

Delegated Report		Analysis sheet		Expiry Date:	09/02/2017
(Members Briefing)		N/A / attached		Consultation Expiry Date:	09/12/2016
Officer			Application Number(s)		
Kate Phillips			2016/6197/P		
Application Address			Drawing Numbers		
Building R5 South (R6) King's Cross Central York Way London N1C 4AQ			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
<p>Reserved matters in connection with Building R5 south (R6), including minor amendments to the original 2013 permission (2013/1573/P, dated 23/05/2013, as amended by 2015/2891/P, dated 03/08/2015) for a part 8 / part 16 storey block providing a total of 76 residential units on upper floors and a 379sqm unit for either retail/café/drinking establishment/take away uses (Class A1/A3/A4/A5), business and employment use (Class B1) and/or community use (Class D1) at ground floor level, 2 levels of basement to accommodate 38 car parking spaces, 3 car parking spaces at ground floor (for the Extra Care housing in R5 North), 90 cycle parking spaces, associated servicing and refuse areas together with new public realm linking Cubitt Park with East Street at Development Zone R5 South, King's Cross Central. Matters addressed by this submission entail associated details in compliance with condition nos. 19, 24, 27, 39, 42A, 43, 51 of the outline planning permission for a comprehensive, phased, mixed-use development of former railway lands within the Kings Cross Opportunity Area (2004/2307/P, granted subject to s106 agreement on 22 December 2006). The amendments relate to a reconfiguration of the layout of the fourteenth floor to accommodate 3x units (2x 2-bed and 1x 1-bed) instead of 2x units (1x 2-bed and 1x 3-bed) (76 units proposed overall), additional cycle parking at ground level</p>					
Recommendation(s):		Approve reserved matters subject to conditions and approve conditional details			
Application Type:		Approval of Reserved Matters			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	Site notice		No. of responses	00	No. of objections	00
Summary of consultation responses:	<p>A site notice was displayed on 18/11/2016 (expiry 09/12/2016) and a notice was placed in the local press on 17/11/2016) (expiry 08/12/2016).</p> <p>No responses have been received.</p>					
King's Cross CAAC	No comments received (consultation end date 01/12/2016)					
Regent's Canal CAAC	No comments received (consultation end date 01/12/2016)					
Statutory and non-statutory consultees	<p>London Borough of Islington: No comments to make.</p> <p>London Underground: No comments to make.</p> <p>Designing Out Crime Officer (Metropolitan Police): No comments to make.</p> <p>Network Rail: No response to date.</p> <p>Thames Water: No response to date.</p> <p>Kings Cross Development Forum: No response to date.</p>					

Site Description

Building R5 South (also known as R6) is within Development Zone R of the King's Cross Central development, pursuant to the Outline planning permission granted on 22/12/2006 (reference 2004/2307/P).

The site is located to the north-eastern edge of the wider King's Cross Central masterplan site. The plot fronts York Way to the north, bounds Lewis Cubitt Park open space to the west, East Street to the east with R4 buildings across this street, and a proposed Zone R Pocket Garden to the south.

Building R5 North has already been built out and comprises affordable homes and Extra Care units. R5 North is now called Saxon Court.

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

Relevant History

Plot R5 (south)

2015/2891/P: Reserved matters in connection with Building R5 (south), including minor amendments to the original 2013 (granted 23/05/2013 ref: 2013/1573/P) for a part 8 / part 16 storey block providing a total of 76 residential units on upper floors and a 379sqm unit for either retail/café/drinking establishment/take away uses (Class A1/A3/A4/A5), business and employment use (Class B1) and/or community use (Class D1) at ground floor level, 2 levels of basement to accommodate 38 car parking spaces, 3 car parking spaces at ground floor (for the Extra Care housing in R5 North), 90 cycle parking spaces, associated servicing and refuse areas together with new public realm linking Cubitt Park with East Street at Development Zone R5 South, King's Cross Central. Matters addressed by this submission entail associated details in compliance with condition nos. 3, 9, 10, 14, 16-24, 27-28, 31, 33-39, 42-43, 45-46, 48-49, 51, 56, 57, 60, 62, and 64-67 of the outline planning permission for a comprehensive, phased, mixed-use development of former railway lands within the Kings Cross Opportunity Area (Ref: 2004/2307/P granted subject to s106 agreement on 22 December 2006). The amendments relate to removal of the fifteenth floor and increased floor to ceiling heights on all other residential floors; alterations to the residential mix and layout (75 units now proposed); façade alterations; and addition of plant at roof level – **Granted 03/08/2015.**

2013/1573/P: Reserved matters granted 23/05/2013 for: Erection of a part 8 / part 16 storey block providing a total of 76 residential units on upper floors and a 379sqm unit for either retail/café/drinking establishment/take away uses (Class A1/A3/A4/A5), business and employment use (Class B1) and/or community use (Class D1) at ground floor level, 2 levels of basement to accommodate 38 car parking spaces, 3 car parking spaces at ground floor (for the Extra Care housing in R5 North), 90 cycle parking spaces, associated servicing and refuse areas together with new public realm linking Cubitt Park with East Street at Development Zone R5 South, King's Cross Central. Matters addressed by this submission entail associated details in compliance with condition nos. 3, 9, 10, 14, 16-24, 27-28, 31, 33-39, 42-43, 45-46, 48-49, 51, 56, 57, 60, 62, and 64-67 of the outline planning permission for a comprehensive, phased, mixed-use development of former railway lands within the Kings Cross Opportunity Area (Ref: 2004/2307/P granted subject to s106 agreement on 22 December 2006) – **Granted 07/06/2013.**

R5 and R3 (shared basement)

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

Kings Cross Central –Outline permission

2004/2307/P granted 22/12/2006 for outline application for a comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area, as set out in the Revised Development Specification. The development comprises business and employment uses within the B1 use class; residential uses (including student accommodation), serviced apartments and hotels; shopping, food and drink and financial and professional services within the A1, A2, A3, A4 and A5 use classes; the full range of community, health, education, cultural, assembly and leisure facilities, within the D1 and D2 use classes; night clubs; multi storey and other car parking; re-erection of the linked triplet of gas holder guide frames to enclose new residential and other development, on the site of the Western Goods Shed; re-erection of the guide frame for gas holder no 8, alongside the re-erected triplet, to enclose new play facilities and open space; relocation of an existing district gas governor; works of alteration to other existing buildings and structures, to facilitate their refurbishment for specified uses; new streets and other means of access and circulation; landscaping including open space; new bridge crossings and other works along the Regent's Canal; the re-profiling of site levels; and other supporting infrastructure works and facilities.

Relevant policies

National Planning Policy Framework (2012)

London Plan (2016)

LDF Core Strategy and Development Policies (2010)

CS1 Distribution of growth

CS2 Growth areas

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS7 Promoting Camden's centres and shops

CS9 Achieving a successful Central London

CS10 Supporting community facilities and services

CS11 Promoting sustainable and efficient travel

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting high quality places and conserving our heritage

CS15 Protecting and improving our parks and open spaces and encouraging biodiversity

CS16 Improving Camden's health and well-being

CS17 Making Camden a safer place

CS18 Dealing with our waste and encouraging recycling

CS19 Delivering and monitoring the Core Strategy

DP1 – Mixed use development

DP2 – Making full use of Camden's capacity for housing

DP3 – Contributions to the supply of affordable housing

DP5 – Homes of different sizes

DP6 – Lifetime homes and wheelchair housing

DP10 – Helping and promoting small and independent shops
DP12 – Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses
DP13 Employment premises and sites
DP15 Community and leisure uses
DP16 The transport implications of development
DP17 Walking, cycling and public transport
DP18 Parking standards and limiting the availability of car parking
DP19 Managing the impact of parking
DP20 Movement of goods and materials
DP21 Development connecting to the highway network
DP22 Promoting sustainable design and construction
DP23 Water
DP24 Securing high quality design
DP25 Conserving Camden’s heritage
DP26 Managing the impact of development on occupiers and neighbours
DP27 Basements and lightwells
DP28 Noise and Vibration
DP29 Improving access
DP30 Shopfronts
DP31 Provisions of, and improvement to, open space and outdoor sport and recreation facilities
DP32 Air quality and Camden’s Clear Zone

Camden Planning Guidance

CPG1 Design (2015)
CPG2 Housing (2015)
CPG3 Sustainability (2015)
CPG4 Basements and lightwells (2015)
CPG6 Amenity (2011)
CPG7 Transport (2011)
CPG8 Planning Obligations (2015)

1. The proposal

- 1.1. This application seeks to make minor amendments to the reserved matters approval for the erection of a part 8 / part 16 storey block providing a total of 76 residential units on upper floors and a 379sqm unit for either retail/café/drinking establishment/take away uses (Class A1/A3/A4/A5), business and employment use (Class B1) and/or community use (Class D1) at ground floor level, 2 levels of basement to accommodate 38 car parking spaces, 3 car parking spaces at ground floor (for the Extra Care housing in R5 North), 90 cycle parking spaces, associated servicing and refuse areas together with new public realm linking Cubitt Park with East Street at Development Zone R5 South, King's Cross Central (planning reference: 2013/1573/P).
- 1.2. The aforementioned 2013 Reserved Matters permission has already been amended by application reference 2015/2891/P, dated 03/08/2015. The 2015 application sought the following changes: removal of the fifteenth floor and increased floor to ceiling heights on all other residential floors; alterations to the residential mix and layout (75 units proposed overall); façade alterations; and addition of plant at roof level.
- 1.3. The amendments proposed as part of this application are as follows:
- Reconfiguration of the layout of the fourteenth floor to accommodate 3x units (2x 2-bed and 1x 1-bed) instead of 2x units (1x 2-bed and 1x 3-bed) (76 units proposed overall, as originally proposed in 2013)
 - Additional cycle parking at ground level
- 1.4. The proposed minor amendments do not alter the concept or principle of the approved scheme. The facades and GEA of the building would remain as approved. The form, massing, building height and arrangement of spaces within the building would also remain the same as that previously submitted and approved.

Approval of details

- 1.5. In addition to the reserved matters, the application also considers the details required by the relevant conditions attached to the Outline permission. The Compliance Report which accompanies the application addresses the following relevant conditions:

19	Access Statement
24	Housing Delivery Plan
27	Floor space, floor plans and layouts
39	Minimum area of residential development and maximum number of units
42A	Residential mix
43	Residential daylight and sunlight
51	Cycle parking

2. Assessment

- 2.1. The principal considerations material to the determination of this application are summarised as follows:

- The principle of development / compliance with the Outline permission
- Dwelling mix
- Quality of residential accommodation
- Cycle parking provision

2.2. This report will also consider compliance with the Outline conditions insofar as they are relevant to Development Zone R. The applicant has provided a detailed commentary addressing each relevant outline condition, in the form of a Compliance Report.

3. The principle of development / compliance with the Outline permission

3.1. This section of the report will consider compliance with the Outline conditions, insofar as they are relevant to Development Zone R and this application. The Compliance Report, accompanying the application, addresses the following relevant conditions:

19	Access Statement
24	Housing Delivery Plan
27	Floor space, floor plans and layouts
39	Minimum area of residential development and maximum number of units
42A	Residential mix
43	Residential daylight and sunlight
51	Cycle parking

Condition 19 – Access Statement

3.2. Condition 19 of the Outline permission requires relevant applications for approval of Reserved Matters to be accompanied by an access statement which addresses the relevant design principles set out in the Access and Inclusivity Strategy, dated September 2005; highlights any areas where technical or other constraints have prevented or constrained the application of these design principles; and includes a project programme for that building or phase to identify the key stages at which important decisions affecting inclusivity and accessibility will be made.

3.3. A separate Access and Inclusivity Statement was approved as part of the R5 South Reserved Matters submission. The principles set out within the Access and Inclusivity Statement remain unchanged.

3.4. The newly proposed units on the fourteenth floor (3x instead of 2x) have been checked against the Lifetime Homes criteria which were used to judge the original scheme and are contained in the Section 106 Agreement, and all units meet these requirements.

3.5. None of the fourteenth floor units were wheelchair accessible/adaptable to begin with, so the proposed changes have no impact on this. The requirements of the condition have been met.

Condition 24 – Housing Delivery Plan

3.6. Condition 19 of the Outline permission requires each application for approval of Reserved Matters which contain plans and particulars of residential accommodation to be accompanied by a Housing Delivery Plan in relation to those residential units to give details of the number of units, size and mix of wheelchair accessible homes and their storey level and the quantity and type of private residential amenity space to be provided.

3.7. The minor amendments proposed as part of this application are reflected in a revised

Residential Accommodation Schedule. The unit types affected are R6-141 and R6142, and a new unit type R6-143 has been added. The requirements of the condition have been met.

Condition 27 – Floor space, Floor plans and Layouts

- 3.8. Condition 27 of the Outline permission requires details and particulars including floor space figures, floor plans and layouts of the uses and the vehicles and other servicing and access, including provision for any coach access and parking to be accommodated in built and refurbished accommodation, to be submitted to and approved in writing by the local planning authority.
- 3.9. The proposed minor amendments do not affect the GEA approved by the 2015 Minor Amendments, as they relate solely to changes to the internal layout.
- 3.10. The revised layout plan for the fourteenth floor, included within the drawings submitted for approval provides the floor plan, layout and access details required by this condition and therefore have been met.

Condition 39 - Minimum area of residential development and maximum number of units

- 3.11. Condition 39 of the Outline permission sets a minimum requirement for the amount of residential floor space and a maximum number of residential units to be completed.
- 3.12. The Compliance Report notes that Building R5 South is the eleventh building which includes residential development to come forward at King's Cross Central. The proposed minor amendments have no impact on the residential floor space, but the number of dwellings would increase from 1,227 to 1,228. The totals of 128,095 m² GEA of floor space and 1,228 dwellings (excluding student housing units) should be compared to the site-wide figures for the King's Cross Central development set out in condition 39 (a minimum of 137,200m² floor space and a maximum of 1,700 dwellings). The site-wide figures would not be exceeded as a result of this application. The requirements of the condition have been met.

Condition 42A - Residential mix

- 3.13. Condition 42A of the Outline permission requires the residential accommodation (excluding student accommodation) to provide at least 23% of the units as 3 and 4 bed units.
- 3.14. The Compliance Report notes that the proposed amendments would result in the loss of 1x 3-bed unit, so the total number of family-sized units would decrease from 306 to 305. Nevertheless, the proportion of family-sized homes in R5 South is 26.3% and the proportion across the Kings Cross Central site is 24.8% (i.e. both above the minimum 23% requirement). Therefore, in this instance the requirement of the condition has been met.

Condition 43 - Residential daylight and sunlight

- 3.15. Condition 43 of the Outline permission requires applications for approval of Reserved Matters in relation to residential accommodation to 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).
- 3.16. A Daylight and Sunlight Report was submitted as part of the 2013 Reserved Matters submission, and an updated version was provided as part of the 2015 application, to reflect

the revised layouts.

3.17. An addendum to the Daylight and Sunlight report is provided as part of the Compliance Report. It sets out details of how the revised layout for the 3x units achieves the required standards. The report notes that it is Hoare Lea Daylight's professional opinion that, given the previous very high pass rate margins (typically ADF's of >5% against the highest guidance BR209 ADF of 2%), if all the rooms in the proposed new layouts were to be assessed they would, as previously, pass their respective BR209 ADF criteria as all kitchen/living rooms are still dual aspect and all bedrooms still have generous glazing. It is also noted that no external alterations are proposed to the building. Therefore, the requirements of the condition have been met.

Condition 51 – Cycle parking

3.18. Condition 51 of the Outline permission requires the development to be constructed in accordance with the cycle parking/storage standards as set out in Appendix 6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

3.19. The Compliance Report notes that, whilst the originally consented scheme split the cycle storage between the ground and basement levels, the 2015 Minor Amendments brought all the cycle storage facilities to the ground floor.

3.20. The current proposals would increase the number of cycle storage spaces from 83 to 84 (including 76 spaces for residents and 8 spaces for visitors), in order to provide the required cycle storage space for the proposed additional dwelling.

3.21. All of the 84 proposed secure cycle spaces for the R5 South residents will be provided in a day-lit cycle store at ground floor level adjacent to the residential entrance lobby. The total number of spaces provided is compliant with the Outline Planning Permission requirements. This submission does not propose any changes to the cycle provision in the public realm. The requirements of the condition have been met.

4. Dwelling mix

4.1. The proposal seeks to reconfigure the layout of the fourteenth floor to accommodate 3x units (2x 2-bed and 1x 1-bed) instead of 2x units (1x 2-bed and 1x 3-bed). At the time of the 2015 application, the number of units was reduced from 76 to 75. This application seeks to increase the number back to 76, as originally approved in 2013.

4.2. As discussed above, Condition 42A of the Outline permission requires the residential accommodation (excluding student accommodation) to provide at least 23% of the units as 3 and 4 bed units. The proposed amendments would result in the loss of 1x 3-bed unit, so the total number of family-sized units would decrease from 306 to 305. Nevertheless, the proportion of family-sized homes in R5 South is 26.3% and the proportion across the Kings Cross Central site is 24.8% (i.e. both above the minimum 23% requirement). As such, the proposed change is considered to be acceptable and the requirements of the condition have been met.

5. Quality of residential accommodation

5.1. The proposal seeks to reconfigure the layout of the fourteenth floor to accommodate 3x units (2x 2-bed and 1x 1-bed) instead of 2x units (1x 2-bed and 1x 3-bed). The unit types affected are R6-141 and R6142, and a new unit type R6-143 has been added.

5.2. Unit R6-141 is a 2-bed-4-person unit, which measures 97.3sqm; Unit R6142 is a 2-bed-4-person unit, which measures 107.8sqm; Unit R6-143 is a 1-bed-2-person unit, which measures 79.6sqm. The Government's current technical standards require a 1-bed-2-person unit to provide 50sqm of floor space, including 1.5sqm of built-in storage; and a 2-bed-4-person-1-storey unit to provide 70sqm of floor space, including 2sqm of built-in storage. All of the units would far exceed the required standards, which is welcomed.

5.3. Each new unit would be fully self-contained with its own front door leading from the communal hall (with lift access). It is considered that all the rooms in the 3x units would be able to function for the purposes for which they are intended. They would all have an adequate size, shape, door arrangement, height and natural lighting. Each of the 3x units would feature open-plan kitchen / living spaces, which is considered to be acceptable because the size of these rooms is considered to be sufficient to cater for the greater range of activities that would take therein. In all the 3x units there would be a permanent separation between eating and sleeping areas, which is welcomed. The 3x units would all be dual-aspect and all would have outdoor space in the form of an inset terrace. The 3x units would all have adequate built-in storage.

5.4. Overall, it is considered that the proposed 3x units at the fourteenth floor would all provide a high standard of accommodation for future occupiers.

6. Cycle parking provision

6.1. The proposal seeks to increase the number of cycle storage spaces from 83 to 84 (including 76 spaces for residents and 8 spaces for visitors), in order to provide the required cycle storage space for the proposed additional dwelling. The additional cycle parking space would be provided in a day-lit cycle store at ground floor level adjacent to the residential entrance lobby.

6.2. As already noted, the total number of spaces provided is compliant with the Outline Planning Permission requirements, which is considered to be acceptable.

6.3. The proposed cycle store would provide 35x double stack cycle racks (70x spaces), 10x vertical stack cycle racks and 4x folding bike lockers (a total of 84x spaces). At the time of the 2015 amendment application, the applicant proposed 83x spaces, of which 19x would be in the form of vertical hangers. The Officer's Report noted that, ideally, all spaces should be Sheffield stands or Josta stands, but that the applicant provided sufficient details to demonstrate that the alternative vertical hanging system would be easy to use and would not require users to lift the full weight of the bike (as is required when using the upper tier of a josta stand). Insofar as this application proposes more double stack racks (35x instead of 30x) and less vertical stands (10x instead of 19x), this is considered to be acceptable in this instance.

Recommendation: Approve reserved matters subject to conditions and approve conditional details.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 12th December 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.