

Ms Laura Murray
Argent (King's Cross) Ltd
4 Stable Street
London
N1C 4AB

Application Ref: **2018/5672/P**
Please ask for: **Patrick Marfleet**
Telephone: 020 7974 **1222**

20 December 2018

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

Address:
**Building S5
King's Cross Central
York Way
London**

Proposal: Amendment to the wording of condition 31 (Parameter Plans) of Outline Planning Permission reference 2004/2307/P granted 22/12/06 (for a comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area) namely to include an amendment to the northern boundary of Development Zone S.

Drawing Nos: Superseded: KXC004 Rev S, KXC005 Rev T, KXC007 Rev T, KXC008 Rev R, KXC009 Rev P, KXC012 Rev T, KXC 013 Rev L, KXC014 Rev W, KXC015 Rev S, KXC016 Rev O, KXC017 Rev R, KXC018 Rev M, KXC021 Rev A

Plans for approval: KXC004 Rev U, KXC005 Rev V, KXC007 Rev U, KXC008 Rev S, KXC009 Rev Q, KXC012 Rev U, KXC 013 Rev M, KXC014 Rev X, KXC015 Rev T, KXC016 Rev Q, KXC017 Rev S, KXC018 Rev N, KXC021 Rev B

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.



For the purposes of this decision, condition No.31 of outline planning permission 2004/2307/P shall be replaced with the following condition:

The development shall be carried out in accordance with the Revised Parameter Plans and as described in the specified paragraphs of the Revised Development Specification dated September 2005 (and Addendum dated August 2017) comprising:

- a) The Principal Public Realm Areas shown on drawing KXC 004 Rev U, together with paras 4.9, 4.13 (insofar as it relates to public realm), 4.14, 4.17 and 4.19;
- (b) The boundaries of Development Zones shown on drawing KXC 005 Rev V, together with paras 4.20, 4.21, 4.23-4.26 and with Table 2 to the extent that it provides a summary and indicative description of the proposals in each development zone only;
- (c) The Regent's Canal works shown on drawing KXC 006 Rev Q together with paras 4.27-4.29;
- (d) The Principal Access and Circulation Routes shown on drawing KXC 007 Rev U together with paras 4.30-4.47 and Annex C to the extent that it provides a summary and indicative specification for the routes only;
- (e) The Upper Floor Land Uses Along Street Elevations shown on drawing KXC 008 Rev S together with paras 4.48-4.54 to the extent that these describe the overall distribution of land uses only;
- (f) The Ground Floor Land Uses Along Street Frontages shown on drawing KXC 009 Rev Q together with paras 4.49-4.54 to the extent that these describe the overall distribution of land uses only;
- (g) The Proposed Finished Site Levels shown on drawing KXC 012 Rev U together with paras 4.62-4.67;
- (h) The Development Massing shown on drawing KXC 013 Rev M together with paras 4.68-4.72 and Table 3;
- (i) The Maximum Building Heights shown on drawing KXC 014 Rev X together with paras 4.73-4.75;
- (j) The Strategic View Corridor Constraints shown on drawing KXC 015 Rev T together with paras 4.79-4.81;
- (k) The Basement Zones shown on drawing KXC 016 Rev Q together with paras 3.40-3.41 and 4.82-4.86;
- (l) The Servicing arrangements shown on drawing KXC 017 Rev S together with para 4.87;
- (m) The Utilities Strategy shown on drawing KXC 018 Rev N together with paras 4.88 and 4.90-4.98;
- (n) The Gas Holder Triplet Development shown on drawing KXC 020 Rev E together with paras 4.104 and 4.105 to the extent that they show indicative proposals only for the works and land uses; and
- (o) The Priority Zones for Green/Brown Roofs and Wind Turbines shown on drawing KXC 021 Rev B, together with paras 3.43, 3.44, 4.106 and 4.107.

Except that in relation to (i) above the building heights within Plot S2 identified on drawing KXC 005 Rev T shall be at least 6.5m below the maximum heights shown in Parameter Plan KXC 014 Rev W across at least 80% of the plot, unless otherwise approved in writing by the local planning authority.

Reason: The development is the subject of an Environmental Impact Assessment and any change to the development from the particulars assessed as above might have an impact which has not been identified and assessed. The requirements of this condition are to ensure a comprehensive and sustainable development, to achieve integration, regeneration and good design and to accord with the assessment and conclusions of the Environmental Impact Assessment in accordance with policies S1, S2, S3, SKC1, SKC2, SKC3, SKC4 and KC8 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Informatives:

1 Reason for granting approval

The current non-material amendment application has been submitted alongside the approved Reserved Matters application for Building S5. The proposal seeks to make an amendment to the Parameter Plans to allow a slight enlargement to the northern boundary of the Development Zone. The proposed change comes as a result of the design development process for Building S5 in which several iterations of the overall size and massing of the proposed development were discussed. It was agreed between the applicant and the Council that the most appropriate design solution for the building and public realm area would result in the need for the footprint of Building S5 to breach the Development Zone boundary.

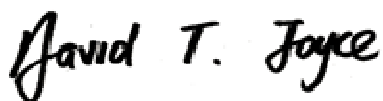
Therefore, the submitted NMA seeks to amend Parameter Plan KXC005 and all other Parameter Plans that show the development zone boundary. This is deemed acceptable by officers and is not considered to represent a material change to the Parameter Plans that would require planning permission. The proposed amendments are therefore considered to be non-material in the context of the original scheme and do not raise any new issues or alter the substance of the approved development.

One objection was received and duly considered prior to making this decision.

2 You are advised that this decision relates only to the changes highlighted on the plans and stated in the description and shall only be read in the context of the substantive permission granted on 2004/2307/P granted 22/12/06 and is bound by all the conditions and obligations attached to that permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully



David Joyce
Director of Regeneration and Planning