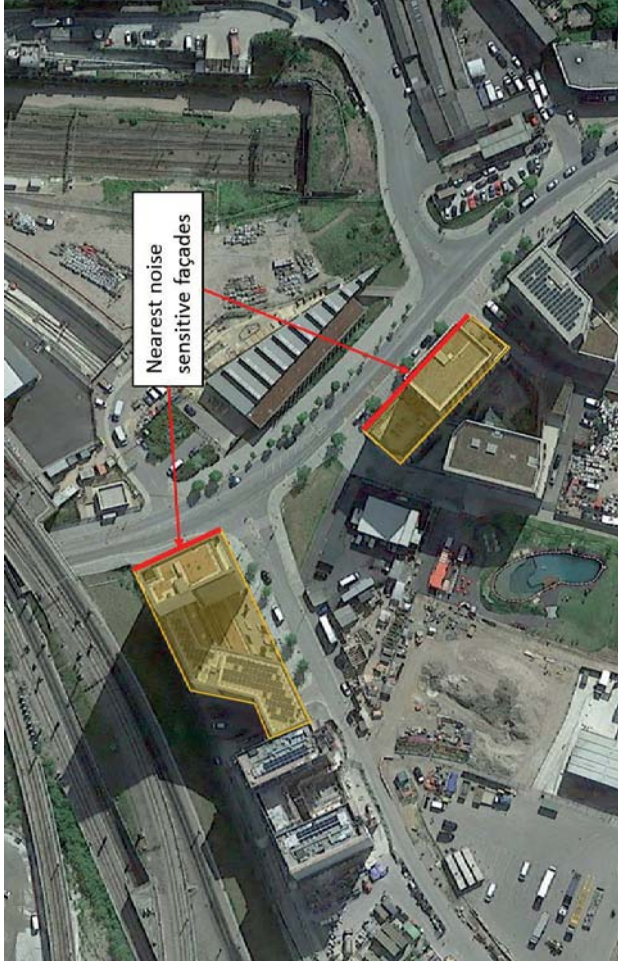


Table 5 General plant noise emission limits

Period	Representative background noise level dB (L _{A90})	Plant noise rating level at façade of nearest sensitive property*
Day	50	45
Night	42	37

* If there is determined to be a likelihood of tonal or intermittent content emitting from the equipment, the plant noise limits shall be reduced by 5 dB such that the "rating level" of the machinery equates to a level of 10 dB below background noise levels at the nearest noise sensitive properties.

3.1.2 Emergency plant

Any M&E plant for emergency use shall be designed for testing purposes only to achieve 10 dB above the lowest measured background noise level. This is specified on the basis that plant will be tested during the day and infrequently only for short periods of time. The rating level for emergency plant at sensitive receptors is shown in Table 6.

Table 6 Emergency plant noise emission limit

Period	Measured background noise level dB (L _{A90})	Emergency plant noise rating level at façade of nearest sensitive property*
Day	45	55

3.2 External noise emissions assessment

A noise model has been produced within software CadnaA to assess the likely noise break-out impact of proposed items of external plant.

3.2.1 M&E plant

The primary items of noise generative plant are 3 No. dry air cooler units to be situated on the roof of W1E. Selections of these units have been made and are shown to have an operational sound power level of 79 dB(A), no spectral data has been made available, however this type of plant equipment is not expected to exhibit any particular tonal or otherwise distinguishable quality to justify the more stringent noise emissions limits described in Condition 28 (b).

Proposals include a solid 1.5m height parapet around the roof area of W1E which will act as a noise screen for the plant area. These details have been included within the noise model, the results of which are presented in Figure 7 overleaf.

Façade points shown in Figure 7 above represent the maximum predicted noise level across the height of the building. The results demonstrate that emissions from the proposed dry air cooler units should not exceed a sound pressure level of 32 dB at any point along the façades of the identified noise sensitive properties, complying with both the day and night time noise emission limits in Table 5.

Figure 6 nearest noise sensitive façades to development

3.1.1 Main Mechanical & Electrical plant

The limits to be imposed on plant emissions are given in terms of rating levels, provided in this section to satisfy the Secretary of State's planning condition 28.

Plant selected and installed should be free from significant characteristic content. It is commonly recognised that this will be satisfied if the mean of the adjacent octave bands are not exceeded by more than 5 dB. Moreover, the systems should be designed such as to avoid intermittent noise effects which can also intensify perception and so lead to annoyance.

The frequency of background noise levels as shown in Figure 4 and Figure 5 and the context of the area has been analysed in order to determine the representative lowest background noise levels as per BS4142:2014.

Table 5 sets out the resultant plant noise targets.

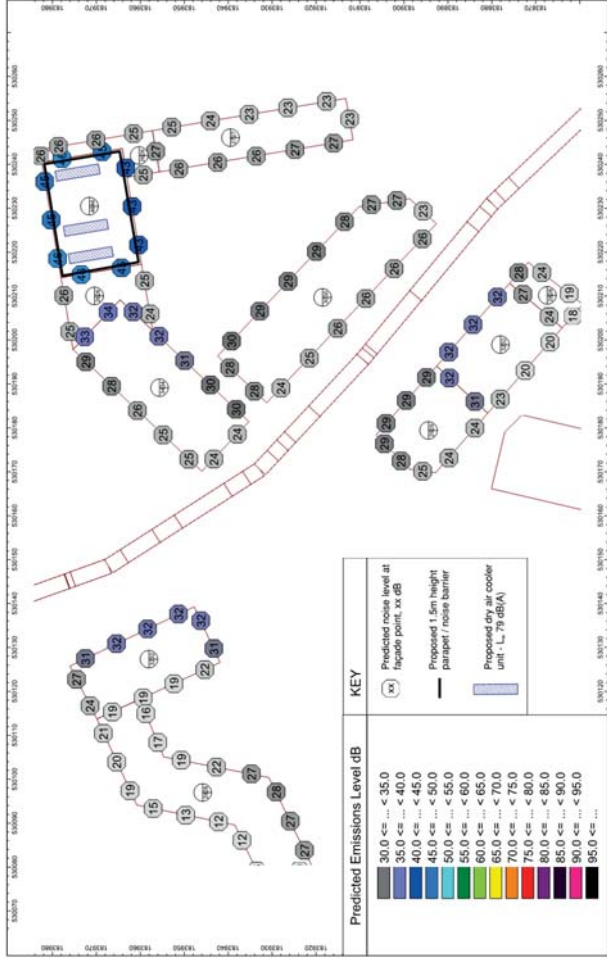


Figure 7 noise model results – W1E dry air cooler units

3.2.2 Emergency plant

Proposals include a number of emergency use smoke extract fan units to be mounted on the roof of each block. Final selections of these units have yet to be made. But indicative estimates show that these units are likely to have a high operational sound power level.

Proposals are to include the following:

- 1No. Unit on the roof of W1E
- 1No. Unit on the roof of W1W
- 4No. Units on the roof of W2

W1E and W2 are to include a 1.5m height parapet around the perimeter of the roof area which will act as a noise barrier. W1W also includes such a parapet, but at a height restricted to 1.1m.

It is expected that all smoke extract units will be required to include attenuation packages in order to control noise emissions to within the emergency plant noise limit detailed in Table 6. Upon final selections, all relevant details will be included in a noise model to determine the required performance of said attenuator packages.

4.0 CONDITION 30

“Construction of residential development within Blocks A and B (as shown on drawing TS006 revision K) shall not begin until approval in writing from the Local Planning Authority has been issued for a scheme to protect that development from environmental noise. The scheme shall be designed to ensure that, with windows closed and an alternative ventilation system provided:

- External environmental noise within the bedrooms shall not exceed 35 dB L_{Aeq,8hr} between 23:00 and 07:00 hours, and shall not normally exceed 45 dB L_{Amax(d)} at other times;
- External environmental noise within other living rooms shall not exceed 40 dB L_{Aeq,16hr} between 07:00 and 23:00 hours.”

4.1 Façades

A noise model has been produced for the site based on survey measurements of existing environmental noise sources. Figure 8 demonstrates the predicted resulting exposure to noise for each façade across the development during the daytime.



Figure 8 Façade noise exposure, average noise levels

In this instance, it has also been deemed prudent that for the night time assessment the average noise levels are not solely relied upon in order to define the outcome. Due to the nature of the rail noise sources located very close by, there are high maximum noise events that occur due to trains passing and stopping and idling on the tracks prior to stopping either at St Pancras or Kings Cross. These events will take place in early morning or late evening, and so there will be the possibility that occupants could be disturbed from sleep.



Figure 9 Façade noise exposure, maximum noise events from trains

Consideration of the maximum noise levels therefore pushes the large majority of the development in to 'high risk' of disturbance to occupants.

Using the noise levels across the façades as above, required façade sound insulation performances have been derived to be used as a basis for minimum glazing performances across the site.

Table 7 Façade sound insulation requirements

Facade	Façade noise level ($L_{Aeq,T}$ dB)	Overall façade sound insulation requirements ($R_{w+C_{tr}}$)
■	70	40
■	65	35
■	60	30
■	55	25

The above performances range from relatively conventional thermal grade double glazing to relatively high performance units.

Ultimately, the façade levels indicated in Figure 9 will be used in conjunction with the sound insulation requirements from Table 7 to determine overall façade sound insulation requirements to ensure internal noise quality throughout both the daytime and night time periods.

Specific details are not available at this stage. However, this is to be used as the fundamental basis for the scheme to inform the developed design and specifications for external walls, glazing and any vents.

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