

Address:	Rear of 1-3 Britannia Street London WC1X 9BN		8
Application Number:	2016/6356/P	Officer: Laura Hazelton	
Ward:	Kings Cross		
Date Received:	18/11/2016		
Proposal: Demolition of 2 storey light industrial building (B1c use) and redevelopment of the site including the erection of a 3 storey plus basement building to provide office (B1a use) at ground, 1st and 2nd floors and flexible gallery (D1 use)/office use at basement level. The installation of sedum green roofs and provision of associated cycle parking, waste storage and plant.			
Background Papers, Supporting Documents and Drawing Numbers			
RECOMMENDATION SUMMARY: Grant conditional planning permission subject to a section 106 legal agreement			
Applicant:		Agent:	
Balcap RE Ltd c/o Agent		Bidwells 25 Old Burlington Street London W1S 3AN	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	<i>B1c Business</i>		<i>601.9m²</i>
Proposed	<i>B1a Business - Office Flexible B1a/D1 - Non-Residential Institution</i>		<i>962.7m² 138.8m² (increase of 360.8m² GEA)</i>

OFFICERS' REPORT

Reason for Referral to Committee: **Minor development where this involves the construction of either 5 or more single dwelling houses or upwards of 500 sqm of non-residential floorspace**

1. SITE

- 1.1 The application site is located on the Southern side of King's Cross Road, on a backland site behind a row of 3-storey terraces which front Britannia Street and King's Cross Road. Access onto the site is via a mews opening between Nos.1 and 3 Britannia Street. The site is a keyhole development which opens up to a larger piece of land to the rear.
- 1.2 The existing building on site is equivalent to 2 storeys and constructed from yellow stock brick with a double pitched roof covered by corrugated sheets and glazed roof lights. The site is not visible from the public realm at street level, apart from a pair of black-painted wooden stable doors to the Britannia Street entrance, alluding to the site's former use as a light industrial warehouse.
- 1.3 The site is surrounded by Grade II Listed buildings at Nos.49-144 Wicklow Street and Nos.1-48 Britannia Street (collectively known as Derby Lodge). These five storey buildings were constructed as flatted, philanthropic housing c.1865, and are among the earliest surviving examples of the work of Sydney Waterlow's influential Improved Industrial Dwellings Company.
- 1.4 The site's 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.
- 1.5 Please note that the documents submitted in support of this application refer to the address 'r/o 159-163 King's Cross Road', but that the address was registered as 'r/o 1-3 Britannia Street' due to the Council's records of the site.

2. THE PROPOSAL

- 2.1 Planning permission is sought for redevelopment of the site to include:
 - The demolition of the existing single storey, double height industrial building which measures a maximum height of approximately 6.7m.
 - Erection of a replacement 3 storey building including the excavation of a new basement floor measuring 268sqm and 4.4m deep. The proposed building

would measure a maximum height of approximately 8.8m as measured from the existing ground level.

- The change of use of the host building from Class B1c (light industrial business) to Class B1a (office) with 138.8sqm of flexible B1a/D1 (non-residential institution) at basement level in the form of a gallery/exhibition space.
- Installation of 3 x air conditioning units and acoustic enclosure at first floor level on the south east section of roof to the rear of 155 Kings Cross Road.

Revision[s]

2.2 Following officer feedback and representations from surrounding residents, the following revisions were made on 13/03/2017:

- The overall scale and massing of the proposed building was reduced in line with the previously approved scheme (approved on 19/05/2009 under reference 2008/2940/P). The roof ridge height was reduced by 1400mm so that the proposed building is no higher than previously approved.
- The proposed massing at second floor level to the rear of Kings Cross Road was removed from the proposals, and the size of the basement floor footprint increased by approximately 53sqm.
- The second floor east facing roof terrace adjacent to the rear of the residential properties on Kings Cross Road was removed.
- The window design to all elevations was revised to introduce orientated slot windows to prevent overlooking into neighbouring windows. The window to the south west elevation at first and second floor level closest to Derby Lodge were changed to brickwork.
- The roof was amended from a saw tooth design to a series of gentle pitches with 20.5sqm of rooflights and 11.5sqm of photovoltaics.
- The elevational treatment was revised so that it appeared more muted – the extent of glazing was reduced and more brickwork was included to reference the existing light industrial/backland character of the site.
- Additional green roofs added across the building in the areas where massing has been reduced and terraces removed.

2.3 On 26/06/2017 additional revised drawings were received making the following amendments:

- The plant enclosure on the first floor roof was revised to introduce brickwork to the sides and increase the height of the brickwork to the rear of it by 930mm to shield views of it.
- The second floor southwest facing terrace was removed and replaced with green roof. Juliet balconies were introduced to the windows at this level.

3. RELEVANT HISTORY

- 3.1 **2012/2648/P** - the renewal of Planning Application ref 2008/2940/P for the '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'. Withdrawn 24/01/2013. (N.B This application was recommended for approval subject to S106 Legal Agreement at members briefing in July 2012, but was subsequently withdrawn due to failure to sign the S106 Agreement).
- 3.2 **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 Subject to S106 Agreement 19/05/2009.
- 3.3 **2005/4752/P** - Change of use of the mezzanine first floor from light industrial use (Class B1) to residential flats (Class C3) to provide 4 no. one bedroom flats including works of conversion comprising the installation of roof windows new windows on the southwest elevation and the formation of a lightwell at first floor level. Refused 11/12/2005.
- 3.4 **2004/3498/P** - Conversion of mezzanine floor from light industrial (Class B1) to four residential flats (4x1 bed) together with roof extension and associated alterations. Refused 27/10/2004.
- 3.5 **2004/5097/P** - Retention of existing B1 unit and creation of 4 no. one bedroom flats above. Alterations at roof level including raising the existing roof profile and creation of new windows and rooflights. Refused 04/02/2005.
- 3.6 **9100237** - The change of use of the warehouse(B8) to light industrial B1(C) at the rear of No.163 Kings Cross Road the retention of retail (A1) and residential upper floors at No.163 Kings Cross Road two shop units within the A Class Schedule at No.159/161 King's Cross Road and unrestricted B1 use between shops and B1(C) and upper floors of No. 159/161 Kings Cross Road. Approved December 1991.

4. CONSULTATIONS

Statutory Consultees

- 4.1 London Borough of Islington – no response.

Conservation Area Advisory Committee

4.2 *Kings Cross CAAC:*

- It is overdevelopment that detracts from the setting of a listed building.
- Reduces light to neighbouring residential buildings.
- Reduces privacy to an unacceptable degree.
- Will result in noise nuisance.
- Will obstruct existing views from residential flats.
- The development will needlessly intensify the existing high-density area.
- Proposal should be re-designed so that it makes a positive contribution to the setting of the buildings around it.

Officer's response: Please refer to sections on Design and Amenity.

Local Groups

4.3 BRAG (Bloomsbury Residents Action Group):

- Historic significance of Derby Lodge – they are an important part of the historic streetscape in this part of London. The over-scaled office building is inappropriate in this setting. The courtyard is an integral part of the listed building. Object to the demolition of the existing warehouse. The development would also harm the setting of the listed buildings.
- Change of character – existing warehouse is quiet and unobtrusive. Its two storey presence does not unduly impinge on residential amenity. The scale of the application building will fundamentally alter the character of the space and impact negatively on residential amenity.
- Object to the change of use. Office use will harm amenity – noise and disturbance, light pollution, smokers, air conditioning noise.

Officer's response: Please refer to sections on Principle of development/Land use, Design and Amenity.

4.4 Derby Lodge Tenants and Residents Association:

- Privacy – the slatted windows would not protect privacy.
- Noise pollution – office workers would cause noise disturbance, Derby Lodge flats have single glazed windows with no isolation from external noise, increase in employer numbers would cause more noise, air conditioning units.
- Daylight/sunlight – report is inaccurate and omits windows, development will result in a loss of light to flats.
- Size - The development is too big for this site.
- Inadequate communication from the developer.

- Construction – construction could damage the adjacent boiler house serving Derby Lodge, impacts of underground development on underground waterways, disruption from construction, impact on highways and transport.

Officer's response: Please refer to sections on Design, Amenity, Transport considerations.

Please note that whilst both the National Planning Policy Framework and the Localism Act encourage developers to engage with local communities before submitting their proposals for application, it is not mandatory for them to do so. Any pre-application engagement by the developer is at their discretion and is not a consideration in the determination of the planning application. Please also note that the boiler house is not included within the application site and is not proposed to be altered as part of the proposals. The applicant would be required to secure a Party Wall Agreement for any development affecting the shared wall, which is outside of the planning process.

Adjoining Occupiers

<i>Total number of responses received</i>	54
<i>Number in support</i>	0
<i>Number of objections</i>	53

4.5 The application was advertised in the local press on 01/12/2016 and five site notices were erected on Britannia Street, Kings Cross Road and Wicklow Street. Two additional site notices were displayed on 02/12/2016 following a request from a local resident.

4.6 The comments from nearby and neighbouring occupiers relevant to planning are summarised below:

Design

- The modern design would destroy the character of the area. The design as well as the mass of the proposed development is not in keeping with the character of Britannia Street and surroundings nor the Grade II Listed status of Derby Lodge and the Conservation Area. The new development is out of proportion in relation to the size of the existing houses. The building is too bulky and unsympathetic to the neighbouring buildings. The increase in height will over-dominate the surrounding flats. The development hugely expands the current building in a way which is aggressive, crude and inappropriate. It is more imposing than the current warehouse.
- There is no merit to the design, they are just maximising square footage on the site and it is too small a space to build a huge office block.

- The proposed materials for the exterior of the building are unsympathetic and increase the feeling of domination and mass.
- The footprint of the building will take out much of the Derby Lodge courtyard.
- Any development on this site should be no higher than the current roofline.
- This aggressive, imposing and monolithic dark finish of the building is not sympathetic with the general character of the area nor surrounding architecture. It should not be so tall, or have a deep basement gallery and it should not have any roof terraces.
- The proposed building does not consider the prevailing pattern, density or scale of the surrounding development, and impacts negatively on existing rhythms, symmetries and uniformities. The proposed building materials are likewise mostly incompatible with the surrounding courtyard.

Officer's response: Please refer to Design Section.

Please note that the detailed design of the proposed building has been revised so that it would be finished in a light brick palette and there are no roof terraces proposed. If permission was granted, a condition would be imposed that the green roofs could not be used as terraces.

Amenity

- Putting a huge office block in the middle of two residential buildings will disrupt the community.
- Overlooking and loss of privacy. Occupants of the office building will be able to look into neighbouring windows. The proximity of the building is unacceptable.
- The building will block light coming into the surrounding flats. The neighbouring properties will suffer severe loss of daylight and sunlight as a result of the additional floors.
- Inaccuracies in the daylight/sunlight report - omits windows and amenity areas to the rear of 3 and 5 Britannia Street and 159-163 Kings Cross Road.
- Bedrooms will be near the smokers' terrace.
- Noise from air conditioning units.
- Terraces will cause over-looking, light-pollution and noise.
- The proposed aluminium louvres would not sufficiently block views between the building and neighbouring flats.
- Impact of proposed gallery – they predominantly hold exhibitions outside of office hours which will cause further noise disturbance.
- Light pollution from the office use.
- Noise is amplified within the internal courtyard and this will be made worse.
- Outlook – the outlook of the courtyard would be transformed detrimentally. The existing views across the courtyard will be blocked by the building. The building will create an overwhelming sense of enclosure.

Officer's response: Please refer to Amenity section (outlook, daylight/sunlight, light spill, privacy/overlooking, noise from plant, and noise from office use sections).

Please note that a revised daylight/sunlight statement was submitted which includes the windows and outside amenity areas to the rear of 3-5 Britannia Street within its assessment. The proposal was also revised to remove all roof terraces from the building, and the aluminium louvres have been replaced by orientated slot windows.

Basement considerations

- The underground river running under Britannia Street could be disturbed by the excavation proposed and this could potentially result in serious irreparable damage to the fabric of the existing buildings.
- The basement is not in keeping with the area – which does not have any underground areas within the courtyard or within the homes.
- Basement could impact foundations of existing buildings, cause ground disturbance and flooding.

Officer's response: Please refer to Basement section.

Transport

- Cycle storage is constrained and is located within a narrow corridor.
- Additional daily traffic, footfall and congestion associated with a busy office environment.
- Existing cycle parking around the area will become congested, with competition between office workers and residents.

Officer's response: Please refer to section on Transport Considerations.

Office Use

- The 24 hour office use will not respect basic rules of noise and light. Offices are no longer used 9 – 5, there will be increased noise outside regular office hours.
- There are already many empty office buildings in Kings Cross, there is no need to create more.
- Office use is inappropriate in this residential area.

Officer's response: Please refer to sections on Principle of development/Land use, Economic development and Amenity.

Impact of construction works

- Impact of noise, vibration and construction workers, especially with a basement excavation.
- Works would result in noise pollution, dust, blocked roads for deliveries/works.
- The heavy vehicles would worsen air pollution.

- Impact of construction works in conjunction with development and construction in the surrounding area.
- Loss of parking in the area during construction works.
- The demolition stage will affect the communal boiler room leaving many residents without hot water or heating.

Officer's response: Please refer to Transport section (managing the impacts of construction on the surrounding highway network and Highway and Public Realm Improvements directly adjacent to the site sections).

Please note that the communal boiler room is not part of the application site.

Other issues

- The level of access to the site is very narrow and is unsuited to the proposed D1 use. Concerns regarding secondary means of escape. *Officer's response: The proposed access is considered acceptable and would maintain the existing arrangement. The gallery floor space is relatively small at 138.8sqm, which is unlikely to generate significant numbers of visitors. The proposed building would maintain the existing fire escape door to the rear of the building which is considered acceptable.*
- Servicing proposals with bins at basement level are poorly considered and likely to cause issues for servicing. Waste management strategy is inadequate. Bins would be left on Britannia Street over night which would create an unsafe environment and impact views. *Officer's response: please refer to section on Waste management.*
- No affordable housing provided. *Officer's response: Please refer to section on Principle of development/Land use (mixed use development section).*
- If the road is closed off for construction works, it may result in anti-social behaviour. *Officer's response: If there is need for it, the CMP could include provisions for security on the site and possibly CCTV. These issues would be negotiated with the Council and local residents as part of the process of devising the CMP.*
- Environmental wastefulness, including the demolition of an old industrial building that is in keeping with the character of the area. The proposal to redevelop the site from scratch using new materials is against policy statement 24.9. *Officer's response: Although the retention and adaptation of existing buildings is encouraged, it is not insisted upon.*
- Security issues resulting from office workers having access to the ground floor area. *Officer's response: Office workers would only have access to this area in the event of a fire. They would not be using the courtyard area for amenity space.*
- Asbestos hazard from the demolition of the existing building. *Officer's response: Please refer to section on Contaminated Land.*

4.7 Re-consultation

4.8 Following discussions with planning and design officers, the proposal was amended to incorporate officer feedback. Due to the level of feedback received and increase in the footprint of the basement floor, re-consultation was undertaken to notify surrounding residents. The application was re-advertised in the local press on 23/03/2017 and 7 site notices were displayed on Britannia Street, Kings Cross Road and Wicklow Street.

4.9 Following the re-consultation, a further 20 objections were received (a total of 49 objections in response to the revised proposals). Objections were raised on the same grounds as previously.

4.10 Kings Cross CAAC wrote that the revisions are in the right direction, but the development still detracts from the setting of a listed building, reduces light to residential buildings, reduces privacy to an unacceptable degree, will result in noise nuisance, and obstruct existing views from residential buildings. *Officer's response: Please refer to sections on Design and Amenity.*

4.11 BRAG (Bloomsbury Residents Action Group) provided additional comments on the revised proposals:

- The reduction in height has been achieved through the introduction of a large skylight in the roof of the building which would cause light pollution to surrounding residents.
- One large terrace remains which would encourage noise disturbance (exacerbated by the echo chamber effect of the courtyard). Users of the terrace would still be able to look into the windows of neighbouring flats.
- The windows, although set back, would still look into neighbouring windows.

Officer's response: Please refer to sections on Design and Amenity. Please note that the last remaining roof terrace has been removed from the proposals in the latest revision (see para 2.3 above). The applicant has provided internal visualisations to show the limited views out of the building (see section on amenity: privacy/overlooking).

4.12 Additional revisions were received on 26/05/2017 (as outlined in section 2.3 above). The amendments were considered to be minor changes which lessened the impact of the scheme and therefore the application was not formally re-consulted. No further representations were received in response to these changes.

5. POLICIES

5.1 Camden Local Plan

At application stage the Camden Local Plan was going through the process of being adopted, and likely to have become adopted by the time this application is reported. Of particular relevance are the following policies:

G1 Delivery and location of growth
H1 Maximising housing supply
H2 Maximising the supply of self-contained housing from mixed-use schemes
C2 Community facilities, culture and leisure
C4 Safety and security
C5 Access for all
E1 Promoting a successful and inclusive Camden economy
E2 Employment premises and sites
A1 Managing the impact of development
A2 Provision and enhancement of open space
A4 Noise and vibration
A5 Basements and lightwells
D1 Design
D2 Heritage
CC1 Climate change mitigation
CC2 Adapting to climate change
CC3 Water and flooding
CC4 Air quality
CC5 Waste
T1 Prioritising walking, cycling and public transport
T2 Car-free development and limiting the availability of parking
T4 Promoting the sustainable movement of goods and materials
DM1 Delivery and monitoring

5.2 LDF Core Strategy and Development Policies

The following policies were relevant when the application was initially submitted but are now superseded by the policies listed above:

Core Strategy

CS1 Distribution of growth
CS2 Growth areas
CS5 Managing the impact of growth and development
CS6 Providing quality homes
CS8 Promoting a successful and inclusive Camden economy
CS9 Achieving a successful and inclusive 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
CS18 Dealing with our waste and encouraging recycling

Development Policies

DP2 Making full use of Camden's capacity for housing
DP3 Contributions to the supply of affordable housing
DP13 Employment sites and premises
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
DP20 Movement of goods and materials
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
DP31 Provision of, and improvements to, public open space and outdoor sport and recreation facilities.

5.3 Supplementary Planning Policies

CPG1 Design (2015)
CPG2 Housing (2016)
CPG3 Sustainability (2015)
CPG4 Basements and Lightwells (2015)
CPG5 Town centres, retail and employment (2011)
CPG6 Amenity (2011)
CPG7 Transport (2011)
CPG8 Planning Obligations (2015)

King's Cross St Pancras Conservation Area Statement (2003)

6. ASSESSMENT

6.1 The principal considerations material to the determination of this application are summarised as follows:

- Principle of development/Land use
- Economic development
- Design (the impact of the proposal on the character and appearance of the host building, the setting of the nearby listed buildings and wider Kings Cross St Pancras Conservation Area).
- Amenity (the impact that the proposal may have on the amenity of neighbouring properties in terms of outlook, daylight, privacy and noise).
- Basement development
- Transport considerations
- Energy and sustainability
- Waste storage/collection
- Contaminated Land
- CIL

Principle of development/Land Use

Continued business use on site

- 6.2 The Council's overall approach to growth and development as set out in Policy G1 (Delivery and Location of Growth) is to focus growth in the most suitable locations, particularly the highly accessible growth areas of Kings Cross, Euston, Tottenham Court Road and Holborn. Policy G1 states that the Council will promote the most efficient use of land and buildings in Camden by, among other things, seeking development that makes full use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site.
- 6.3 Policy E2 (Employment sites and premises) states that the Council will retain land and buildings that are suitable for continued business use and will resist a change to non-business use unless it is demonstrated to the Council's satisfaction that:
- a) The site or building is no longer suitable for its existing business use; and
 - b) That the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time.
- 6.4 The Council will consider higher intensity redevelopment of premises or sites that are suitable for continued business provided that:
- a) the level of employment floorspace is increased or at least maintained;
 - b) the redevelopment retains existing businesses on the site as far as possible, and in particular industrial and warehouse/logistic uses that support the functioning of the CAZ or the local economy;

- c) it is demonstrated to the Council's satisfaction that any relocation of businesses supporting the CAZ or the local economy will not cause harm to CAZ functions or Camden's local economy;
- d) the proposed premises include floorspace suitable for start-ups, small and medium enterprises, such as managed affordable workspace where viable;
- e) the scheme would increase employment opportunities for local residents, including training and apprenticeships.

- 6.5 The proposed redevelopment of the application site would result in the loss of the existing B1c light industrial unit spread over ground and mezzanine floors, and the creation of new offices spread over three floors, with a flexible gallery (D1)/office (B1a) use at basement level.
- 6.6 It is acknowledged that the application site is very awkward, with only one access point and a number of residential flats surrounding the building. The application building was previously used for the manufacturing of mirrors, but is used predominantly for storage at present with only one member of staff visiting the premises. The existing warehouse is fairly small in scale and is not considered to contribute to the local economy or function of the CAZ. Due to the existing site constraints, it is unlikely that other light industrial occupiers would be appropriate in this setting, and the loss of light industrial use and creation of new office space is considered acceptable in principle. Nevertheless, the proposed internal arrangement offers an acceptable level of flexibility to provide for a variety of potential business users, and could be converted back to light industrial use in the future if necessary. All floors, including the new basement floor, would benefit from generous floor to ceiling heights, and the proposal allows for a generous sized internal goods lift with wide doors and level access at ground floor level.
- 6.7 The development would provide new office spaces of different sizes. Each office would receive an acceptable level of natural daylight/sunlight, and it is considered that the development would provide a good standard of office accommodation. The existing mezzanine floor level is restricted in size and on balance, the proposed redevelopment is considered to improve the quality of business floorspace and improve the long-term viability of the unit.
- 6.8 The applicant's planning statement states that the proposed office space will be for small and medium sized enterprises (SMEs). Although the Kings Cross area has a good supply of large-floorplate, corporate space in development, there is considerable pressure on the supply of space that is suitable and affordable for SMEs. The proposal would therefore meet the requirements of Policy E2 and is considered acceptable in this regard.

Mixed use development

- 6.9 LDF policy DP1 on mixed use development requires a mix of uses in developments with an uplift of over 200sqm of commercial floorspace in the Central London Area. If onsite provision is not feasible or practical, then an offsite provision or payment-in-lieu should be sought. The priority is to provide housing onsite.
- 6.10 This policy is to be replaced by the new LP policy H2, which will supersede the former one by the time this application is considered at Committee, and therefore it is relevant to assess the scheme against this new policy. It is worded significantly differently from DP1 and now requires an initial decision to be made about whether housing is required on the basis of criteria (a) to (e). The relevant criteria in this case are (a) relating to the character of the development, the site and the area, (b) relating to site size and any constraints on developing the site for a mix of uses, and (d) relating to whether self-contained housing would be compatible with other uses on the scheme and nearby. Where housing is required but is not considered practical or more appropriate to provide offsite, then provision on an alternative site nearby, or exceptionally a payment in lieu would be sought.
- 6.11 In this case, an increase in commercial floorspace of 360.8sqm is proposed, which triggers the requirement to provide 180.4sqm of on-site housing.
- 6.12 The applicant has explored the possibility of providing residential use on site and concluded that there are a number of constraints which mean it would not be practical. The landlocked site is relatively small with a single means of access and it would not be possible to provide a separate entrance and core for any residential development without compromising the quality of space and accessibility. Further, the outlook for any new units would be limited by the site's close proximity to nearby neighbouring residential properties. In order to avoid an unreasonable degree of overlooking, the design of any new residential unit on the site would have to be significantly compromised and would not allow for any outside amenity space. It is therefore considered that the creation of a residential unit on site would not make the best practical use of the site in this instance.
- 6.13 The applicant has also submitted a desktop study exploring alternative available commercial premises within the King's Cross ward that could be converted to residential use. The assessment demonstrated that there are no premises available either freehold or on a long leasehold basis which met the criteria for securing new residential accommodation in perpetuity. In addition, none of the properties were considered suitable for residential conversions either through the building layout, the type of floorspace available or the type of lease.
- 6.14 The applicant has therefore agreed to make a contribution towards the supply of housing in the borough in lieu of on-site housing provision. Officers have reviewed

the development appraisal and are satisfied with the assumptions made. Therefore, if planning permission is granted, a S106 legal agreement would be secured with a clause to secure a contribution of £126,280 (180.4sqm x £700).

- 6.15 Overall, it is considered that the principle of the proposed development would be acceptable in land use terms in this location.

Economic development

- 6.16 The proposed development is large enough to generate significant local economic benefits. Policy E1 and Camden Planning Guidance state that in the case of such developments the Council will seek to secure employment and training opportunities for local residents and opportunities for businesses based in the Borough to secure contracts to provide goods and services.

- 6.17 In line with CPG8, a range of training and employment benefits are to be secured in order to provide opportunities during and after the construction phase for local residents and businesses. This package of recruitment, apprenticeship and procurement measures would be secured via S106 and will comprise the following clauses:

- The applicant is required to work to a target of 20% local recruitment.
- The applicant should advertise all construction vacancies and work placement opportunities exclusively with the Kings Cross Construction Skills Centre for a period of 1 week before marketing more widely.
- The applicant should provide a specified number (to be agreed) of construction work placement opportunities of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council's Kings Cross Construction Skills Centre.
- If the build costs of the scheme exceed 3 million the applicant must recruit 1 construction apprentice per £3million of build costs, and pay the council a support fee of £1,700 per apprentice as per clause 8.25 of CPG8. Recruitment of construction apprentices should be conducted through the Council's Kings Cross Construction Skills Centre.
- If the value of the scheme exceeds £1million, the applicant must also sign up to the Camden Local Procurement Code, as per section 8.3 of CPG8.
- The applicant must provide a local employment, skills and local supply plan setting out their plan for delivering the above requirements in advance of commencing on site.

- 6.18 Subject to a S106 Legal Agreement being secured, the proposal is considered acceptable in this regard.

Design

- 6.19 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within Policy D1 are relevant to the application: proposals should respect local context and character, preserve or enhance the historic environment and heritage assets, be sustainable in design and construction, comprise high quality details and materials, and integrate well with the surrounding streets. Likewise, Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.
- 6.20 Camden's Development Policies Document is supported by CPG1 (Design) and the Kings Cross St Pancras Conservation Area Statement.

Demolition of the existing building

- 6.21 There are no public views of the building due to its location within a land-locked site, and the King's Cross St Pancras Conservation Area Statement does not describe it as making a positive contribution to the conservation area. The building is a typical 19th century warehouse constructed of London stock brick. It is not considered to feature any architectural details of merit or historic interest.
- 6.22 The Council does not object to its demolition, subject to its replacement by a building of suitable design and quality (addressed below).

Height, scale and massing of replacement building

- 6.23 The proposals comprise the erection of a three storey building (with basement floor) to replace the existing two storey warehouse building.
- 6.24 The overall height of the proposed development is marginally lower than the previously approved scheme (reference 2008/2940/P), with a slight increase in massing to the south elevation at first floor level. It is considered that the additional massing has been carefully tested, to ensure that the proposed development would have a comfortable relationship with the massing of the surrounding buildings.
- 6.25 The existing building is an unusual shape at ground floor level, infilling the majority of this constrained plot abutting the rear of the properties along Kings Cross Road and Britannia Street. The proposed building would maintain this arrangement, with the height of the ground and first floor levels similar to the existing layout. The proposed building would not increase the ground floor footprint, as one local resident queried. The bulk of the additional massing would be confined to the new second floor, centred on the building where the double storey mezzanine floor of

the existing building is located and where it is furthest from the rear elevations of the neighbouring properties.

- 6.26 When compared to the size of the existing building, the increase in scale of the proposed replacement building is not considered excessive, and the development is considered acceptable in this regard.

Impact on setting of listed buildings and character of Kings Cross St Pancras Conservation Area.

- 6.27 The development is considered to respect the built form and historic context of the wider area and adjacent listed buildings. The proposed building would not be as tall as the three storey terraces along Britannia Street and Kings Cross Road or the five storey Derby Lodge listed buildings. The development would not be visible from the public realm, and there would be very limited impact on local public views, affecting only the private views from the rear windows of the neighbouring residential buildings. The height, scale and massing of the proposed building would respect the building lines, roof lines and the existing built form of the area.
- 6.28 The contrast in architectural style between the proposed contemporary office building and the five storey Derby Lodge buildings to the north and south of the site would provide an interesting juxtaposition which is considered acceptable due to the high quality design of the proposed building. Details of all windows, doors and gates, and samples of all external facing and roofing materials would also be secured by condition to ensure the finished building and architectural detailing are of a high standard that would enhance the setting of the listed buildings.
- 6.29 The proposed development is considered to have limited impact on the character and appearance of the conservation area and would preserve and enhance the setting of the listed buildings which are among the earliest surviving examples of the work of Waterlow's influential Improved Industrial Dwellings Company. The development is considered acceptable in this regard.

Detailed design

- 6.30 The Kings Cross Conservation Area Audit notes that the conservation area includes a variety of building types, ages and styles and new development which is overtly modern will not be resisted, provided they have regard to the layout, height and scale of existing development within the conservation area.
- 6.31 The proposal would see the replacement of the existing industrial warehouse with a more contemporary office building. The proposed design approach is considered to be of a high quality, and represents an intelligent response to a very constrained

site. The proposed layout with internal courtyard is considered to be an efficient way to provide access to individual units, while maximising light provision.

- 6.32 There would be no building frontage visible from the street other than the existing timber entrance doors to the site from Britannia Street. Their retention and refurbishment is welcomed, maintaining a reference to the site's historic light industrial use.
- 6.33 The architectural detailing incorporates large areas of masonry and steel framing as a reference to the site's former historic light-industrial use. Brick is proposed to be the main building material as a contextual response to the existing surroundings and the light industrial use and typology that previously existing on the site, which is welcomed. The elevations would be predominantly clad in a light brick palette. The series of pitched roofs on the second floor is a reference to the butterfly roofs of the terraced properties along Kings Cross Road, which is considered to be an attractive addition that would complement the variety of surrounding architectural styles.
- 6.34 The inclusion of orientated slot windows would ensure the building would be inward-looking to reflect the neutral, industrial character of the existing building on this backland site, whilst preserving the privacy of neighbouring residents.
- 6.35 Green roofs have been included on the majority of the flat roofed areas at first and second floor level which would improve the visual appearance and increase the vegetation and biodiversity in this constrained courtyard area which currently features limited vegetation. Detailed drawings, specifications and a maintenance plan for the green roof would be secured by condition if planning permission is granted.
- 6.36 The Council's Conservation Officer and Principle Urban Designer have assessed the proposals and do not object to the development.

Amenity

- 6.37 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It states that the Council will seek 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, noise and impact on daylight and sunlight.
- 6.38 The application site is a very constrained backland site surrounded by residential dwellings. The nearest neighbouring properties which would be affected by the development are 153-159 Kings Cross Road, 1-5 Britannia Street, Flats 1-24 Derby Lodge (Britannia Street) and Flats 49-96 Derby Lodge (Wicklow Street).

Privacy/Overlooking

- 6.39 A number of concerns have been raised by neighbouring residents that the proximity of the new building to the rear windows of properties along Wicklow Street, Britannia Street and Kings Cross Road would cause overlooking and a loss of privacy for these residents. This is particularly the case for the residents of Derby Lodge on Wicklow Street, where the proposed building sits 4.4m away from the nearest neighbouring windows.
- 6.40 CPG6 (Amenity) notes that there should normally be a minimum distance of 18 metres between the windows of habitable rooms of different units that directly face each other to prevent overlooking. Although this isn't the situation presently, the existing building does not include window openings to the elevations with most natural light provided by rooflights.
- 6.41 To overcome these concerns, the majority of the new windows to the side elevations are proposed to be orientated slot windows to prevent overlooking of neighbouring windows whilst still allowing natural daylight into the office. The design of these windows would only allow acute views out of the windows which would prevent occupants of the office from looking directly out of the windows into residential windows (see proposed visualisations looking out the south east facing windows below).



- 6.42 This design would be utilised on the south elevation across all floors, to the east elevation at second floor level, and to the north elevation at first floor level.
- 6.43 To the west elevation, the windows at first floor level would be set within deep reveals which would limit views out of the windows from within the building. The second floor level would have the same arrangement with Juliet balconies to prevent people from using the first floor roof as a terrace area. The window closest to Derby Lodge on the north side would be bricked up to preserve the privacy of these flats. There are no windows at ground floor level. Although the west elevation

is fairly close to the rear windows on the projecting wing of Derby Lodge (5.1m at first floor and 8.3m at second floor), these windows serve kitchens and bathrooms (many of which are obscured) and therefore, the impact on neighbouring privacy is more limited than if these were habitable rooms.

- 6.44 There are a number of rooflights to the uppermost pitched roof which are not considered to impact neighbouring privacy due to their upwards facing orientation.
- 6.45 The building would also feature rooflights at first floor level, with running along the roof of the ground floor section at the rear of Kings Cross Road (measuring 8.8m x 0.8m) and a larger rooflight to the rear of Britannia Street measuring 4.6m x 2.8m. Lightspill and views between this rooflight and the rear windows of 1-5 Britannia Street would be blocked by a raised wall and existing fencing. The smaller rooflight to the eastern elevation would be sunk down within the ground floor roof which would reduce lightspill and prevent views into this window. Both rooflights can be seen in the visualisation below.



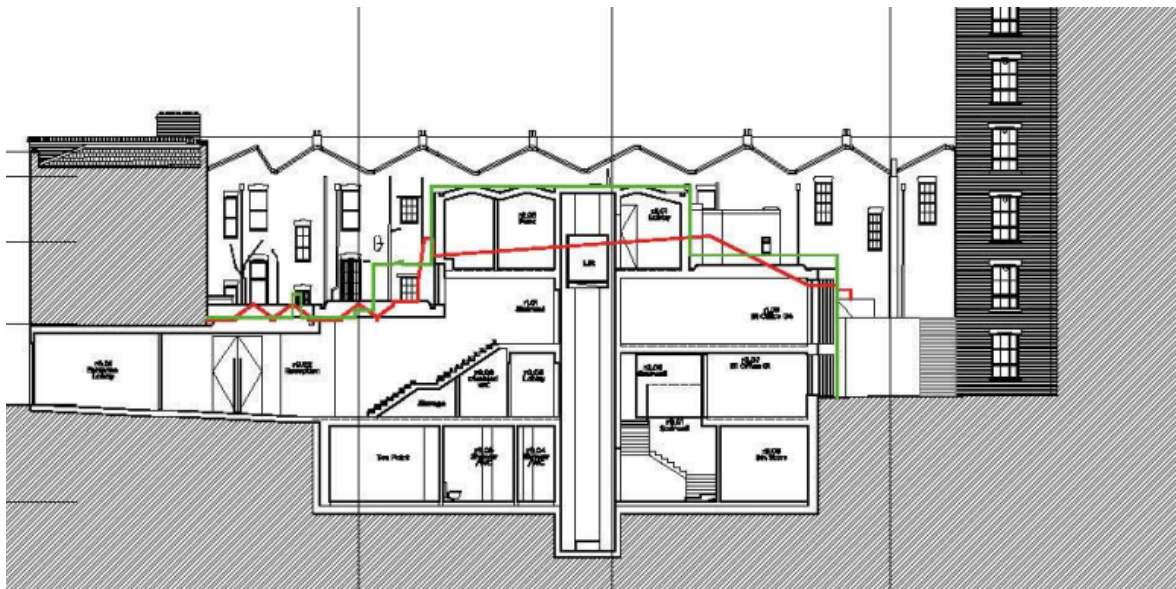
Outlook

- 6.46 The existing building at the application site measures a maximum height of 6.7m to the top of the pitched roof, whereas the replacement building would measure up to 8.8m (above ground level). This would measure an additional 1.1m. The visualisations below provide a comparison between the existing building and the proposed replacement office building as viewed from the south west corner of the

courtyard. It can be seen that the additional bulk would be fairly centred on the building.



6.47 Likewise, the section drawing below (drawn north to south through the building; the entrance from Britannia Street is shown to the left of the drawing) shows the proposed building in comparison to the existing building (depicted by a red line) and the previously consented scheme (the green line). The new second floor would be approximately 9m away from the rear windows of 1-5 Britannia Street, 7.4m from the nearest window on the closet wing of 157 Kings Cross Road and 9m from Derby Lodge on Wicklow Street. Otherwise, the proposed massing at ground floor and first floor level is very similar to the existing building on the site.



6.48 It is recognised that the replacement building would have greater mass and bulk than the existing building at second floor level, and that this would be clearly visible from the rear windows of the surrounding flats. However, on balance, the additional bulk is not considered to cause such harm to the outlook of these properties as to warrant refusal of the application on this basis. Furthermore, the detailed design of

the building is considered to be an improvement on the existing industrial building and when viewed from above (i.e. from neighbouring buildings), it is considered that the proposed green roofs would soften the appearance of the building and improve the appearance of the application site and surroundings.

- 6.49 When viewed from the lower windows of the Derby Lodge flats on Wicklow Street facing the application building, the proposed building is not considered to cause a harmful sense of enclosure or over-dominance due to the fact that the additional storey would be set back from the southern elevation by 4.8m. The height of the building at first floor level at this point would be 5.6m tall, an increase of 1.1m on the existing height of 4.5m (measured from ground floor to roof eaves). It is considered that the outlook from the properties at the rear would remain satisfactory, albeit altered.

Daylight/sunlight

- 6.50 In terms of daylight and sunlight, the application is accompanied by a Daylight & Sunlight report by Malcolm Hollis LLP dated 15 November 2016 which was supplemented by an additional analysis dated 15 January 2016 following revisions to the scheme. This report assessed the existing daylight and sunlight levels compared to the proposed scheme.
- 6.51 The report noted that out of the 151 windows tested (at 1-24 Derby Lodge Britannia Street, 1 – 5 Britannia Street, 149 – 163 Kings Cross Road, and 49 – 120 Derby Lodge Wicklow Street), all would fully comply with Vertical Sky Component (VSC) daylighting standards. The Vertical Sky Component is expressed as a ratio of the maximum value of daylight achievable for a completely unobstructed vertical wall. The maximum value is almost 40%, because daylight hitting a window can only come from one direction immediately halving the available light. The value is further limited by the angle of the sun. A 27% VSC constitutes adequacy, but where this value cannot be achieved a reduction of up to 0.8 times its former value (i.e. a 20% reduction) would not be noticeable.
- 6.52 The report found that the VSC ratio values ranged from 0.8 to 1 which means that any reductions would not be noticeable. Only two ground floor windows to the rear of Wicklow Street would see a reduction of 0.8 and 0.82 times their former value. The remainder of the windows were all 0.87 and above, indicating that the impact of the development on existing daylight levels would be unnoticeable.
- 6.53 Out of the 83 windows tested for Annual Probable Sunlight Hours (APSH) all but 2 would fully comply with sunlighting standards. APSH means the total number of hours in the year that the sun is expected to shine on unobstructed ground, allowing for average levels of cloud for the location in question. If the APSH tests reveal that the new development will receive at least one quarter of the available

APSH, including at least 5% of APSH during the winter months (from 21 September to 21 March), then the requirements are satisfied.

- 6.54 The 2 windows which would not comply are to the rear of 1-24 Derby Lodge. Although these two windows fall below standard for winter sunlight hours, it is noted that both windows would still have excellent levels of *annual* sunlight leaving the percentage figure over 44% on all windows tested. The winter sunlight levels for these 2 windows show that due to the low level of the sun path, the existing levels will already be low for these windows and as a result any minor changes in the levels of sunlight are likely to exceed BRE target values. This is demonstrated by the results showing 2% winter sun in the existing condition which will be taken down to 1% in the proposed scenario. As such, the effects here are not considered to be material and the windows will receive adequate levels of sunlight in accordance with the BRE guide.
- 6.55 The report also assessed the overshadowing impact of the development on three amenity spaces to the rear of 3 & 5 Britannia Street. Of the three spaces tested, one area to the rear of no.3 would fall short of the BRE criteria. However, it is noted that this space shows 0% in both the existing and proposed environments and therefore the scheme would not impact further on this area once constructed.
- 6.56 Overall, the proposal is considered acceptable in terms of its impact on daylight/sunlight levels to neighbouring properties.

Light spill

- 6.57 Concerns have been raised from neighbouring residents about the potential harm to amenity caused by lightspill from the new offices. The replacement building would introduce new windows to the side elevations, but as discussed above, these windows would be orientated slot windows which would help to diffuse the lightspill from these windows as well as preventing views out of them. Larger windows would be introduced to the western elevation, but these would be set within a deep reveal which would also help to limit light spill.
- 6.58 The existing building currently features a number of raised rooflights across the section of roof to the rear of Kings Cross Road and Britannia Street. The proposed building would see these replaced with green roofs and the strip of rooflights near to Kings Cross Road would be sunk down into the roof, which is considered an improvement on the existing arrangement. The proposed building would also introduce new rooflights at roof level, but the potential disturbance caused by lightspill from these windows is considered no worse than light from the numerous residential windows surrounding the courtyard at present.

Noise from plant

- 6.59 The proposed development includes the installation of 3 x air conditioning units at first floor level which would be in operation during office hours. The closest noise sensitive window to this location would be 155 Kings Cross Road, approximately 4 metres from the proposed plant installation.
- 6.60 A noise impact assessment by KP Acoustics has been submitted in support of the application which measured minimum background noise levels over a 24 hour period. It found minimum daytime (07:00 to 23:00) noise levels of 48dba and minimum night time (23:00 to 07:00) noise levels of 46dba.
- 6.61 As the AC units would be in use during office hours, they would need to comply with Camden's noise standards for daytime use (07:00 to 23:00); i.e. the noise levels as measured from the nearest noise sensitive window should not exceed 38dba. The noise impact assessment concluded that the plant would meet this standard provided an acoustic enclosure was installed in line with the recommendations made in the report.
- 6.62 The Council's Environmental Health Officer has assessed the proposals and does not object, provided the installation of an acoustic screen as recommended in the acoustic report is installed prior to use of the units. This would be secured by condition, along with the standard condition requiring the external noise level emitted from plant to be lower than the lowest background noise level by at least 10dba.

Noise from office/gallery use

- 6.63 A number of concerns have been raised by neighbouring occupiers regarding the potential noise disturbance caused by the new office and gallery use. The proposed office building would be relatively small in size, with projected staff numbers of approximately 55 people. There are no outside amenity areas available for the use of staff, and the noise likely to be generated through the windows of an office is unlikely to cause such disturbance to neighbouring occupants as to warrant refusal of the application.
- 6.64 Likewise, the gallery would be located at basement level, with no outside areas available for staff/visitors. The gallery floorspace would measure 138.8sqm and it is therefore unlikely to allow for large numbers of visitors which would cause noise disturbance. Although the gallery may hold events outside of office hours, the location of the gallery at basement level is considered to restrict the possibility of noise disturbance.

Basement Development

- 6.65 Policy A5 states that the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:
- a) neighbouring properties;
 - b) the structural, ground, or water conditions of the area;
 - c) the character and amenity of the area;
 - d) the architectural character of the building; and
 - e) the significance of heritage assets.
- 6.66 In determining proposals for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment and where appropriate, a Basement Construction Plan.
- 6.67 Policy A5 provides clear guidance on the siting, location scale and design of basements, and states that basement development should:
- not comprise of more than one storey;
 - not be built under an existing basement;
 - not exceed 50% of each garden within the property;
 - be less than 1.5 times the footprint of the host building in area;
 - extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;
 - not extend into or underneath the garden further than 50% of the depth of the garden;
 - be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and
 - avoid the loss of garden space or trees of townscape or amenity value.
- 6.68 The proposals involve the excavation of a new basement level measuring approximately 268sqm and 4.4m deep within part of the ground floor footprint where the proposed gallery, plant, changing facilities and bin store would be located. Given the fact that the basement excavations would be in close proximity to neighbouring listed buildings and the location of the site within an area with a number of underground development constraints (groundwater flow, slope stability and local flood risk zone), the applicant's Basement Impact Assessment (BIA) has been subject to independent verification by Campbell Reith in accordance with A5 and CPG4. The BIA has been undertaken by a well-known firm of consultants who possess relevant qualifications and experience.

6.69 The BIA documents were independently assessed by Campbell Reith in line with the requirements of CPG4. Campbell Reith released their initial report on 11 January 2017 and found that the BIA required further information including:

- Further groundwater monitoring.
- Further details of proposals to limit the discharge flow to 5 litres/sec into the combined sewer in Britannia Street through an attenuation tank near the site entrance, because this could impact on adjacent existing foundations.
- Flood Risk Assessment.
- Additional ground movement analysis information.
- A monitoring proposal was proposed with trigger levels but appropriate mitigation measures were requested for those walls that are indicated to suffer Very Slight damage (Category 1) and above.

6.70 In response to the above, GEA submitted supplementary information on 22 March 2017 which sought to close out the outstanding issues.

6.71 Campbell Reith issued their final report on 11 April 2017 and confirmed that the revised details satisfactorily addressed their queries:

- Further groundwater monitoring is ongoing to establish equilibrium levels and seasonal variation, which will inform the detailed design.
- It was accepted that there will be no increase in impermeable area across the ground and the surface flow regime will remain unchanged. Green roofs and associated SUDS have been specified in the Flood Risk Assessment.
- A detailed Flood Risk Assessment was conducted and concluded the development is deemed to be at low flood risk.
- A Ground Movement Analysis has been undertaken which is generally acceptable. Additional information requested was provided that addressed concerns.
- Satisfactory outline mitigation measures are proposed for those walls that are indicated to suffer Very Slight damage (Category 1) and above.

6.72 As such, officers consider that based on expert advice, the applicant has demonstrated that the proposal would accord with the requirements of policy A5 and associated CPG4. Should planning permission be granted, a condition would be imposed requiring the applicant to submit details of a qualified engineer to inspect, approve and monitor the construction works.

Transport

Employment space

- 6.73 The site is located within an area that has a PTAL rating of 6b (the best), being located close to King's Cross Station and multiple bus routes. It is not considered that the increase in business floor space of 360.8sqm would result in a significant number of employees such as to require a Travel Plan. It is highly likely that workers will arrive at the site by public transport and the modest numbers would be able to be accommodated on the network without harm.

Cycle Parking

- 6.74 Policy T1 requires development to provide cycle parking facilities in accordance with the minimum requirements of our cycle parking standards. We also expect development to provide cycle parking facilities in accordance with the minimum requirements of the London Plan.
- 6.75 In order to meet London Plan's minimum cycle parking requirement, the development must provide 1 long stay space per 90sqm and 1 short stay space per 500sqm. Therefore 10 long stay spaces and 2 short stay spaces are required.
- 6.76 The proposal would provide secure, step-free cycle parking by the ground floor entrance on Britannia Street in the form of Sheffield Stands (6 spaces) and a Josta 2-tier stand (7 spaces) in line with London Plan standards. This is considered acceptable and would be secured by condition if permission granted. Although the bike stands would be located within the entrance lobby, sufficient room would be maintained for wheelchair access into the building.

Managing the impacts of construction on the surrounding highway network

- 6.77 Policy T4 states that Construction Management Plans (CMP) should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). Policy A1 (paragraphs 6.8 – 6.11) also discusses transport impacts and relates to how a development is connected to the highway network.
- 6.78 The Council's primary concern is public safety but we also need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality, etc.); and the Council will therefore seek to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. A CMP would therefore be secured as a Section 106 planning obligation if planning

permission is granted. The CMP, in the form of the pro-forma, would need to be approved by the Council prior to any works commencing on site and will require ward and local engagement. It would also need to take into account existing and likely future developments near the site.

- 6.79 In order to minimise traffic congestion and road safety issues during development works, construction vehicle movements would be limited to between 9.30am to 4.30pm on weekdays and between 8.00am and 1.00pm on Saturdays. The specific details would be agreed with Camden during development of the CMP.
- 6.80 A draft Construction Method Statement has been submitted in support of the application in line with the Council's CMP pro-forma. Due to the site's location, existing site constraints and the nature of works, a full CMP would be secured as a Section 106 planning obligation. The associated implementation fee would also be secured as part of the Section 106 Agreement. The Council would also expect the development to be registered with the Considerate Constructors' Scheme

Highway and Public Realm Improvements directly adjacent to the site

- 6.81 Policy A1 states that the Council will expect works affecting Highways to repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links and road and footway surfaces following development.
- 6.82 The Council would therefore require a financial contribution of £5,173.05 for highway works (repaving the footway) directly adjacent to the site to be secured as a Section 106 planning obligation if planning permission is granted. This would allow for any damage caused during construction of the proposed development to be repaired and enable the proposal to comply with Policy A1.

Sustainability

- 6.83 Pursuant to Policies CC1, CC2 and CC3, all developments in Camden are required to make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.
- 6.84 Developments involving 500sqm or more of gross internal floor space are expected to submit an energy statement showing how the development will meet the following policy requirements:
- Follow the hierarchy of energy efficiency, decentralised energy and renewable energy technologies set out in the London Plan (2011) Chapter 5

(particularly Policy 5.2) to secure the maximum feasible CO2 reduction beyond Building Regulations Part L 2013.

- CS13 requires all developments to achieve a 20% reduction in CO2 emissions through renewable technologies (the 3rd stage of the energy hierarchy) wherever feasible.

6.85 Applicants are also expected to submit a sustainability statement - the detail of which should be commensurate with the scale of the development showing how the development will:

- Implement the sustainable design principles as noted in policy DP22.
- Achieve a BREEAM 'Excellent' rating and minimum credit requirements under Energy (60%), Materials (40%) and Water (60%).

6.86 The application is accompanied by an Energy & Sustainability Statement which demonstrates that the anticipated CO2 improvement would be 27.2% on Building Regulations Part L 2013. This will be achieved through the incorporation of passive design and energy efficiency measures, solar PV panels and an Air Source Heat Pump (ASHP). Water efficiency measures will also be incorporated into the proposed development.

6.87 The energy requirements of the proposed development have been modelled to comply with Part L2A and L2B of Building Regulations (2013). The design of the proposed development has the energy hierarchy as set out in the London Plan and local guidance in CPG 3: Be Lean, Be Green. Full details are set out in the Energy Statement and are summarised below:

6.88 Be Lean: The development will utilise low carbon technologies and building services including 100% low energy lighting, AHUs with efficient heat recovery, zoned and timed controls and occupancy sensors, and cooling provided by efficient Variable Refrigerant Flow System (VRFS).

6.89 Be Clean: There are no available Combined Cooling Heating and Power (CCHP) distribution networks to connect to and the installation of a gas fired Central CHP Plant on site would not be appropriate. There are no existing decentralised energy networks available within a viable connection distance of the development and the energy statement does not include future proofing. However, the applicant has stated they would reconsider this when replacing the HVAC system and the details of future proofing would be secured by way of a s106 legal agreement.

6.90 Be Green: A range of low or zero carbon technologies have been considered. The use of Air Source Heat Pumps and PV panels are the most feasible given the

nature of the development. This will reduce carbon emissions associated with the development.

- 6.91 The proposed development will also target BREEAM Excellent, achieving 65% of Energy credits, 75% of Water credits, and 53% of Materials credits, which exceeds policy targets.
- 6.92 The development includes the following measures to reduce run off and manage flood risk:
- Raising of thresholds
 - Not increasing the extent of impermeable area
 - Proposing additional soft landscaping
 - Proposing SuDS: 158m² green roof (plus attenuation layer) and 3.75m³ attenuation in basement. This will limit site run-off to 5l/s.
- 6.93 Although the proposals do not include run-off calculations (i.e. micro drainage calculations), the Council's Sustainability Officer has confirmed that it is acceptable for these details to be secured by condition.
- 6.94 The proposed development has been designed in accordance with London Plan guidance, Local Plan Policies CC1, CC2 and CC3 and CPG3. Clauses within the S106 Legal agreement are recommended to ensure compliance with the Sustainability Plan and Energy Efficiency Plan, and on this basis, the proposal is considered acceptable.

Waste storage/collection

- 6.95 All new developments are required to provide adequate facilities for recycling and the storage and disposal of waste in accordance with Local Plan policy CC5 and CPG1.
- 6.96 A dedicated refuse store is shown at basement level for 8 x 240 litre Euro bins. The bin store would be adequately ventilated and accessed via DDA lift which would accommodate 2 bins at a time. Waste would be removed from the basement area outside of office hours to avoid conflicts in use with the lift. Building management would ensure bins are placed in a dedicated collection point at street level to be collected by a private waste management company. The proposed office would be fairly small with approximately 55 occupants. The level of waste generated is unlikely to be significant and the proposed waste collection strategy is considered an acceptable arrangement.

Contaminated Land

6.97 The site is located on a former 'Unknown Industrial site' and within approximately 25m of an Iron Works where both sites have a high to very high risk of causing potential ground contamination. The Council's Contaminated Land Officer does not object to the works, subject to the following conditions:

- Written detailed scheme of assessment consisting of site reconnaissance, conceptual model, risk assessment and proposed schedule of investigation
- Site investigation and submission of a remediation scheme
- Reporting and management of significant additional contamination.

CIL

6.98 The proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL because the additional floorspace exceeds 100sqm GIA

6.99 Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £18,040 (360.8sqm x £50) for the Mayor's CIL and £16,236 (360.8sqm x £45 using the relevant rate for uplift in that type of floorspace) for the Camden CIL.

7. CONCLUSION

7.1 The proposal would provide a greater amount of modern, more flexible office space in an area which is appropriate for such use. The proposed building would respect the neighbouring locally listed buildings and replace an existing light industrial warehouse which is not considered to enhance the character and appearance of the wider conservation area with an attractive office block of high quality design. The development would not harm the amenity of residents by way of overshadowing or overlooking. The proposal would have minimal impact on local transport conditions and construction would be controlled by an appropriate construction management plan agreed with the Council.

7.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Housing contribution of £126,280
- Construction Management Plan
- Construction Management Plan Fee (£1140)
- Sustainability plan indicating BREEAM Excellent level and minimum credit targets in Energy (60%), Materials (40%) and Water (60%).

- Energy Efficiency Plan securing 27.2% below Part L 2013 with 20.6% reduction through renewables
- Future proofing to connect to Decentralised Energy Network
- Local employment and training contributions
- Local recruitment of 20%
- Local Employment and Training Plan
- Highways and Streetworks Contribution

8. LEGAL COMMENTS

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

D_01 rev P2, D_02 rev P2, D_03 rev P2, D_04 rev P2, D_11 rev P2, D_12 rev P2, D_13 rev P2, D_21 rev P2, D_22 rev P2, D_23 rev P2, D_24 rev P2, D_25 rev P2.

E_01 rev P1, E_03 rev P1, E_04 rev P1, E_11 rev P1, E_12 rev P1, E_13 rev P1, E_21 rev P1, E_22 rev P1, E_23 rev P1, E_24 rev P1, E_25 rev P1.

P_00 rev P1, P_01 rev P2, P_02 rev P2, P_03 rev B, P_04 rev B, P_05 rev B, P_11 rev P2, P_12 rev B, P_13 rev B, P_21 rev P2, P_22 rev P2, P_23 rev P2, P_24 rev B, P_25 rev B, P_26 rev B, P_30 rev B.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), external doors and gates.

b) Manufacturer's specification details of all external facing materials, including a sample brickwork panel to be available to view on site.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Policies D1 and D2 of the Camden Local Plan 2017.

- 4 The green roofs at first and second floor level shall not be used as roof terraces and shall be accessed for maintenance purposes only.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of Policy A1 of the Camden Local Plan 2017.

- 5 No development shall commence until:

(a) a written Preliminary Risk Assessment (PRA) and scheme of investigation has been submitted to and approved by the local planning authority in writing; the PRA must take account of the historical and environmental context of the site and can be based on a desk study or the Enhanced Environmental Information Review detailed below; and

(b) following the approval detailed in paragraph (a), a written scheme of remediation measures has been submitted to and approved by the local planning authority in writing.

The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority in writing prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy A1 of the Camden Local Plan.

- 6 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of Policy A5 of the Camden Local Plan 2017.

- 7 Cycle parking for 13 x bicycles as shown on approved drawing no. P_01 rev.P2 shall be provided in its entirety prior to the first occupation of the building, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the Camden Local Plan 2017.

- 8 The external noise level emitted from plant, machinery or equipment with specified noise mitigation at the development hereby approved shall be lower than the lowest existing background noise level by at least 5dBA, by 10dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policies A1 and A4 of the Camden Local Plan 2017.

- 9 Prior to use of the plant hereby approved, noise mitigation measures shall be installed in accordance with the recommendations made in report ref: 14682.PCR.Rev B dated 16/03/2017. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 5dBA, by 10dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. These measures shall be implemented prior to use of the installation and thereafter be permanently retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements Policies A1 and A4 of the Camden Local Plan 2017.

- 10 Prior to commencement of use, a Servicing Management Plan shall be submitted to and approved in writing by the Council. Details shall include times and frequency of deliveries and collections, vehicle movements, silent reversing methods, location of loading bays, quiet loading/unloading measures, etc.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policies A1 and A4 of the Camden Local Plan 2017.

- 11 Prior to commencement of the development, full details of the sustainable drainage system including 142m² green roof (with attenuation layer) and 3.75m³ below ground attenuation, shall be submitted to and approved in writing by the local planning authority. Such a system should be designed to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change, such that flooding does not occur in any part of a building or in any utility plant susceptible to water, and shall demonstrate maximum site run-off rate of 5 l/s. Details shall include a lifetime maintenance plan, and shall thereafter retained and maintained in accordance with the approved details.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies CC1, CC2, CC3 and CC4 of the Camden Local Plan 2017.

- 12 Prior to occupation, evidence that the sustainable drainage system has been implemented in accordance with the approved details as part of the development shall be submitted to the Local Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies CC1, CC2, CC3 of the Camden Local Plan 2017.

- 13 Prior to commencement, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of Policy CC1 of the Camden Local Plan 2017.

- 14 Prior to commencement of development full details of a biodiverse, substrate-based extensive living roof shall be submitted to and approved in writing by the local planning authority. The details shall include the following: A. detailed maintenance plan, B. details of its construction and the materials used, C. a section at a scale of 1:20 showing substrate depth averaging 130mm with added peaks and troughs to provide variations between 80mm and 150mm and D. full planting details including species showing planting of at least 16 plugs per m². The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied. Guidance on living roofs is available in the Camden Biodiversity Action Plan: Advice Note on Living Roofs and Walls.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with Policies CC1, CC2, CC3 and CC4 of the Camden Local Plan 2017.

- 15 Details of bird and bat nesting boxes or bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. Details shall include the exact location, height, aspect, specification and indication of species to be accommodated. Boxes shall be installed in accordance with the approved plans prior to the first occupation of the development and thereafter maintained. Guidance on biodiversity enhancements including artificial nesting and

roosting sites is available in the Camden Biodiversity Action Plan: Advice Note on Landscaping Schemes and Species Features.

Reason: To ensure the development provides the appropriate provision towards creation of habitats and valuable areas for biodiversity in accordance with policy 7.19 of the London Plan 2011, and Policy A3 of the Camden Local Plan 2017.

- 16 All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the demolition and construction phase of the development hereby approved shall be required to meet Stage IIIB of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the demolition and construction phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of CC1, CC2 and CC4 of the Camden Local Plan 2017.

Informatives

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to

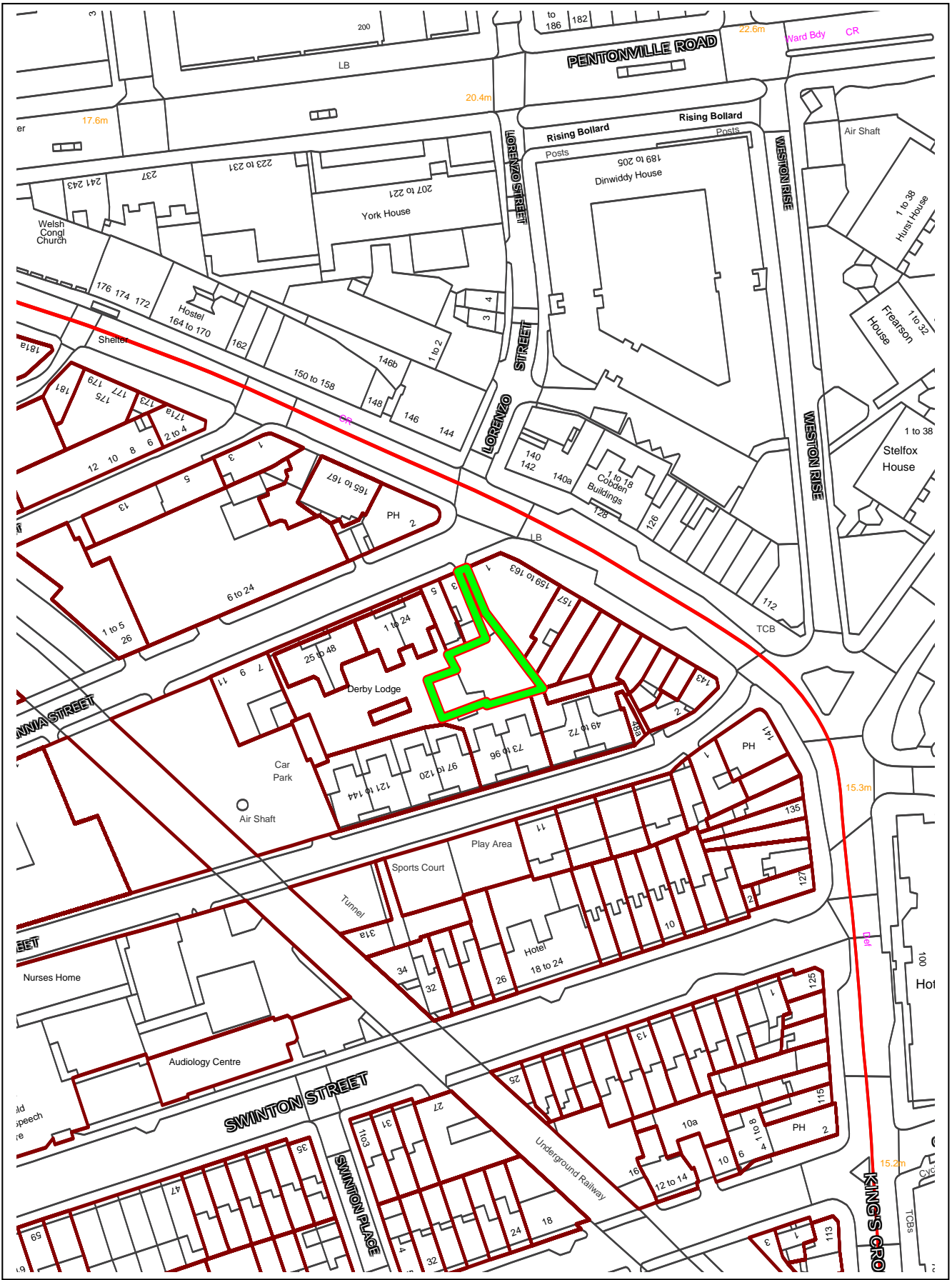
allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 5 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.



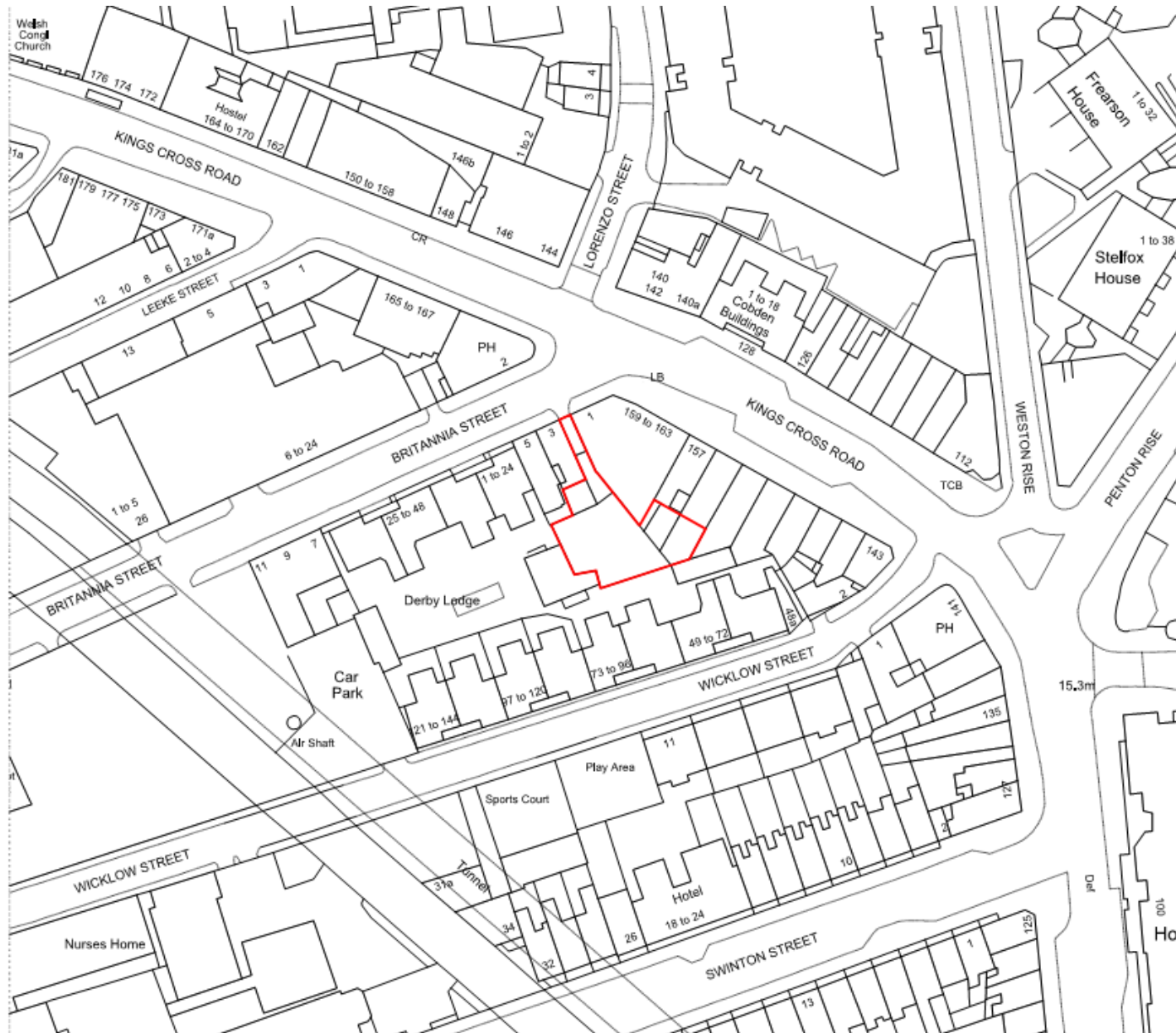
Application No: 2016/6356/P
Rear of 1-3 Britannia Street
London
WC1X 9BN

Scale:
1:1250
Date:
23-Jun-17



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Rear of 1-3 Britannia Street 2016/6356/P



Map showing the application site and neighbouring Derby Lodge buildings (Grade II Listed). The area shaded white to the north east is LB Islington



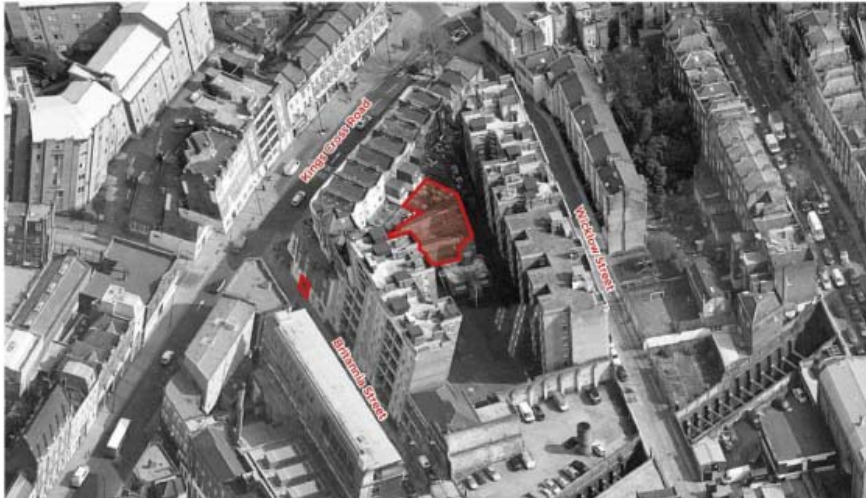
Aerial views showing the land-locked site



01 Aerial View looking South



02 Aerial View looking West



03 Aerial View looking East



04 Aerial View looking North

Photograph showing entrance between 1 – 3 Britannia St



Photographs of existing building (behind boiler house), surrounding courtyard and internal view of access doors



Photograph taken from south east corner of the site showing existing roof and relationship with neighbouring buildings



Visuals showing previously consented, existing and proposed building



As Consented (2008/2648/P)
Isometric View I



As Existing
Isometric View I



As Revised 13.01.17
Isometric View I



As Consented (2008/2648/P)
Isometric View II



As Existing
Isometric View II



As Revised 13.01.17
Isometric View II

Visuals showing revisions to the proposal

Initial submission



Final submission



Visuals showing the revisions to the proposal

Initial submission



Final submission



Visuals showing the revisions to the proposal

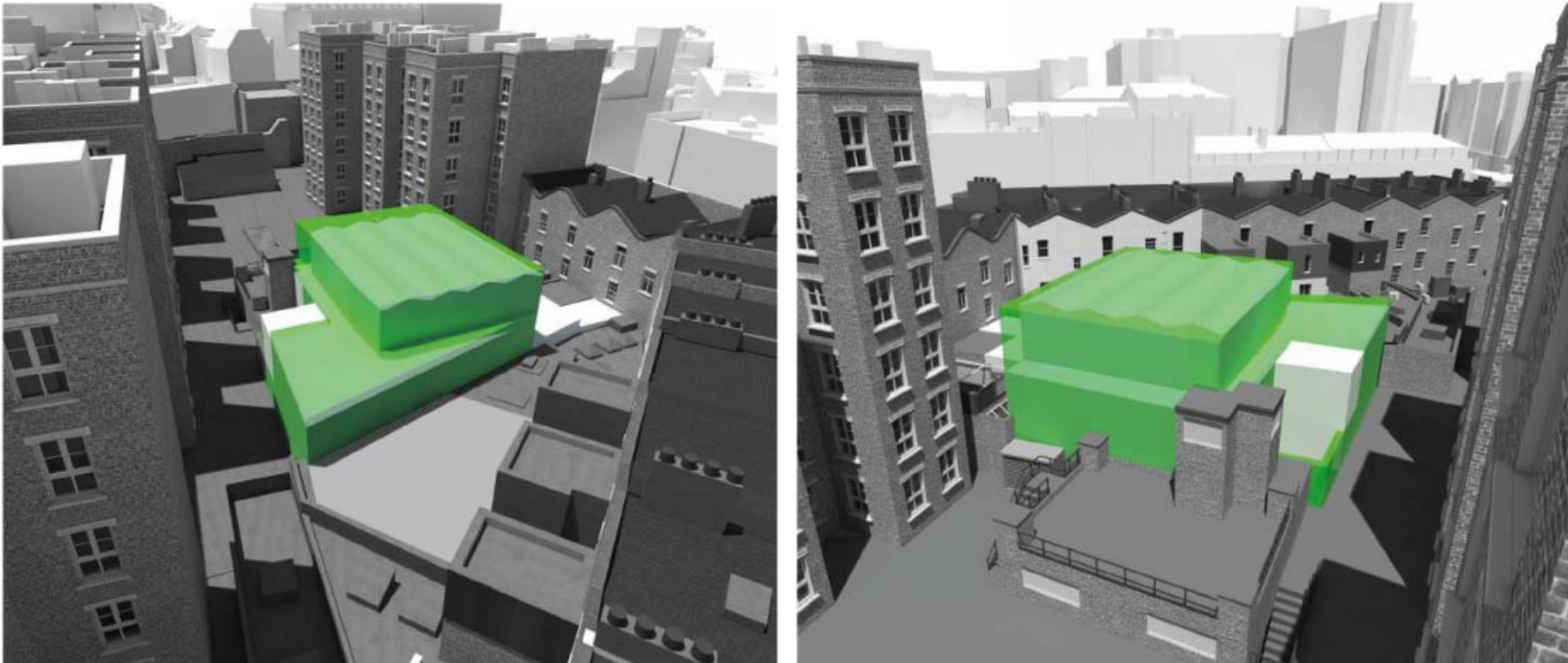
Initial submission



Final submission



Massing comparison between previously consented scheme and proposed scheme



- Proposed Massing (As Revised)
- Consented Envelope

Existing and proposed visuals



Proposed visuals



North elevation (Wicklow St to rear of photo)



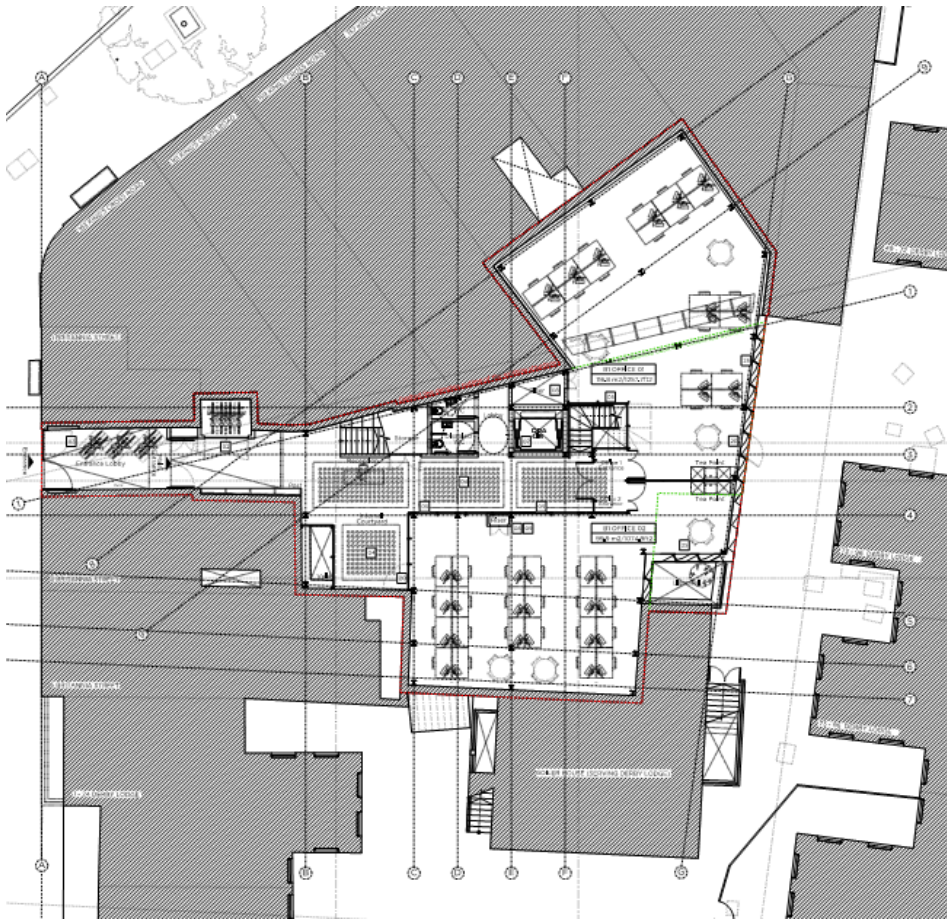
Southeast elevation (Kings Cross Road to right)



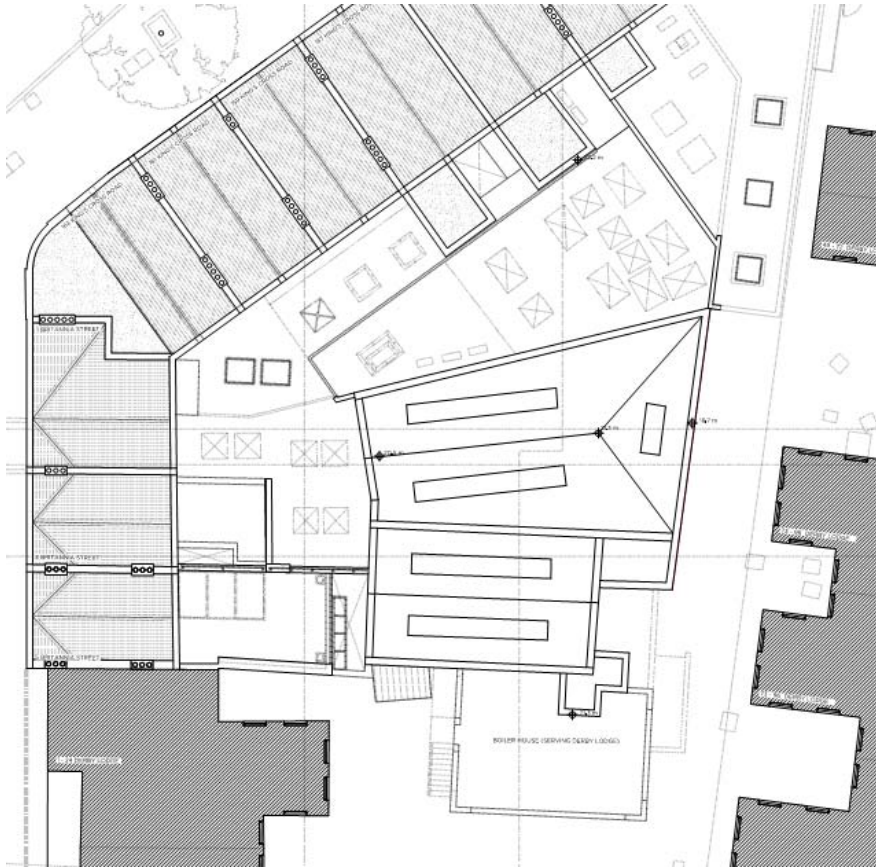
Southwest elevation (Britannia Street to the left, Wicklow Street to the right)

Please note that the second floor terrace has been removed from the proposals and replaced with a green roof and Juliet balconies.

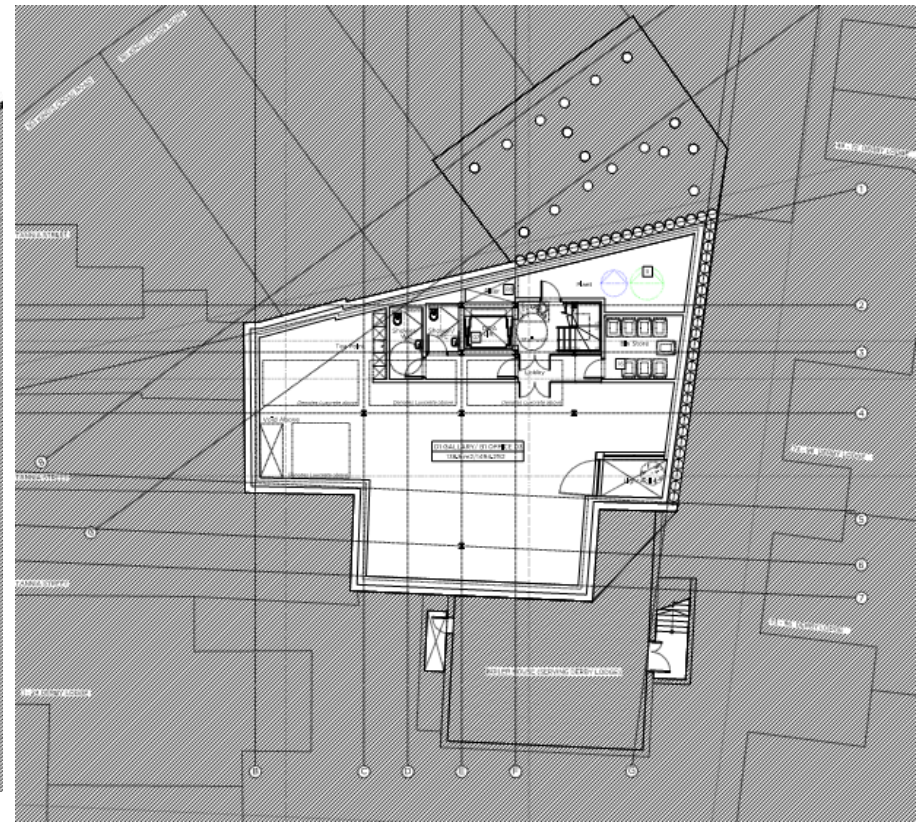
Existing/proposed ground floor plan



Existing roof plan/proposed second floor plan



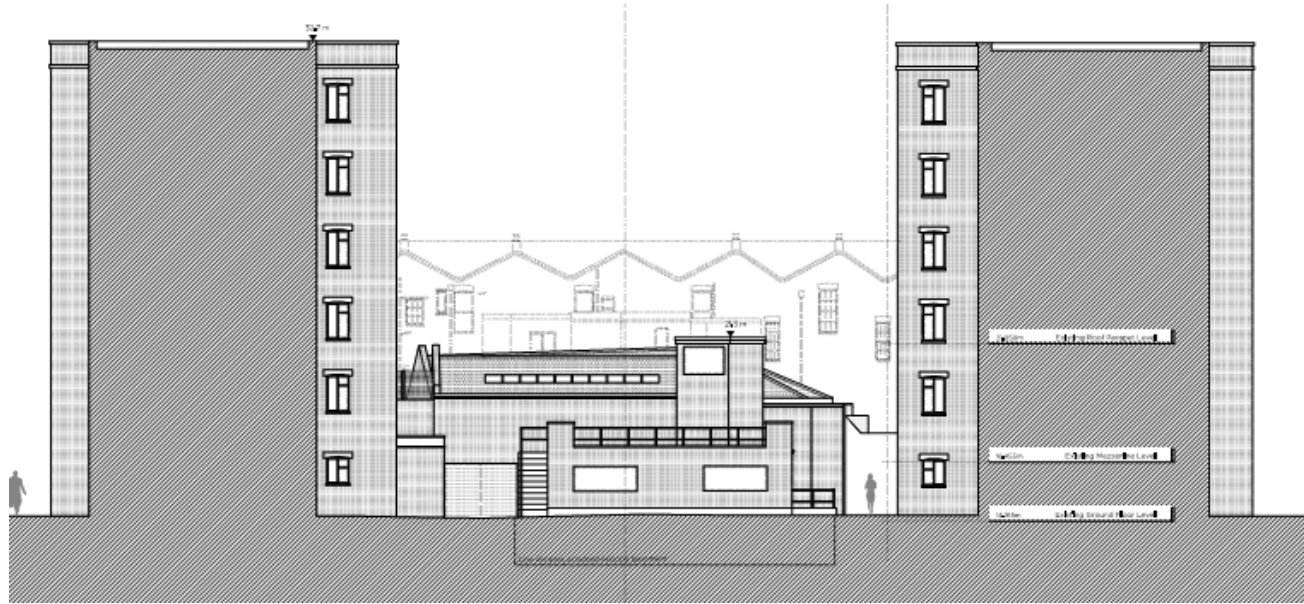
Proposed roof plan/basement floor



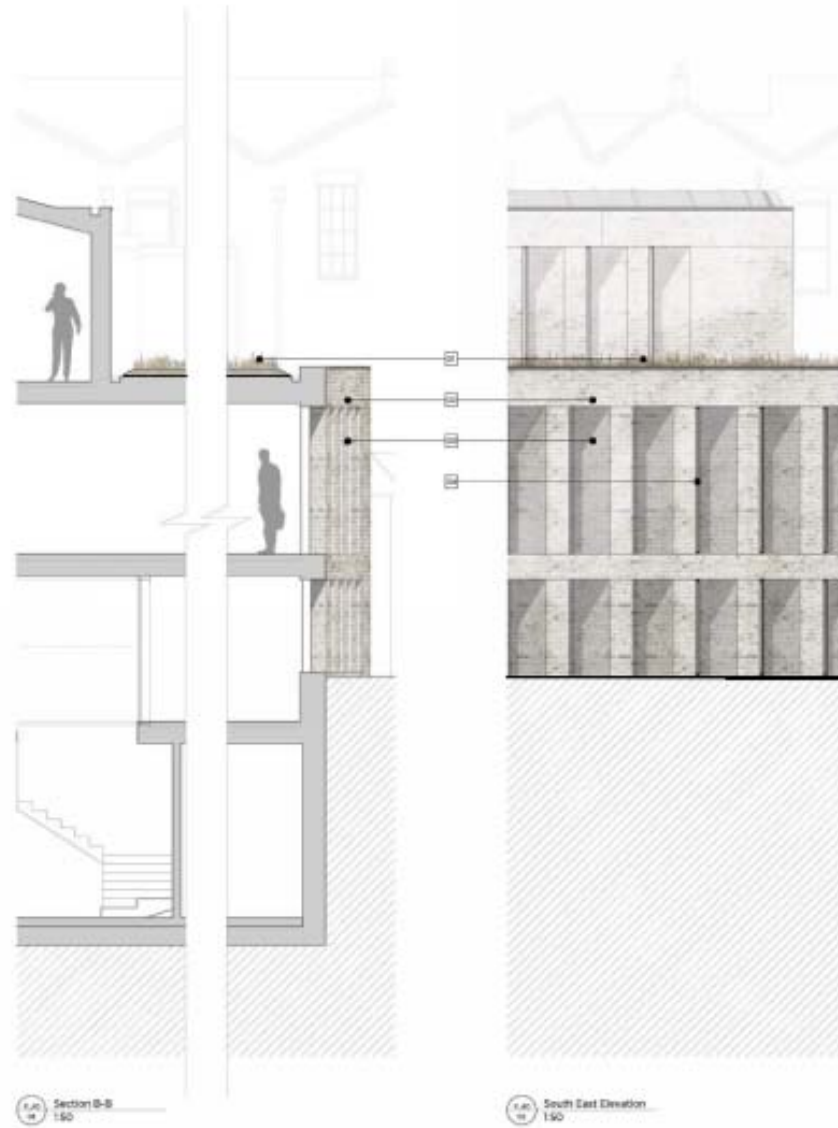
Existing/proposed southeast elevation



Existing/proposed southwest elevation



Detailed elevations – south east elevation & section



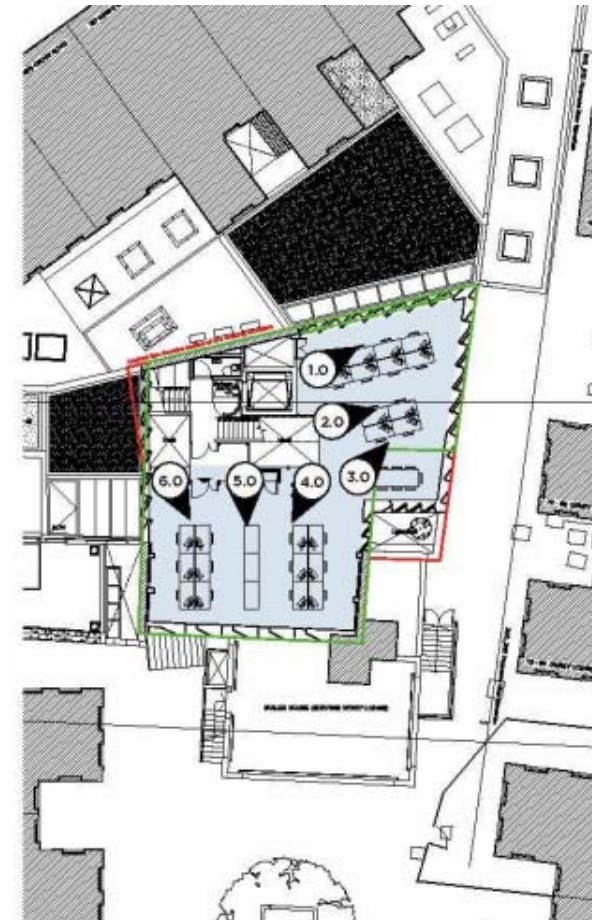
Detailed elevations – south west elevation & section



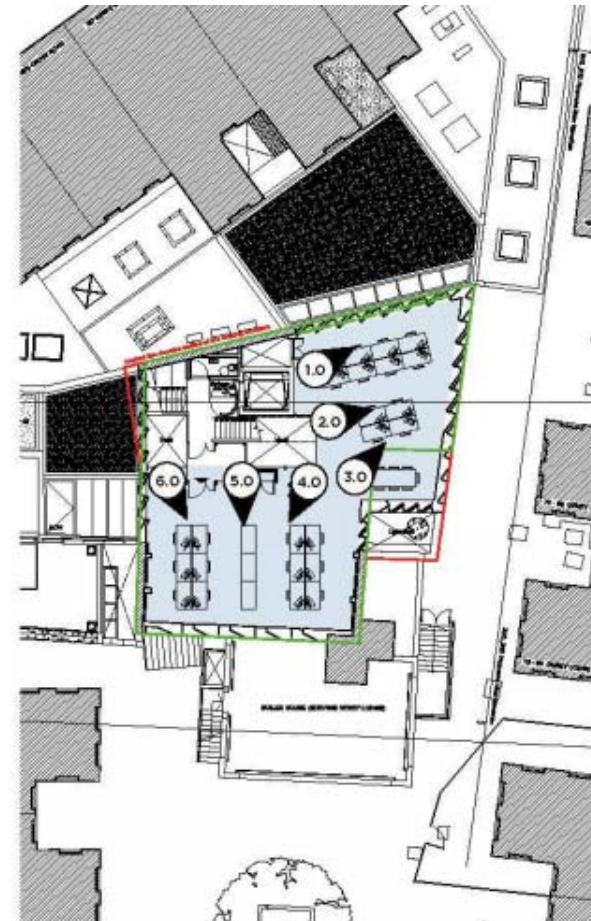
1.10 Section E-E
150

1.10 South West Elevation
150

Internal views depicting the orientated slot windows



Internal views depicting the orientated slot windows



Internal views depicting the orientated slot windows

