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Dear Sir/Madam

**Application for Minor Material Amendments  
1-5 Kings Cross Bridge, 281 Pentonville Road and 368 Grays Inn Road, N1 9NW**

On behalf of the applicant, UK Real Estate Ltd, we seek your approval in respect of alterations proposed at the above property which differ from those shown on approved drawings.

Planning permission was granted on 26 August 2014 (Ref: 2014/0371/P) for:

*Erection of three storey building comprising retail/restaurant (Class A1/A3) at ground floor and office (Class B1a) at first and second floors and roof top plant, following demolition of existing building*

The applicant now seeks to make a small number of amendments that are considered to be Minor Material Amendments to the scheme as previously approved. The proposed alterations are set out below.

**Proposed Minor Material Amendments**

It is proposed to complete the following amendments:

- ***Reorganisation of accesses from street level to basement levels;***
- ***Raising of the ground floor slab by 700mm to allow provision of an access route for Transport for London to access both London Underground running tunnels from basement level;***
- ***Reorganisation of the basement level to provide back-of-house services (including cycle and refuse storage) to the approved office and retail uses;***
- ***Provision of a full length facade to the Kings Cross Bridge ground floor elevation;***
- ***Use of revised materials to the office entrance on Grays Inn Road;***
- ***Increase in height of approved plant screen to match adjoining brick parapet; and***
- ***Internal alterations to approved office layouts including infill of approved void between first and second floor levels.***

In accordance with the Planning Practice Guidance section 'Flexible options for planning permissions' the recommended route for dealing with minor material amendments after permission has been granted is through a S.73 application, which allows changes to conditions.

The Guidance advises that an application for minor material amendments can be made through a S.73 application to change a condition listing approved plans. The Guidance advises that local authorities should impose a condition listing approved plans on permissions as it would facilitate the use of S.73 to make minor material amendments.

As such, in addition to this covering statement please find enclosed the following;

- Appropriate application forms with necessary certificates;
- A copy of the decision notice for planning permission reference: 2014/0371/P to which these amendments relate;
- Relevant approved drawings from permission reference: 2014/0371/P;
- Relevant replacement drawings which demonstrate the proposed amendments; and
- A Design & Access Statement, prepared by Latitude Architects.

The application fee of £195 will be sent separately.

### **Background to this Submission**

Since the original permission was granted detailed design work has been undertaken in order to both confirm the construction ability of the approved development and look for opportunities to further enhance the scheme. This has resulted in the series of changes now put forward.

Most particularly, agreement has been reached with Transport for London for changes to their access requirements to the London Underground tunnels that sit immediately below the site. This allows for both eastbound and westbound tunnels to be accessed via a protected route within the basement of the approved building such that this removes the need to maintain the existing access to ground level on Kings Cross Bridge itself.

As a result, the removal of this entrance has allowed for significant enhancements to the approved elevations. The reconsideration of access to the London Underground tunnels has also allowed for internal rearrangement of the proposed layouts of both office and retail floorspace.

Additionally, although it is not proposed to amend the either/or retail/restaurant use that was granted under the original permission it is now expected that the ground floor will be occupied by a Class A3 restaurant operator. As such, the layout, access and servicing of this space is being configured to best reflect the requirements of this type of use.

Overall, these amendments are intended to make more efficient use of the spaces and massing that has been previously approved. This has been assisted greatly by the changes to the requirements of access to the London Underground infrastructure immediately below the site which has allowed for the elevations of the approved building to be enhanced further.

### **Proposed Amendment to the Existing Permission**

Condition 2 of approved planning permission reference: 2014/0371/P states that:

*The development hereby permitted shall be carried out in accordance with the following approved plans and documents:*

*Demolition Plans - Basement Plan ref. P20; Ground Floor Plan ref. P21; Roof Plan ref. P22; Elevation South ref. P23; Elevation East ref. P24; Elevation North ref. 25; Section East-West ref. P26; Section North-South ref. P27*

*Proposed Plans - Basement Plan ref. P30\_Rev A; Ground Floor Plan ref. P31\_B; First Floor Plan ref. P32\_Rev A; Second Floor Plan ref. P33\_Rev A; Roof Plan ref. P34\_Rev A; Plant Level Plan ref. P35\_Rev A; Elevation South ref. P36\_Rev A; Elevation East ref. P37\_Rev A; Elevation North ref. P38\_Rev A; Section Short ref. P39\_Rev A; Section Stairs ref. P40\_Rev A; Ground Floor Plan Retail ref. P41\_Rev B;*

*Documents - Planning Statement prepared by Savills (dated Jan 2013); Transport Statement prepared by TPP Consulting (dated Dec 2013); Air Quality Assessment prepared by Ramboll (dated Dec 2013); BREEAM Pre-Assessment prepared by dsa Engineering (dated Nov 2013); Energy and Sustainability Statement prepared by dsa Engineering (dated Nov 2013); Daylight and Sunlight Assessment prepared by Savills (dated 16 Dec 2013); External Building Fabric and Plant Assessment prepared by RBA Acoustics (ref 5686/EBF); and Vibration and Re-Radiated Noise Assessment prepared by RBA Acoustics (ref 5686/VIB); Design and Access Statement by Latitude (ref: 1209\_13.11.22); Email from Savills (dated 17/03/2014).*

As such, it is **proposed to amend Condition 2** of the existing permission in order to replace those drawings that reflect the changes that have now been proposed to the approved scheme.

The amendments noted in full above are minor alterations that will not change the principles of the approved development. The overall design, mass and appearance of the approved scheme will not change significantly. Additionally, the land uses within the building will continue to reflect those which were previously approved.

The proposed new building will continue to provide a much improved appearance relative to the existing structures on-site and therefore will provide a greater contribution to the appearance of the local area more widely and, more specifically, the Lighthouse building immediately adjacent.

In order to incorporate these changes into the approved development, a number of existing drawings will be replaced as follows:

<b>Approved Drawing</b>	<b>Replacement Drawing</b>
<i>Basement Plan ref. P30_Rev A</i>	<i>Basement Plan ref. P30_Rev G</i>
<i>Ground Floor Plan ref. P31_B</i>	<i>Ground Floor Plan ref. P31_Rev G</i>
<i>First Floor Plan ref. P32_Rev A</i>	<i>First Floor Plan ref. P32_Rev E</i>
<i>Second Floor Plan ref. P33_Rev A</i>	<i>Second Floor Plan ref. P33_Rev E</i>
<i>Roof Plan ref. P34_Rev A</i>	<i>Roof Plan ref. P34_Rev F</i>
<i>Plant Level Plan ref. P35_Rev A</i>	<i>Plant Level Plan ref. P35_Rev F</i>
<i>Elevation South ref. P36_Rev A</i>	<i>Elevation South ref. P36_Rev D</i>
<i>Elevation East ref. P37_Rev A</i>	<i>Elevation East ref. P37_Rev D</i>
<i>Elevation North ref. P38_Rev A</i>	<i>Elevation North ref. P38_Rev E</i>
<i>Section Short ref. P39_Rev A</i>	<i>Section Short ref. P39_Rev E</i>
<i>Section Stairs ref. P40_Rev A</i>	<i>Section Stairs ref. P40_Rev D</i>
<i>Ground Floor Plan – Retail Use ref. P41_Rev B</i>	<i>Ground Floor Plan – Retail Use ref. P41_Rev C</i>

## **Consideration of the Amendments**

A full assessment of the proposed design and the positive impacts of the proposed alterations, are set out within the additional Design Statement prepared by Latitude that forms part of this submission.

In brief however, these changes are focused around improving access and usability to all parts of the building, including the maintenance access for Transport for London's operatives to reach the London Underground running tunnels from a single street-level entrance. This allows for the removal of the second entrance from Kings Cross Bridge and thus an enhancement of the approved ground floor elevation through the provision of a full length glazed design.

To provide a safe access route for maintenance crews at basement level, the ground floor slab will be raised by 700mm compared to that approved. To incorporate this increase in height, a clad plinth will be provided at ground floor level below the retail glazed frontage. This provides an enhancement to the approved appearance of the building.

It should be highlighted that the first and second floor levels will remain at the previously consented levels.

A full explanation of accessibility and servicing is provided within the Design Statement that forms part of this submission. All requirements for servicing have been discussed in advance with the Council's highways team to ensure that the revised proposal still meets all necessary requirements.

Overall, the proposed changes do not fundamentally alter the approved development but will enhance the previously approved development in terms of overall appearance, usability and accessibility. This further improves the contribution to the local streetscape that has been previously approved.

## **Summary**

As a result of further design development, it is clear that the existing approved building for this site can be further enhanced both in terms of its appearance and contribution to the local streetscene, the setting of nearby buildings (particularly the adjacent Lighthouse building) and also efficiency and usability of the approved land uses.

Specifically, the internal reorganisation of all floorplates ensures a more efficient use of the building across both the office and retail/restaurant uses. The minor change to raise the level of the ground floor will allow for the use of space at basement level that was previously unavailable. This also allows for appropriate maintenance access all parts of the London Underground running lines below the site without needing a specific point of access to the street – the removal of an access that is now superfluous allows for a significant enhancement of the Kings Cross Bridge elevation.

This change to the external appearance of the proposed building, in conjunction with the other alterations in terms of materials on part of the Grays Inn Road elevation, results in a building that further enhances the appearance of both this site individually and the wider setting of both the local area and the adjacent Lighthouse building.

The principles of the approved development are unchanged and therefore the proposed changes can be assessed as minor material amendments to the existing permission.

Amending the existing Condition 2 to incorporate these drawings ensures that the approved development will reflect these alterations.

In light of the above considerations, it is considered that these form appropriate and acceptable minor amendments. I trust that all is in order and would be grateful for a response at your earliest convenience.

Yours faithfully

A handwritten signature in black ink that reads "Savills". The signature is written in a cursive, flowing style.

Nigel Dexter  
Associate