

159 – 163 KINGS CROSS ROAD PLANNING AND HERITAGE STATEMENT

Table of Contents

1.0	Introduction	1
2.0	Site and Surroundings	2
3.0	Planning History	5
4.0	Pre-application Engagement	6
5.0	The Proposals	8
6.0	Planning Policy Framework	10
7.0	Planning Considerations	11

1.0 Introduction

- 1.1 This Planning Statement has been prepared by Bidwells, on behalf of the applicant Balcap RE Ltd to support proposals for a redevelopment at 159 – 163 Kings Cross Road, London, WC1X 9BN. The description of development reads:

“The demolition of existing building and redevelopment of the site including the erection of a three storeys plus the excavation of a basement to provide office (Class B1a) use at ground, first and second floors and flexible gallery use (Class D1) use or office use at basement level. The installation of sedum green roofs and provision of associated cycle parking, waste storage and plant.”

- 1.2 The scheme will bring a currently underutilised site into a viable new commercial use, bringing additional office floorspace to the area with gallery space at basement level. The proposals have been carefully designed to provide a new building of very high quality that respects its context, making efficient and sustainable use of this dilapidated site in central London.

- 1.3 The application is supported by the following documents:

- Design and Access Statement, prepared by Marek Wojciechowski Architects;
- Detailed planning drawings (existing, demolition and proposed), prepared by Marek Wojciechowski Architects;
- This Planning Statement and Heritage Statement, prepared by Bidwells;
- Daylight and Sunlight Assessment, prepared by Malcom Hollis;
- Basement Impact Assessment and Structural methodology statement, prepared by Paramabrook;
- Construction Management Plan, prepared by Motion;
- Statement of Community Involvement, prepared by Four Communication;
- Acoustic Report, prepared by KP Acoustic;
- Energy and Sustainability Statement, prepared by Cundall; and
- Transport Statement, prepared by Motion.

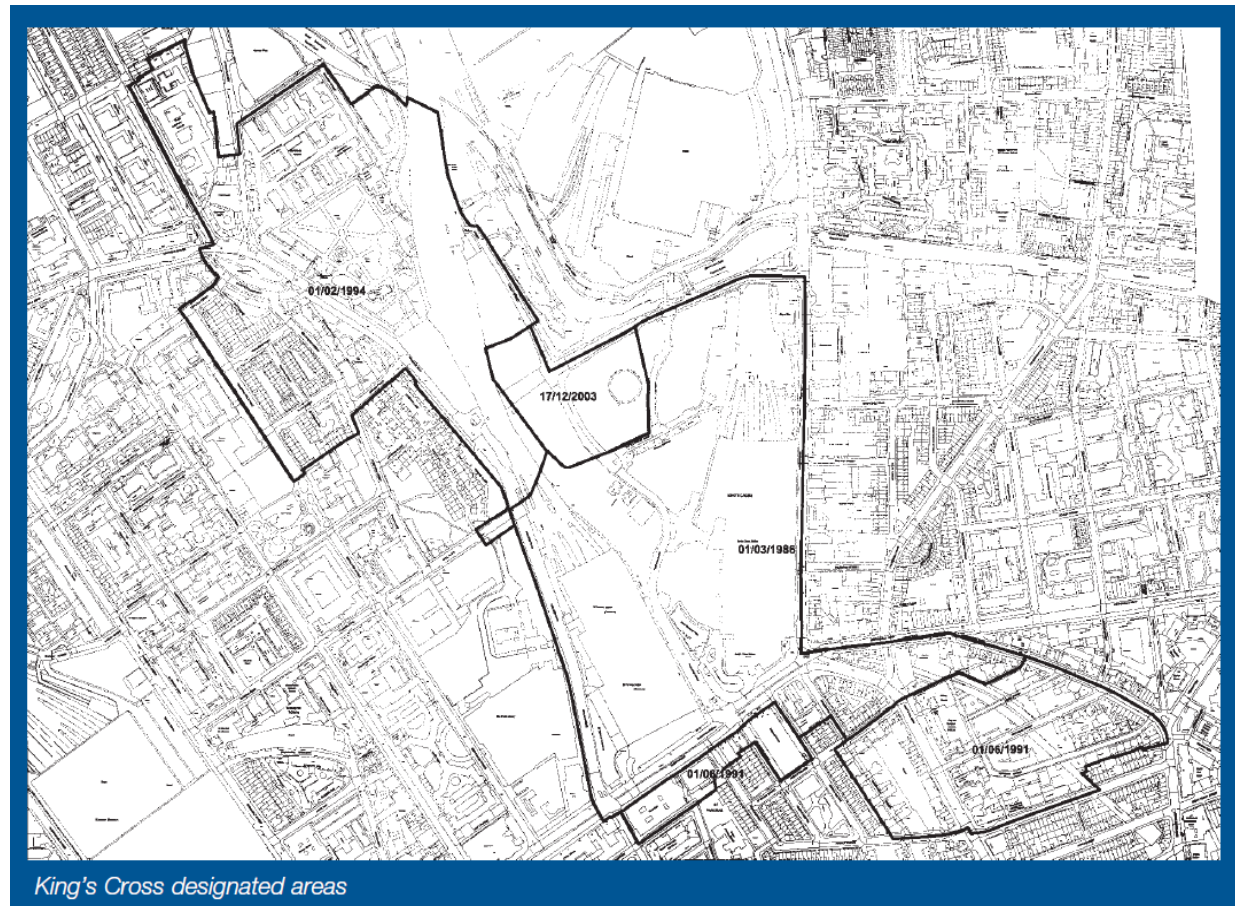
- 1.4 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development accords with the Development Plan and we would therefore respectfully request that it is approved.

2.0 Site and Surroundings

- 2.1 The application site 'The Site' is located on the southern site of King's Cross Road, on a 'land-locked' site, set behind a row of three storey terraces fronting Britannia Street and King's Cross Road. The site is accessed through a set of double doors between nos. 1-3 Britannia Street.
- 2.2 The Site currently comprises an industrial building that was most recently used for the making and renovation and storage of mirrors. It is considered to have a lawful Class B1c use. Very little activity is being carried out on site, and as a result a number of break-in's have occurred recently. The existing building is utilitarian in construction and rises to two storeys and is not in a style that is considered to contribute positively to the conservation area. constructed in yellow stock brick and has the equivalent height of a 2 storey building. The building has a double pitched roof covered by corrugated sheets and glazed roof lights.
- 2.3 The site is surrounded by buildings to create a landlocked site. The surrounding properties range in height, and all rise above the existing building on the application site. The surrounding buildings comprise a mix of uses, including commercial uses, indicative of this Central London location.

Heritage

- 2.4 The Site does not comprise a listed building, however it is situated within the Kings Cross St Pancras Conservation Area. The Kings Cross St Pancras Conservation Area was initially designated in March 1986 by the Greater London Authority (GLA), and was enlarged on two occasions. The first extension took place in 1991 and included land to the south of Euston Road to include Judd Street, Argyle Street, Swinton Street and King's Cross Road. The Conservation Area was then extended to the north west in 1994 to include the area surrounding St Pancras Gardens. The below extract illustrates the Conservation Area boundaries and its extensions.



- 2.5 The Conservation Area has been divided into four 'sub areas,' the Site is situated within 'Sub-area 4: Gary's Inn Road. The Kings Cross Conservation Area Statement (2003) states, '*The area between King's Cross Road and Gray's Inn Road is characterised by narrow streets generally paved with granite setts, lined with former light industrial and commercial buildings. The buildings front directly onto the back of pavement and therefore create a strong sense of enclosure. The area is divided by the Metropolitan and Thameslink railway cutting, which is flanked to the east and west by narrow corridors of vacant land.*'
- 2.6 The Conservation Area Statement includes a map (p.7) depicts listed buildings and buildings which make a positive or negative contribution to the Conservation Area. The Site is not designated as a building that contributes positively to the conservation area, however the adjacent terrace group at nos. 3-5 Britannia Street and nos. 149-163 King's Cross Road have been identified as buildings that make a positive contribution to the wider King's Cross Conservation Area.

Nearby Listed Buildings

- 2.7 The Site sits adjacent to Derby Lodge two grade II Listed apartment buildings, at nos. 49-144 Wicklow Street and nos. 1-48 Britannia Street. The listing descriptions read:
- Derby Lodge, Formerly Derby Buildings, Flats 1 – 26, Britannia Street

TQ3082NE BRITANNIA STREET 798-1/91/1815 (North East side) 11/03/94 Derby Lodge, formerly Derby Buildings, flats Nos.1-36

GV II

Flatted philanthropic accommodation. 1865. By the Improved Industrial Dwellings Company founded by Sydney Waterlow; builder Matthew Allen. Painted stucco cement treated as banded rustication to the ground floor; the same material used on balcony-stair recesses (treated as Tuscan pilastrade) and to window aedicules. Cast-iron railings to balconies of authentic lattice pattern; metal filigree spandrels to brick pier supporting balcony; metal railings to roof over recess; infill to ground floor for security purposes; late C20 wall treated as banded rustication to match original. EXTERIOR: 5 storeys. Nos 1-10 with one-window, brick range to either side of full-height balcony recess which is divided into two broad bays by a brick pier with stylised capital from which spring filigree spandrels to lintels. Nos 11-36 entered off similar balcony-stair recess; the flanking ranges to either side, however, have two windows each, suggesting a different plan form. Another notable difference is the small round-arched lancet with screen-like inset found between each pair of windows to this section. The ground-floor windows to block containing units 1-10 are tripartite. INTERIORS: not inspected. Forms a group with Derby Lodge (formerly Buildings), flats 37-102, to the south in Wicklow Street (qv). Among the earliest surviving examples of the work of Waterlow's influential and prolific IIDC.

- Derby Lodge, Formerly Derby Buildings, Flats 37-102, Wicklow Street

TQ3082NE WICKLOW STREET 798-1/91/1816 (North East side) 11/03/94 Derby Lodge, formerly Derby Buildings, flats 37-102

GV II

Flatted, philanthropic housing. c1865. By Sydney Waterlow's Improved Industrial Dwellings Company with the help of builder Matthew Allen. Same range of materials and architectural features as found on Derby Lodge, flats 1-36 Britannia Street (qv), with which this block forms a group. Sequence of 4 units containing flats 37-53, 54-68, 69-84, and 85-102. Design of each unit identical: 2-bay full-height balcony-stair recess (as found on units 1-10 in Britannia Street), flanked on the ground floor by a pair of tripartite windows and on the upper floors by single windows. Among the earliest flats built by Waterlow's influential and prolific IIDC. INTERIOR not inspected.

3.0 Planning History

- 3.1 A search of the online files establishes the planning history of the property is extensive, however the following is most relevant to these proposals.

REFERNCE	PROPOSAL	DECISION	DATE
2008/2940/P	Change of use and works of conversion of the existing light industrial building (Class B1c) including extension at first and second floor level, to provide 2 x flexible Class B1 units at ground and first floor levels, and 1 x self-contained residential unit (Class C3) at second floor level	Granted	19 May 2009

- 3.2 The lapsed permission comprised the partial demolition of the existing building and the erection of a part two storey, part three storey building comprising 396sqm of flexible B1 floorspace at ground and first floor level and a two bedroom flat on the second floor level. The redevelopment of the site included a 3 storey building within the envelope of the site.

4.0 Pre-application Engagement

- 4.1 The applicant has engaged with Camden's Planning and Conservation departments prior to submitting this application. In parallel with this a consultation strategy was developed by Four Communication to engage with a number of key stakeholders and local residents. These meeting have included:

DATE	EVENT
July 2016	Pre-application meeting on site with Camden officers
October 2016	A one day public consultation event was held at the King's Cross Neighbourhood Centre, 51 Argyle Street on Saturday the 15 October from 10am to 2pm
October 2016	A drop in event was held at the Derby Lodge TRA Hall on Tuesday 18 October from 6pm to 8pm
October 2016	Meeting with Cllr Simpson

- 4.2 The consultation events provided the opportunity for members of the local community and residents to meet with the applicant and consultant team. A number of exhibition boards were displayed setting out what the proposed development comprised. At both events attendees were encouraged to leave feedback, this was left both verbally and through the feedback forms supplied.
- 4.3 Written feedback from the exhibition showed support for the 'uplift in office and commercial space, with increased employment' that the development would bring to the area. Some residents expressed an interest and raised concern with how the proposals may affect their daylight and sunlight.
- 4.4 A Statement of Community Involvement (SCI) has been submitted as part of this planning application which contains further information on all the consultation events that have taken place with stakeholders.
- 4.5 The Council's feedback to the applicant's pre-application request was broadly positive. The officers were supportive of the site remaining in continued business use, and acknowledged the loss of light industrial use and replacement with office use was acceptable given the constrained nature of the site. The scale, height, bulk and massing were considered acceptable, subject to the proposals not causing harm to the residential amenity of neighbouring properties.
- 4.6 Officers concluded that provided through robust justification as to why residential use would not be practical on site; and it is demonstrated that there would be no harm to neighbouring amenity the application would be supported at application stage.
- 4.7 Following the consultation events and receiving the Council's feedback the following changes have been made to the scheme:
- A reduction to the extent of the proposed basement;

- Removal of a lightwell facing northwest, as a result of the change in basement perimeter;
- The removal of southeast facing second floor terrace, to reduce the proposed building massing and to allow further daylight to reach Derby Lodge properties;
- The material pallet has been amended in favour of a lighter pallet including brick and louvers to reflect the neighbouring residents desire for a lighter building massing.

5.0 The Proposals

- 5.1 Full planning permission is sought for the redevelopment of the site for the demolition of the existing building. The replacement building will comprise a three storey building comprising ground to second floor and the excavation of a new basement level. The description of development at land to the rear of 159 – 163 Kings Cross Road, London, WC1X 9BN reads:

“The demolition of existing building and redevelopment of the site including the erection of a three storeys plus the excavation of a basement to provide office (Class B1a) use at ground, first and second floors and flexible gallery use (Class D1) use or office use at basement level. The installation of sedum green roofs and provision of associated cycle parking, waste storage and plant.”

- 5.2 The proposals have been carefully designed to ensure the building is of a high quality to reflect the surrounding buildings and the scale of the lapsed scheme. The proposal has also had regard to the adopted development plan and amended to reflect feedback from the pre-application engagement with officers and local stakeholders.

Use

- 5.3 The proposed scheme seeks to replace a former light industrial building and replace it with a high quality three storey building (plus basement) that complements the character and appearance of the landlocked site within the Kings Cross Conservation Area. The building will contain high quality office floorspace at ground, first and second floors, and flexible office and gallery use at basement level.
- 5.4 The substantially improved commercial employment floorspace will accord with the demand for more high quality commercial accommodation in Camden that can cater for smaller firms. The proposed replacement building will comprise the following:

FLOOR	EXISTING GIA	EXISTING GEA	PROPOSED GIA (SQM)	PROPOSED GEA
Basement Floor			168.1	199.0
Ground Floor	359.0	379.1	341.4	370.7
First Floor	203.7	222.8	228.6	253.2
Second Floor			134.9	150.7
Total	562.7	601.9	873.0	973.6

- 5.5 The scheme includes the creation of two balconies which will include planted trellis' and privacy screens. The scheme also includes the provision of a number of sedum roofs on the flat sections of the proposed roof.

Cycle and Refuse

- 5.6 The proposals include the provision of 7 secure cycle parking spaces and will be situated within the main entrance to the building. The cycle parking will be in the form of:
- A Josta 2-Tier storage racks; and
 - 3 Sheffield hoop stands
- 5.7 A dedicated waste store is proposed at basement level and will comprise 8no. bins. The bin store will be adequately ventilated and will be accessible via the DDA compliant lift which has been designed to accommodate 2 x 240 litre Euro Bins. For further details, please see the submitted Design and Access Statement prepared by Marek Wojciechowski Architects.

Plant and Ventilation

- 5.8 The scheme includes the provision of 3 air conditioning units. The proposed air conditioning units are to be located at second floor level and will be situated within acoustic enclosures with the appropriate attenuation and mitigation measures included.

6.0 Planning Policy Framework

- 6.1 Planning decision in England are to be taken in accordance with the Development Plan unless material considerations indicate otherwise. This is given statutory force by Section 38(6) of the Planning and Compulsory Purchase Act (2004).
- 6.2 The development plan for Camden Council comprises Camden's Core Strategy (2010); Camden's Development Policies Development Plan Document (DPD) (2010); Site Allocations (DPD); the adopted Policies Map and the London Plan (2016). Other material considerations include the National Planning Policy Framework (the Framework), National Planning Practice Guidance (NPPG) and relevant supplementary planning guidance in the form of Camden Planning Guidance.
- 6.3 The following Camden Planning Guidance documents are relevant to the current proposals:
- CPG 1: Design
 - CPG 3: Sustainability
 - CPG 4: Basements and lightwells
 - CPG 5: Town centres, retail and employment
 - CPG 6: Amenity
 - CPG 7: Transport
 - CPG 8: Planning Obligations
- 6.4 Camden Council are currently at the advanced stage of their Local Plan Review, and the Examination was held on 24 June 2016. As such weight should be attributed to the proposed policies contained within the draft submission Local Plan. The Local Plan Submission Draft is therefore a material consideration when assessing planning applications in Camden.

7.0 Planning Considerations

- 7.1 This proposal is for full planning permission for the redevelopment and change of use of the site for office (B1a) use. The proposals include the erection of a three storey building and the excavation of a new basement level, the creation of balconies and the installation of plant.

Presumption in Favour of Sustainable Development

- 7.2 The National Planning Policy Framework sets out a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking (paragraph 14). Paragraph 20 of the Framework states that one of the 12 core planning principles is to:

‘take account of the different roles and character of different areas, promoting the vitality of our main urban areas.’

- 7.3 The Framework also states that Local Planning Authorities (LPAs) should approve development proposals that accord with the development plan without delay, and planning should do all it can to support and encourage sustainable economic growth (paragraph 19).
- 7.4 Paragraph 7 of the NPPF identifies that there are three dimensions to sustainable development: economic, social and environmental. It will be set out during the course of this Statement that the proposals meet these aims, but in summary:
- Economically Sustainable
 - The proposal will replace an underutilised site that does not contribute to the local economy.
 - The proposals will deliver additional high quality and modern office floorspace in the heart of Central London, increasing local employment opportunities, benefitting the local economy.
 - Socially Sustainable
 - The proposed office floorspace will be flexible and will be suitable for small to medium sized enterprises occupiers;
 - Flexible space will be provided at the basement level, which could house a gallery;
 - The applicant will make a contribution towards the Council’s affordable housing fund and Community Infrastructure Levy which will go towards local schemes.
 - The proposals have been carefully designed to ensure the new building will not cause harm to the amenity of the surrounding residential and commercial properties through its scale, bulk, height and massing.
 - Environmentally sustainable
 - The proposed scheme will make efficient and sustainable use of an existing underutilised site within central London, recycling it for a viable new office use;

- The proposals will replace a currently dated and environmentally inefficient commercial building with a modern and highly efficient building, improving the environmental credentials for the site;
- The scheme will deliver a BREEAM Excellent rated commercial building securing 20.6% carbon emission savings;
- The site is situated within a highly accessible location, allowing staff to access the property via environmentally considerate routes;
- The proposals respect the site's location within a conservation area and have been designed to enhance preserve the setting of the listed building.

7.5 The proposals are economically, socially and environmentally sustainable and the presumption in favour of development therefore applies.

Land Use

Employment Use

- 7.6 Development Management Policy DP13 seeks to protect and retain land and buildings suitable for continued business use and will resist a change to non - business uses. Supporting text to Policy DP13 sets out that where it is proposed to redevelop employment land for another business use, including offices, the Council will seek to retain physical features that will enable the flexible use of the premise for a range of business purposes to maintain the range of employment premises available.
- 7.7 Draft Policy E1 seeks to encourage a strong economy in Camden and will support businesses of all sizes, in particular start-ups and SMEs. The draft policy also directs new office development to growth areas, including Central London and will encourage the concentrations of professional and technical services, creative and cultural businesses and science growth sectors throughout the borough.
- 7.8 The proposed redevelopment of the site results in the loss of the existing B1c unit which was previously used for the manufacturing and refurbishment of mirrors. The proposed change of use of the site to offices, provides additional employment floorspace to the Central Area and accords with policy DP1 and draft policy E1. It will provide flexible office floorspace which will ensure the site remains an active contribution to Camden's office supply. In addition, the scheme will contribute to the local economy in a greater manner than existing. As such the proposed use of the site is acceptable in principle.

Flexible D1 secondary use

- 7.9 The proposed building layout and flexible approach to the basement level offers a degree of flexibility for future occupiers allowing for the space to be occupied by one business or by several commercial operators. The proposed scheme would therefore provide new office space capable of being sub-divided into differing sizes, depending on future occupants needs, satisfying the Council's drive for more flexible business floorspace. The scheme will deliver high quality commercial space and will improve the quality of business floorspace currently provided on site, improving the long term viability of the site.

- 7.10 In addition to the office floorspace, the proposed scheme includes a flexible office (Class B1a) or gallery (Class D1) use at basement level. The proposed use of the basement allows for the building to be used in a flexible manner and could play host to a gallery or exhibition space for a range of business and employment purposes. The provision of a gallery as a secondary use is considered acceptable and will not result in a permanent loss of B1 floorspace and instead provides a space for flexible business use in accordance with Camden's Development Management Plan. The operational management of the flexible use at basement level will be carefully managed by the building manager to ensure no negative impacts on neighbouring amenity or the local transport network occur.
- 7.11 As such, the proposed redevelopment and provision of high quality additional commercial floorspace in this location is considered acceptable in principle and complies with Camden Council's Policy CP13, Camden Planning Guidance 5 and draft Policy E1.

Providing a Mix of Uses

- 7.12 The site is situated within the Central Area where Camden Council promote the provision of office accommodation to secure a strong economy in Camden. Core Strategy Policy 9 (CS9) states The Council will support and promote the Central London area as a successful and vibrant part of the capital to live in, work in and visit and will support Central London as a focus for Camden's future growth in homes, offices, hotels, shops and other uses.
- 7.13 Development Management Policy DP1 requires a mix of uses in development where appropriate in all parts of the borough, including a contribution towards the supply of housing. Within the Central London Area where proposals include more than 200sqm (gross) additional floorspace is provided, the Council will require up to 50% of all additional floorspace to be housing. The Council will use gross external area for comparing non-residential and housing floorspace.
- 7.14 The policy also states the Council will require any secondary uses to be provided on site with independent access, particularly where 1,000sqm (gross) of additional floorspace is proposed. Where inclusion of a secondary use is appropriate for the area and cannot practically be achieved on the site, the Council may accept a contribution to the mix of uses elsewhere in the area, or exceptionally a payment-in-lieu. The policy also sets out factors the Council will consider when determining if a mix of uses can be practically achieved on site.
- 7.15 The proposed development results in an increase in commercial floorspace of 371.7sqm GEA (310.3 sqm, GIA) providing a total GEA of 973.6 (878.6sqm GIA). As such, the proposal triggers the requirement of 50% of this additional floorspace to be provided as residential floorspace which results in 185.85 sqm GEA. The practicality of achieving this mix has been carefully considered by the design team, however as, as set out below, it is considered impractical to provide housing on site as a secondary use in a manner that would not unduly compromise the development. However, the proposed scheme includes the provision of a flexible D1 use gallery/exhibition space at basement floor as a secondary use, contributing to the mixed use of the site.
- 7.16 The below sets out an assessment considering whether it is practical for on-site housing provision, based on the criterion set out in Policy DP1.

a. The character of the development, the site and the area

7.17 The surrounding area is mixed in character but the directly neighbouring buildings comprise residential accommodation. The existing site is in commercial use, albeit underutilised and barely contributing to the local economy. It is in an unkempt condition, with evidence on site of illegal entry. The existing building currently contributes negatively to the character and appearance of the conservation area, although having a commercial use at this location without any discernible overlooking to neighbouring properties is the established status quo and the situation for neighbouring residents.

7.18 The site is very tight and landlocked with only one means of access. Given the site constraints it would not be possible to provide a separate entrance and core for any residential development without there being a significant compromise in the quality of space and accessibility to that space. Further, the outlook for any new units would be compromised by the site's close proximity to neighbouring residential properties. In order to avoid an unreasonable degree of overlooking to nearby residential units the design of any new residential unit on the site would be designed in a manner that would unduly restrict the outlook of that property and would therefore impact on any future occupier, should housing be accommodate at the application site.

b. Site size, the extent of additional floorspace, and constraints on including a mix of uses

7.19 As referenced above, the site is a small landlocked site, measuring 0.37ha, and is surrounded by residential dwellings within very close proximity. There is no opportunity to incorporate more than one access or core to the scheme. A single access and core would therefore be shared between more than one use, which is not desirable in respect of amenity or the delivery of an optimal scheme, desirable for both office and residents. This is acknowledged in the supporting text to Policy DP1. The existing GEA is 601.9sqm, the proposed GEA is 973.6sqm This represents an uplift of 371.7sqm – this is significantly below the 1,000sqm uplift where policy DP1 considers on site provision more achievable and so flexibly should be applied accordingly.

7.20 We note that consent was granted in 2009 for a development that included one residential unit on site. This has not, however, been implemented, arguably due to the development being compromised with a mix of uses given its relatively small scale and restrictive access. Further, we have reviewed the consented application and have the following comments to it:

- The habitable room to habitable room distance across our site to neighbouring properties is only circa 9m, which we consider unduly close so that the future amenity of the new unit and existing units would be affected
- The access stair/corridor is shared between commercial and residential, which creates an unsatisfactory situation in respect of security and amenity;
- Commercial and residential bin stores are communal due to access restrictions. This is an unsatisfactory arrangement

7.21 It is therefore considered that the site size, the fairly small amount of additional floorspace proposed and the access constraints render it unpractical to provide on-site residential accommodation.

c. The need for an active street frontage and natural surveillance

7.22 The site is completely landlocked with a single entrance on to Britannia Street via a mews style entrance. It is not therefore possible to create an active street frontage or natural surveillance in

any event. The office use will generate pedestrian movements providing more natural surveillance in this respect.

d. The economics and financial viability of the development

- 7.23 The viability to date has been focussed on delivering excellent additional office floorspace to this part of Camden, which could create up to 55 jobs locally. The inability to incorporate a separate entrance, core and circulation space would, though, impact on the achievable rents for both uses. This would be a complex build given the site constraints. As such, given the small increase proposed a financial viability assessment is unnecessary in this instance.

e. Whether the sole or primary use proposed is housing

- 7.24 This is not applicable to the current scheme as the proposals relate to commercial uses only.

f. Whether an extension to the gross floorspace is needed for an existing user

- 7.25 The existing tenant very rarely uses the existing premises, an extension to the existing unit would not be appropriate in the current circumstances. In addition, an extension may result in a change in tenant for a new light industrial business which in turn could result in negative impacts on the surrounding neighbour's residential amenity. The intention would be to redevelop the site for new office space, which would provide accommodation for SMEs.

g. Whether secondary uses would be incompatible with the character of the primary use

- 7.26 Residential and office uses are not considered incompatible within close proximity, although as noted earlier, there is no ability to provide the uses with their own access and circulation space. This compromises the space and would introduce undesirable interaction between any residents and office workers.

- 7.27 The proposal includes the provision of a secondary use, a flexible office/ gallery space at basement level. The proposed flexible use of the basement is considered compatible with the proposed office use, and will complement one another.

h. Whether the development is publicly funded

- 7.28 This criterion is not applicable; the development is not publicly funded.

i. Any other planning objectives considered to be a priority for the site

- 7.29 This site is not currently contributing positively to the area, in terms of its contribution to the local economy and also the character and appearance of the conservation area. Its redevelopment as a solely commercial scheme can deliver excellent new office space to this part of Central London that would be suitable for small and medium sized enterprises. The site constraints are such that inclusion of a secondary residential use on site would cause complications in respect of conflicts between the different users, and also have more of an impact on the amenity of neighbouring residential properties by way of overlooking.

- 7.30 The proposed flexible secondary use of the basement as offices or gallery use is considered to complement the existing character of the area, and will provide a flexible working space for small to medium office users and start-ups.

- 7.31 The applicant does not own or control an alternative site in the area where off-site provision could be made and so we are seeking agreement from the Council that a payment-in-lieu is appropriate in this instance
- 7.32 The draft policy H2 contained within the Local Plan Submission Draft seeks to maximise the supply of self-contained housing from mixed use schemes and includes the aforementioned criteria the Council will consider whether a mix of uses including self-contained housing should be provided on sites, but adds an additional criterion that requires the Council to consider the Local Plan priority for the Hatton Garden area. This criterion is not considered applicable to this scheme due to the sites location outside the Hatton Garden area.
- 7.33 Based on the aforementioned the site is considered unpractical for on-site housing, it is not possible to provide housing off site, as such a payment-in-lieu is considered acceptable. In accordance with the Camden Planning Guidance 8 'Planning Obligations' we have calculated that based on an uplift in commercial floorspace of 371.7sqm (GEA) triggers a payment-in-lieu of £130,095. The proposed scheme is therefore considered acceptable in principle and in accordance with Camden's Policy DP1, Camden's Planning Guidance 2 and 8 and draft policy H2.

Design and Heritage Impact

- 7.34 Section 12 of the NPPF deals with heritage matters, and includes specific heritage policies. It states that the strategic approach to be adopted by local planning authorities should take into account:
- The desirability of sustaining and enhancing heritage assets and putting them to viable uses consistent with their conservation;
 - The wider social, cultural, economic and environmental benefits the conservation of the historic environment can bring;
 - The desirability of new development making a contribution to local character and distinctiveness; and
 - Opportunities to draw on the contribution made by the historic environment to the character of a place.
- 7.35 Paragraph 132 states that when considering the impact of a proposed development upon a heritage asset, great weight should be given to the assets conservation. Any harm or loss should require clear and convincing justification. If a harmful impact is perceived, there is the alternative of either paragraph 133 (substantial harm to total loss), or paragraph 134 (less than substantial harm).
- 7.36 Where it is considered that the development will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 7.37 Paragraph 137 further states that local planning authorities should seek opportunities for new development within and in the setting of conservation areas and heritage assets to enhance or better reveal their significance.

- 7.38 The Kings Cross Conservation Area Statement (2003) discusses the character and appearance of the Conservation Area, those features that contribute to its designation, and guidelines for development. The Statement does not designate the application site as a building that contributes positively to the conservation area, which is likely due to the building itself being of poor architectural quality. However, the adjacent terrace group at nos. 3-5 Britannia Street and nos. 149-163 King's Cross Road have been identified as buildings that make a positive contribution to the wider King's Cross Conservation Area.
- 7.39 Core Strategy Policy CS14 states the Council will expect Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. Development Management Policy DP25 seeks to maintain the character of Camden's conservation areas and sets out the Council will only permit development that preserves and enhances the character and appearance of the area; prevent the total or substantial demolition of unlisted buildings that make positive contribution to the character or appearance to the conservation area. Policy DP25 also states the Council will seek to preserve or enhance the borough's listed buildings and will not permit development that it considers would cause harm to the setting of a listed building.
- 7.40 Draft policy D1 requires development to respect local context and character, and preserve or enhance the historic environment. The policy also requires proposals to be of a high quality design and materials and incorporate best practice in resource management and climate change. Draft policy D2 seeks to preserve and where appropriate enhance Camden's rich diverse heritage assets and their setting.
- 7.41 The existing building on site is rarely used by the current tenant, and as such is falling into disrepair. The building is not of high quality and is considered to detract from the character and appearance of the Conservation Area, and as referred to earlier, is not designated as a building that contributes positively to the character. The proposed scheme will replace this building with one of a high quality design, and which has been designed in a manner that has due regard to its context and relationship with neighbouring properties.
- 7.42 Given the nature of the landlocked site the only public views of the site are of the wooden entrance doors. All other views of the site are from private property. The proposal includes the retention and refurbishment of these doors to ensure there is no visual impact from street view. As such the visual impact from the street and the public views of the conservation area will not change.
- 7.43 The new building is contemporarily designed. The proposed material palette includes a brick, glazing and steel drawing on the site's former historic light-industrial use. The selection of colour and material palette directly references the surrounding brick context as a key material reference in the newly proposed scheme.
- 7.44 The proposed scale and massing of the building is such that it remains subservient to the neighbouring properties. The proposed scheme is comparable to that previously approved in 2009. Camden Council accepted a proposal for the change of use of the site from light industrial to office and residential use which included extensions to first and second floor level in 2009 (2008/2940/P). The consented scheme included the partial demolition of the existing building and rebuild, including extensions in a contemporary design to provide additional office floorspace. This approach was considered acceptable by the Council. Further to this Officer's considered the consented scheme would be 3 storey in scale which was similar to the existing scale of the site's

context, and the increase in scale would not have a detrimental impact on views from the listed buildings. An acceptable distance between the listed building is maintained ...

- 7.45 in keeping with neighbouring properties, the replacement building will be finished to a high quality to preserve and enhance the site's contribution to the Kings Cross Conservation Area and the setting of the Derby Lodge listed buildings.
- 7.46 The Archaeological Report, prepared by Archaeology South-East considers the proposed development to be designed sympathetically to the needs of the designated and non-designated heritage assets within its vicinity. The Report concludes that the development is not considered to have a negative impact on the setting of the adjacent historic buildings and heritage assets. The Report recommends that a watching brief is conducted during the removal of the concrete flooring and excavation of the new basement, to ensure any potential archaeological deposits revealed during construction activities are recorded.
- 7.47 The proposed scheme is considered to be an appropriate scale and design that will enhance the conservation area and preserve the setting of the listed building. No harm is considered to result in the loss of the existing building. In accordance with the NPPF, public benefits are not required to justify the demolition of the existing building.
- 7.48 The current proposed scheme includes additional height at first floor level and some additional massing to the second floor compared to the consented scheme, however the proposals have been designed to sit comfortably adjacent the neighbouring properties in a contemporary design that draws on the site's context.
- 7.49 The proposed scheme seeks to enhance and conserve the Kings Cross Conservation Area whilst preserving and enhancing the setting of the listed buildings (Derby Lodge). The proposals are therefore considered acceptable in heritage terms and accords with policies CS14 and DP25.

Sustainability

- 7.50 Policy CS13 seeks to reduce the effects of and adapting to climate change through the promotion of efficient use of land, minimising carbon emissions and ensuring buildings and spaces are designed to cope with, and minimise the effects of climate change.
- 7.51 Policy DP22 promotes sustainable design and construction and expects all non-domestic development of 500sqm of floorspace or above to achieve 'very good' in BREEAM assessments and excellent from 2016. The policy also requires all development to be resilient to climate change to include adaption measures such as summer shading, limiting run-off, reducing water consumption, reducing air pollution, and not locating vulnerable uses in basements in flood-prone areas.
- 7.52 An Energy and Sustainability Statement has been prepared by Cundall. The Statement confirms the proposed scheme will achieve BREEAM Excellent. The Statement also confirms that through low and zero carbon technologies over the Be Lean case secures carbon emission savings of 20.6%. The proposed development therefore complies with Camden's sustainability policy and Camden Planning Guidance 3.

Amenity

- 7.53 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy DP26 support this, by seeking to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy/ overlooking, outlook and impact on daylight and sunlight.
- 7.54 Draft Policy A1 seeks to protect the quality of life of occupiers and neighbours and will grant permission for development unless development will cause unacceptable harm to amenity.

Daylight and Sunlight

- 7.55 A Daylight and Sunlight Assessment has been prepared by Malcom Hollis to assess the impact of the proposed scheme on the surrounding properties against the BRE guidelines. In terms of daylight the Assessment tested 147 windows, of those tested one marginally fails the Average Daylight Factor (ADF) BRE guidelines with the remainder of windows comfortably meeting the Vertical Sky Component (VSC) values or ADF targets. This one window is believed to serve a living room and achieves an ADF of 1.07% where the BRE recommends 1.5%, this represents a reduction in value of 23%, a 3% increase when compared to BRE recommendations. However, given the BRE guidelines are based on sub-urban settings, it has been accepted throughout Camden and central London that in urban locations general BRE guidelines cannot always be met and alternative target values are acceptable. The proposed reduction in value of 23% ADF is considered to be a minor transgression that will not be materially noticed within the property. The proposed development is considered to be compliant with the BRE guide in terms of daylight.
- 7.56 In terms of sunlight the Assessment tested 79 windows for Annual Probable Sunlight Hours (APSH), all but 4 will meet and exceed the BRE's numerical criteria for sunlight. Two minor transgressions are noted to 1-24 Britannia Street, however these windows receive high residual values achieving over 40% APSH, where BRE recommends 25%, with between 1-4% of these during the winter months, where BRE recommends 5%. As such, the affects here are not considered to be material and the windows will receive adequate levels of sunlight in accordance with the BRE guide. Two minor transgressions were noted to 159 – 163 Kings Cross Road, however as with the Britannia Street windows high residual values remain with these windows achieving 25% and 38% APSH, with between 1-4% of these during the winter months. These windows are also within the BRE recommended 20% reduction in APSH value and are considered to be compliant to the BRE criteria.
- 7.57 The proposals will not cause an adverse impact on the daylight and sunlight levels currently enjoyed by the properties surrounding the site. As such the quality of life of occupiers and neighbours will not be harmed. The proposals are considered to accord with Camden's policies on the protection of amenity CS5, DP26 and draft Policy A1.

Outlook

- 7.58 The proposals include the erection of an additional storey, compared to the existing building, as such a larger visual building will be situated on the site. The proposed building has been designed to ensure the new storey is set back away from the boundary with the closest

residential property, Derby Lodge. The setback design of the new building will limit the impact on neighbouring properties outlook and will not increase their sense of enclosure. The proposals are not considered to unduly impact on neighbour's outlook.

- 7.59 Notwithstanding the careful design to ensure the building is not visually dominant the proposals incorporate a series of sedum green roofs and planted terraces. These design additions will soften the appearance of the replacement building and will add colour and interest to the courtyard site.

Overlooking

- 7.60 The proposal has been designed to protect the privacy of existing dwellings, to a reasonable degree. Whilst the proposed dwelling includes some windows that will face residential windows of properties on Kings Cross Road, Wicklow Street and Britannia Street, given the landlocked location of the site these windows include full length louvers which will limit overlooking and restrict the view from office workers out of the building, whilst allowing natural daylight to light the office.
- 7.61 The proposed terrace adjacent 155 and 157 Kings Cross Road has been amended following pre-application discussions. The usable space on the terraces have been scaled back to create a substantial separation between the terrace and these properties. A cedar screen and sedum roof beyond the terrace has been proposed to mitigate any potential overlooking and improve the visual amenity for neighbouring properties.
- 7.62 In addition to louvered privacy screens the proposals include the provision of green buffers to terraces and planted trellis to restrict views into and out of the site. For more information, please refer to the Design and Access Statement.

Noise Impact from Plant

- 7.63 In addition to Policy DP26 Camden have a specific policy that relates to noise and vibration. Policy DP28 seeks to ensure noise and vibration is controlled and managed and will not grant planning permission for development likely to generate noise pollution or development sensitive to noise in locations with noise pollution. The policy also sets out that development that exceeds Camden's Noise and Vibration Thresholds will not be permitted and the Council will only grant permission for plant or machinery if it can be operated without causing harm to amenity and does not exceed thresholds.
- 7.64 Draft Policy A4 reiterates Camden's approach to noise and vibration and is broadly similar to the currently adopted policy DP28.
- 7.65 The submitted Acoustic Report, prepared by KP Acoustics, noted from an initial site inspection the background noise profiles were wholly dominated by road traffic noise from the surrounding roads. The survey of background noise measured 48 dB(A) during the daytime and 46 dB(A) at night time. In order to achieve inaudibility, the proposed plant should not exceed a level below 10dB below the measured minimum background noise. As such the proposed units would need to achieve 38dB(A) and 36dB(A) during daytime and nighttime hours respectively. In order to

reduce noise emissions from the proposed plant units to within the required criteria the Acoustic Report recommends the installation of acoustic enclosures.

- 7.66 The Report confirms that the proposed plan unit installations fully satisfies the emissions criteria based on the Council's requirements providing the mitigation measures are implemented. The proposals include the installation of acoustic enclosures to the proposed plant, as such the plant will not cause harm to the amenity of neighbouring properties and will not exceed the thresholds. As such the proposals are considered to accord with policies DP26, DP28, Camden Planning Guidance 6 and draft Policy A4.

Transport Impacts

- 7.67 Policy DP16 seeks to ensure that development is integrated within the transport network and is supported by adequate walking, cycling and public transport links. The Council will resist development that fails to assess movements to, from and within the site. Policy DP17 requires development to make suitable provision for pedestrians, cyclists and public transport, these provision may include high quality cycle parking and showers.
- 7.68 Policy DP18 seeks to ensure the minimum necessary car parking provision is provided, and in Central London Areas the Council will expect development to be car free. The policy also expects developments to meet the Council's minimum standards for cycle parking:

For B1 uses of 500sqm+ 1 space per 250sm or part thereof should be provided for staff; and a minimum of 2 spaces for visitors.

- 7.69 Draft policy T1 promotes sustainable transport by prioritising walking, cycling and public transport in the borough and expects new development to provide accessible, secure cycle parking facilities. Draft policy T2 seeks to restrict limit the availability of parking and requires all new developments to be car-free.
- 7.70 The Transport Statement prepared by Motion confirms the site is situated within 525m of King's Cross St Pancras Station and is accessible by foot, cycle, and public transport. As such the site scores a PTAL rating of 6b, where 1 is poor and 6b is the highest score indicating excellent levels of public transport accessibility.
- 7.71 Given the site's excellent level of public transport and facilities located within walking or cycling distance of the site the proposals do not include car parking provision, this is in line with the Council's car-free policy.
- 7.72 Cycle parking is provided and totals 10no. cycles. These will be situated within the building adjacent the entrance and reception area as such they will be covered and secure parking facilities for staff and visitors. The provision of 10no. cycles are in accordance with both the London Plan and Camden Borough standards. The proposals also include the provision of two showers which staff can use if they cycle to and from work, in accordance with Policy DP17 and draft policy T1.
- 7.73 The Transport Statement has also assessed the developments potential implications on trips to and from the site. The Statement confirms the development proposals are expected to increase

the number of trips to and from the application site on a daily basis with an anticipated additional 14 during the morning peak and 12 in the evening peak period. The Statement demonstrates that this increase will have negligible impacts on the local transport network with the greatest increase by mode being 8 additional trips on the underground during the morning peak period. The proposed development is in accordance with Policy DP16.

7.74 With regards servicing and deliveries the proposed offices will utilise the existing on street loading opportunities along Britannia Street. The use of these bays and single yellow line are subject to the restrictions of the local Controlled Parking Zone and will be used in accordance with these controls. During construction it may be necessary to suspend parking bays opposite the site entrance to allow for materials to be delivered and removed from site. This will be arranged in an organised manner and will not result in the closure of the street.

7.75 The proposed scheme is considered to comply with Camden's policies on cycle and car parking DP17 and DP18 and to satisfy the policy that requires transport impacts to be assessed, DP16. The proposals also accord with Camden's draft policy on transport.

Construction Management

7.76 It is recognised that disturbance can be caused through the construction phase of a development. Policy DP28 seeks to minimise the impact on the local amenity from the demolition and construction phases of development. The policy sets out that where phases are likely to cause harm, conditions and planning obligations may be used to minimise the impact.

7.77 As such, the applicant has supplied a draft Construction Management Plan (CMP), in accordance with the supporting text to DP26, DP27 (discussed below) and Camden Planning Guidance 6 and 8. The completed CMP Pro forma is intended to be a live document whereby different stages will be completed and submitted for approval as the development progresses.

7.78 CMP is in draft format which is acknowledged as acceptable by the Council and industry best practice, this is due to the requirement for the appointed contractor to provide full details of how the scheme will be managed throughout the construction. Given the early stages of the scheme a contractor is yet to be appointed. The CMP will be secured by planning condition requiring detail to be approved prior to starting on site. The CMP can also form part of the planning obligations and a contractor will be required to sign up to the Considerate Contractor scheme to ensure they do not cause harm to neighbouring residents.

Basement Impact

7.79 Policy DP27 expects all proposals for basement development to assess the schemes impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. Proposals for basement development will only be granted where they will not cause harm to the built and natural environment, local amenity and does not result in flooding or ground instability.

7.80 Camden Planning Guidance 4 sets out the level of detail required to assess a basement. The CPG expects Basement Impact Assessments to include five stages: screening; scoping; site investigations and study; impact assessment; and review and decision making.

- 7.81 Draft policy A5 will only permit basement and underground development where it is demonstrated to its satisfaction that the proposals would not cause harm to neighbouring properties; structural, ground or water conditions of the area; and the character and amenity of the area. the draft policy requires an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment (BIA).
- 7.82 A comprehensive Basement Impact Assessment (BIA)t has been prepared by Parmarbrook to support the application and includes all five stages of a BIA. The Assessment includes a GEA Site Investigation Report, a desk study of the site including site history, utilities and existing buildings and structures, and appraisal of the impact of underground structures outline construction sequence and predicted ground movements.
- 7.83 The Assessment conclusion confirms the BIA has not indicated any concerns with regard to the effects of the proposed basement construction on the site and surrounding area. The initial flood risk assessment included in the BIA concluded that there is low risk of flooding from fluvial/tidal sources and hence no mitigation measures will be required; there is low risk of flooding from surface water, any surface water flooding which may occur along the highways in close proximity to the site likely to be contained within the kerb upstands of the highway, the use of sedum roof and associated SUDS has been incorporated as a form of mitigation and aid in reducing peak flows from the site; and there is no significant risk of flooding from groundwater with no evidence of significant groundwater flows through the impermeable clay layers.
- 7.84 The Assessment confirms that any the impacts identified can be mitigated by appropriate design and standard construction practice. The BIA also confirms the design of the retaining walls has been carried out in order to minimise disturbance to the surrounding area. These measures include underpinning of existing partywalls, propping of the retaining wall during construction to limit deflection and ground disturbance, temporary works to ensure stability of existing structures, and movement monitoring and trigger levels. The Assessment also sets out key principles for the management of the site, which will be undertaken by the main contractor to ensure care is taken to minimise the impacts on the surrounding environment.
- 7.85 The proposed development is therefore considered to comply with Camden's Planning Guidance 4, Policy DP27 and draft Policy A5. TBC following update BIA and answers to my queries

Refuse Provision

- 7.86 CPG1 advises that planning for waste recycling and storage should ensure they accommodate adequate space for storage of recyclables and waste; be located in a safe location; include recycling and refuse collection for any waste contractor; and containers should have designated storage areas; and be sensitively designed.
- 7.87 The scheme includes a dedicated refuse store, at basement level. The store will hold up to 8 bins which is considered sufficient given the size of the office. The bin store will include provision for both waste and recyclable storage and will be ventilated to ensure no odours are released. However, given the proposed use for the building is office the waste generated is unlikely to comprise perishable products that release odours. The waste will be moved to street level ready for collection via the office lift. The building management will be responsible for managing this process to ensure no conflict between office users and building management processes occur.

For more information on how the waste will be managed, please refer to the Design and Access Statement.

- 7.88 The proposed refuse provision is considered to comply with Camden's Planning Guidance 1 and is therefore considered acceptable.

Prepared by

Signed on behalf of
Developer name

Name and position

Date:

Signed on behalf of
Joint Agent name

Name and position

Date:

Signed on behalf of
Bidwells LLP

Name and position

Date:

