

Address:	Plot S4 King's Cross Central York Way London		1
Application Number:	2020/5885/P	Officer: Patrick Marfleet	
Ward:	St Pancras & Somers Town		
Date Received:	18/12/2020		
<p>Proposal: Reserved matters relating to Building S4 for the erection of a 13 storey building above ground floor to provide 176 residential homes comprising 120 market and 56 social rented units with associated public realm works, as required by conditions 9, 10, 12, 14, 16-22, 24, 27, 28, 31, 33-39, 42, 42A, 43, 45, 46, 48, 49, 50A, 51, 56, 60, 61, 64-67 67 of outline planning permission reference 2004/2307/P granted 22/12/06 (subject to S106 agreement) for a comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area.</p>			
<p>Background Papers, Supporting Documents and Drawing Numbers: 19075_07_001 P1, 19075_07_002 P1, 19075_07_099 P1, 19075_07_100 P1, 19075_07_101 1st Floor P1, 19075_07_102 P1, 19075_07_103 P1, 19075_07_104 P1, 19075_07_105 P1, 19075_07_106 P1, 19075_07_107 P1, 19075_07_108 P1, 19075_07_109 P1, 19075_07_110 P1, 19075_07_111 P1, 19075_07_112 P1, 19075_07_113 P1, 19075_07_114 P1, 19075_07_200 P1, 19075_07_201 P1, 19075_07_202 P1, 19075_07_203 P1, 19075_07_204 P1, 19075_07_300 P1, 19075_07_301 P1, 19075_07_302 P1, 19075_21_500 P1, 19075_21_501 P1, 19075_21_502 P1, 19075_21_503 P1, 19075_21_504 P1, 19075_21_505 P1, 19075_21_506 P1, 19075_21_507 P1, 19075_21_508 Duplex 3B Elevations - Bay Studies</p> <p>All Clear Designs Access and Inclusivity Statement November 2020, Hoare Lea Daylight and Sunlight Report December 2020, Environmental Sustainability Plan December 2020, Ramboll Earthworks and Remediation Plan December 2020, Urban Design Report December 2020, Compliance Report October 2020, Proposed Residential Accommodation December 2020, Written Scheme of Investigation for an Archaeological Watching Brief December 2020</p>			
<p>RECOMMENDATION SUMMARY: Approve the Reserved Matters subject to conditions and agree to the discharge of the relevant associated conditions that form part of the Outline planning permission.</p>			
Applicant:	Argent (King's Cross) Ltd 4 Stable Street London N1C 4AB		Agent:
			Argent (King's Cross) Ltd 4 Stable Street London N1C 4AB

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	<i>Vacant site</i>		<i>N/A</i>
Proposed	C3 Residential		12,578sqm
	Market		6,107sqm
	Social Rented		
Proposed	Flexible A1-A4/B1		1,098sqm
	Total		19,783sqm

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	0	0
Proposed	0	6

OFFICERS' REPORT

Reason for Referral to Committee: The application is being referred under part (i) details of more than 10 new dwellings of the Kings Cross Delegation Agreement agreed by the Development Control Committee on 26/07/2007.

The application is a 'major development' as defined by Department for Communities and Local Government. The application therefore needs to be determined within 13 weeks from the date of submission which expires on 08/02/2021.

EXECUTIVE SUMMARY

The implemented Outline consent for the Kings Cross Central (KCC) masterplan area gained approval for matters relating to means of access, siting and landscaping. Although matters of detailed design and external appearance were both reserved for subsequent approval, the principles upon which the detailed development would come forward was well established within the Urban Design Statement, Revised Development Specification and Parameter Plan Documents that were approved under the Outline consent.

These principles include the subdivision of the masterplan site into a series of alphabetically named Development Zones (A-V) and sub-zone plots, fixing the types/ quantum of land uses proposed within each Development Zone, and indicating building layouts, plot access points and scale parameters for the lower/ upper limits for height, width and length of buildings within plots.

This Reserved Matters application therefore is another stage in the planning application process for securing full detailed permission for development within Zone S. Accordingly, this report will demonstrate:

- How the proposed development is in full compliance with the Outline consent's s106 legal agreement, conditions, guidelines and parameters;
- How the matters of detailed design and external appearance are in line with the general parameters agreed under the outline consent and local policies; and
- How the details submitted for approval of the relevant Outline conditions comply with local policies.

Building S4 is a mixed tenure residential development located in the centre of Development Zone S. Situated immediately to the north of Handyside Street, to the north of the King's Cross estate, the proposed development would be up to 13 storeys above ground floor level at its highest point and brings forward a total of 176 new homes including 56 Social Rented units and 120 Open Market units. It is the final tranche of the affordable residential requirement in the outline planning permission for the main King's Cross site.

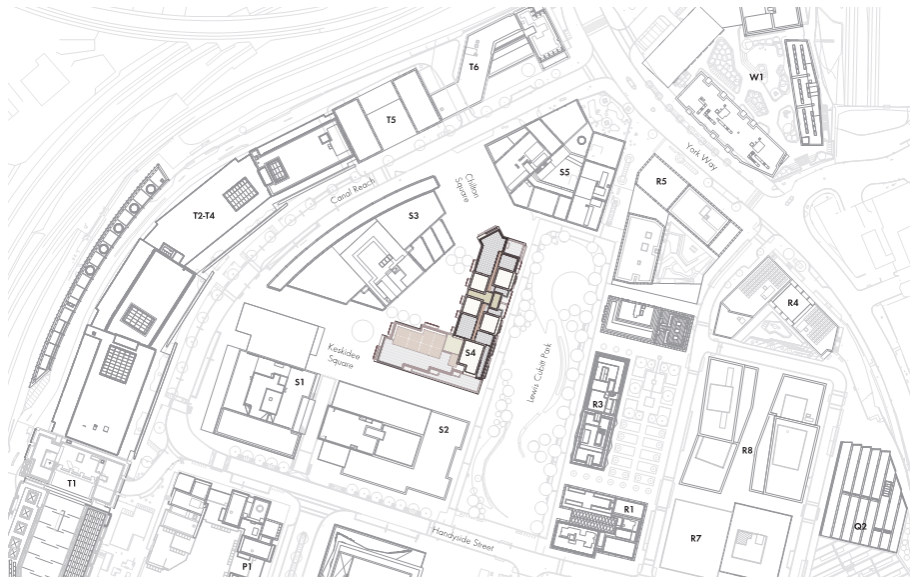
The proposed mix of unit sizes is welcomed, particularly as 43% of the Social Rented units would be family sized 3 and 4 bed dwellings. Officers have worked closely with the developer and the registered provider (Origin) to deliver a high quality layout that meets identified need. The social rented units are well designed with predominately dual aspect outlook with an entrance on to Cubitt Park. Overall, the additional dwellings would help the Borough to meet its housing requirement as set out in the Housing Delivery Test Action Plan

The proposals also include details of the public realm immediately surrounding the building, including Keskidee Square to the south west, Keskidee Lane to the south, Chilton Lane to the north and Chilton Court to the West.

The proposed design responds well to its context with elevations designed to interface with each area of new public realm. It completes reserved matters submissions for buildings facing the Cubitt Park and is well articulated, complementing the surrounding buildings both built and unbuilt. It is considered to be a high quality scheme that responds appropriately to the increasingly established King's Cross Central character. The mass, scale and detail design of the building have been carefully considered in relation to the constraints derived from the site and the surrounding context. Future occupants will benefit from the high quality residential spaces provided as well as the new public realm it will create.

1. SITE

1.1. Plot S4 is located to the eastern edge of Development Zone S, to the north west of the King's Cross Central ('KXC') development site, and is bounded by the residential Building S5 to the north, the office building S2 to the south, the office building S3 to the west and Cubitt Park to the east. The plan below shows how Building S4 relates to the other buildings in the S Zone, the majority of which are now built or under construction.



1.2. The site is not located within a conservation area and is situated to the north of the nearest conservation area, that being the Regents Canal Conservation Area commencing on the southern side of Handyside Street and it encompasses the grade II listed Granary complex and adjacent parts of the Eastern Goods Yard. The Kings Cross Conservation Area is located to the south of Regents Canal.

2. THE PROPOSAL

2.1. This report considers an application for matters reserved by the grant of outline planning permission for Kings Cross Central in respect of Building S4. A reserved matters application is similar to, although wider ranging than an approval of details application required by condition. The reserved matters deal with layout (except as set out in parameter plan KXC005), access, appearance, access (except as set out in parameter plan KXC007) and landscaping.

2.2. The application also addresses a number of conditions attached to the outline permission. Some of these conditions specify that certain supporting material must be submitted at reserved matters stage, others require the submission of details prior to implementation. These need to be formally discharged. Also addressed as part of the application are certain 'controlling conditions'. These do not explicitly require the submission of details for approval, but restrict the form or timing of the development in some way. The applicant has therefore provided supporting information where relevant so that compliance with these may be monitored.

2.3. Building S4 is a mixed tenure residential building that will provide a total of 176 residential units comprising 56 Social Rented and 120 Market dwellings. The proposed

development takes the form of an L-shaped block, housing two buildings which will accommodate the Social Rented and Market housing respectively, and share a party wall above a ground floor of retail, residential lobbies and amenity space. The Social Rented building would be 8 storeys above ground floor level whilst the Market building would be 13 storeys above ground floor. Entrances to both tenures are located on the eastern side of the building, fronting Cubitt Park, with secondary entrances also provided to the west via Chilton Court.

- 2.4. The building is composed of a natural material palette comprising white and cream stock brick with white concrete lintels and green concrete panelling with dark green metalwork to the windows and white metal projecting balconies. At roof level, the Market block is topped by a series of duplex apartments with outdoor amenity space whilst the proposed Social Rented block has a communal outdoor roof terrace space located at roof level. All of the proposed units would have private balconies.
- 2.5. The proposal includes improvements to the public realm landscape, finishes and street furniture to the west boundary of Chilton Court, north boundary to Chilton Square, Keskidee Square, Keskidee Lane and the pavement up to Lewis Cubitt Park to accommodate front entrances and outdoor seating for the ground floor retail space.

APPROVAL OF DETAILS

- 2.7 In addition to the reserved matters, the application also considers the details required by the relevant conditions attached to the outline permission. The Compliance Report, accompanying the application, addresses these relevant conditions that are summarised below:

Condition number	Relevant matters / details required
9	Approval of Reserved Matters – Trees
10	Approval of Reserved Matters - Landscaping Programme
12	Steps in Landscaping
14	Phasing of approvals
16	Reserved Matters submissions shall be accompanied by an urban design report
17	Reserved Matters submissions shall be accompanied by an environmental sustainability plan
18	Reserved Matters submissions shall be accompanied by an earthworks and remediation plan
19	Reserved Matters submissions shall be accompanied by an access statement
20	Reserved Matters submissions shall be accompanied by an illustrative build-out plan
21	Reserved Matters submissions shall be accompanied by a construction timetable
22	Reserved Matters submissions shall be accompanied by a servicing strategy

24	Reserved Matters submissions shall be accompanied by a housing delivery plan
27	Details of floorspace figures, floorplans and layout of the uses
28	Details of refuse storage and collection
31	Development shall be carried out within the defined parameters
33	Limit of 713,090 sqm floorspace for the entirety of the King's Cross Central site
34	Limit of 468,480 sqm floorspace for development north of the canal
35	Uses permitted
36	Permitted Uses to be distributed between Development Zones
37	Maximum floorspace in basements
38	Details of basements
39	Minimum Area of Residential Development (137,00sqm) and Maximum Number of Units (1,700)
42	Residential Floorspace By Tenure
42A	Residential Mix
43	Residential Daylight and Sunlight assessment
45	Drainage infrastructure - Limit on peak discharge to existing combined sewers
46	At least 15% of the buildings shall have green and/or brown roofs
48	Requirement for necessary pipework to connect to the district heating/combined heat and power systems
49	Maximum car parking standards
50A	Use of Car Parking Spaces
51	Cycle storage standards
56	Archaeological investigation and mitigation
60	Reserved matters submissions shall be accompanied by full particulars of the noise impact of any plant
61	Groundborne Noise
64	Annual limit on spoil extraction
65	Annual limit on lorry movements associated with spoil extraction
66	Annual limit on lorry movements for importing infrastructure materials
67	Annual limit on lorry movements for importing construction materials

3. RELEVANT HISTORY

3.1. **2004/2307/P:** Outline application for a comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area, as set out in the Revised Development Specification. The development comprises business and employment uses within the B1 use class; residential uses (including student accommodation), serviced apartments and hotels; shopping, food and drink and financial and professional services within the A1, A2, A3, A4 and A5 use classes; the full range of community, health, education, cultural, assembly and leisure facilities,

within the D1 and D2 use classes; night clubs; multi storey and other car parking; re-erection of the linked triplet of gas holder guide frames to enclose new residential and other development, on the site of the Western Goods Shed; re-erection of the guide frame for gas holder no 8, alongside the re-erected triplet, to enclose new play facilities and open space; relocation of an existing district gas governor; works of alteration to other existing buildings and structures, to facilitate their refurbishment for specified uses; new streets and other means of access and circulation; landscaping including open space; new bridge crossings and other works along the Regent's Canal; the re-profiling of site levels; and other supporting infrastructure works and facilities. **Granted subject to S106 22/12/2006.**

3.2. As the above description of development refers, the key document containing the outline proposals is the Main Site Revised Development Specification with Annexes A-E and accompanying Parameter Plans. This actually consists of four separate documents:

- The Revised Development Specification itself, incorporating Annex A –Supporting Infrastructure Works and Facilities; Annex B –Floorspace Schedule for Development Zones; Annex C –Specification for Access and Circulation Routes; Annex F –Summary of Scheme Revisions and Refinements.
- Revised Annex D –Landscape Proposals Plans (bound separately)
- Annex E –Specification of Works to Retained Historic Buildings and Structures (bound separately)
- Revised Parameter Plans (bound separately)

3.3. The outline permission was subject to a total of 68 conditions covering reserved matters and other details and an accompanying S106 agreement securing 40 heads of terms.

- Condition 1 - commencement of development.
- Condition 2 - submission of first reserved matters within 5 years.
- Condition 13 - approval of reserved matters for at least 25,000sqm GEA of built accommodation prior to development commencing in Zones A, B, F, J, P, Q, R, S or T;
- Condition 14(a) - approval of reserved matters for at least 70,000sqm GEA of built accommodation within 3 years of the permission.
- Condition 59 - baseline noise monitoring - discharged site-wide by LBC letter 12/06/07.
- Condition 68 - survey for unexploded WW2 bombs - discharged LBC letter 12/06/07.

3.4. In accompaniment to the Outline Planning Permission, were various heritage consents (4 listed building consents and 4 conservation area consents) none of which have any direct bearing on the S4 reserved matters proposals.

3.5. Approvals for Development Zone S

Building S1 2017/5204/P - Reserved matters relating to Building S1 within Development Zone S for erection of a 12 storey building, plus single level basement, with mixed office (B1), flexible office or leisure (B1 or D2) and retail uses (A1-A4) at ground floor, mixed office (B1) and flexible office or leisure uses (B1 or

D2) at 1st & 2nd floor and office (B1) uses at 3rd-12th floor. **Approved 27/10/2017.**

Building S2 (2015/7094/P) - Reserved matters relating to Building S2 within Development Zone S for erection of a 12 storey building with 3 retail units at ground floor level (flexible class A1-A5) and office accommodation at ground to ninth floors (Class B1). **Approved 29/02/2016.**

Development Zone S (2018/5672/P) - Amendments to the parameter plans and wording of condition 31 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. **Approved 20/12/2018.**

Building S3 (2019/5379/P) - Reserved matters relating to Plot S3 within Development Zone S for the erection of an 11 storey building for office use (Class B1) with restaurant use (Class A3) and flexible retail (A1), business (B1), non-residential institutions (D1) and assembly and leisure (D2) uses at ground floor level and associated public realm works, as required by conditions 3, 9, 14, 16-22, 27-28, 31, 33-36, 45-46, 48- 49, 50A, 51, 56, 60, 63-67 of outline planning permission reference 2004/2307/P granted 22/12/06 (subject to S106 agreement) for a comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area. **Approved 13/02/2020.**

Building S5 (2018/4813/P) - Reserved matters relating to Plot S5 within Development Zone S for the erection of a 15 storey residential building (Class C3) with flexible retail A1-A5, B1, D1 and D2 uses at ground floor level and associated public realm works, as required by conditions 9, 10, 14, 16-22, 24, 27, 28, 31, 33- 36, 37, 38, 39, 42. 42a, 43, 45, 46, 48, 49, 50A, 51, 55, 56, 60, 61, 63 and 64-67 of outline planning permission reference 2004/2307/P granted 22/12/06 (subject to S106 agreement) for a comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area. **Approved 20/12/2018.**

4. CONSULTATIONS

Statutory Consultees

4.1. Thames Water

Officer comment: Thames Water made a number of comments relating to concerns over the impact a development of this scale would have on the existing water infrastructure network and strategic water mains. However, as discussed in section 6.23.3 of this report, these impacts have already been assessed as part of the Outline Permission. Building S4 would be serviced by the North West Area drainage system which discharges into the combined Thames Water Camden Sewer.

4.2. Transport for London

The submitted application documents confirm the cycle parking will include a range of types to ensure accessibility for different users, and the same amount of cycle parking secured in the original planning permission, which is supported. TfL has no further comments.

4.3. Non-statutory Consultees

King's Cross CAAC - No comments to date

Regent's Canal CAAC - No comments to date

4.4. Local Groups

King's Cross Development Forum - No comments to date

4.5. Adjoining Occupiers

The application was advertised on site (23/12/2020 – 16/01/2021) and in the local press (24/12/2020 - 17/01/2021).

No representations were received from adjoining occupiers.

5. POLICIES

5.1. The 2006 outline planning permission forms the basis for determining the reserved matters approvals for the various development zones that make up Kings Cross Central.

5.2. The outline permission was granted following its assessment against national, regional and local policies existing at the time. Where these policies have subsequently changed, their influence can only over-ride on those matters which have not already been set down in principle by the outline permission.

5.3. In the case of the current reserved matters application and details for approval, the policies and guidance considered to be of particular relevance are set out below:

National Planning Policy Framework 2019

London Plan 2016

London Plan Publication Version December 2020

Camden Local Plan 2017

- Policy G1 Delivery and location of growth
- Policy C3 Cultural and leisure facilities
- Policy C5 Safety and security
- Policy C6 Access for all
- Policy E1 Economic development
- Policy E2 Employment premises and sites
- Policy A1 Managing the impact of development
- Policy A3 Biodiversity

- Policy A4 Noise and vibration
- Policy A5 Basements
- Policy D1 Design
- Policy D2 Heritage
- Policy D3 Shopfronts
- Policy H4 Maximising the supply of affordable housing
- Policy H6 Housing choice and mix
- Policy H7 Large and small homes
- Policy CC1 Climate change mitigation
- Policy CC2 Adapting to climate change
- Policy CC3 Water and flooding
- Policy CC4 Air quality
- Policy CC5 Waste
- Policy TC1 Quantity and location of retail development
- Policy TC2 Camden's centres and other shopping areas
- Policy TC4 Town centres uses
- Policy T1 Prioritising walking, cycling and public transport
- Policy T2 Parking and car-free development
- Policy T3 Transport infrastructure
- Policy T4 Sustainable movement of goods and materials

Supplementary Planning Policies

- CPG – Design
- CPG – Sustainability
- CPG – Basements
- CPG – Amenity
- CPG – Transport

6. ASSESSMENT

6.1.1. The summary paragraph, at the outset of this report, explains the context upon which this Reserved Matters application will be assessed.

6.1.2. The principal consideration material to the determination of this application are summarised as follows:

- Land Use and development context (compliance with the parameters and development specification defined in the outline permission)
- Housing (including layout/ design quality, mix, access and day/ sunlight)
- Urban Design
- Inclusive Design (including access and security)
- Landscaping and public realm
- Climate change and biodiversity (including sustainability/ energy, water, construction material recycling)
- Transport
- Amenity
- Contamination
- Archaeology

- 6.1.3. This section considers compliance with the parameters and related Outline conditions insofar as they are relevant to Development Zone S and the wider northern section of the King's Cross Central site. The applicant has provided a detailed commentary addressing each relevant outline condition in the form of a 'Compliance Report' and 'Compliance Report Addendum' accompanying the submission, which has aided the assessment of the primary facets of the S4 development as set out below.
- 6.1.4. Conditions 31 and 33-36 (condition 32 being irrelevant dealing with retained buildings and structures of which there are none) of the outline planning permission set a requirement for subsequent reserved matters applications to comply with the various parameters set out as a series of drawings and tables included as annexes to the 'Outline Planning Revised Development Specification' document. These set the context for a whole range of issues including appropriate land use(s), floorspace, landscape issues, access and circulation, heights and levels. The reserved matters proposals have been prepared with reference to the relevant parameters. In respect of condition 31 parts (a), (b), (d)-(j), (k), (l) and (o) are relevant to this reserved matters application.

6.2. **Land Use and Development Context**

6.2.1. Principal Public Realm Areas

- 6.2.2. Condition 31 (a) states that development should accord with parameter plan KXC004 Rev. S, which defines the principal public realm areas. The proposals for Building S4 include a substantial amount of public realm surrounding the building, including Chilton Court and Keswidee Square and Lanes, all within Development Zone S. However, none of these areas are defined as Principal Public realm on Parameter Plan KXC 004 and have arisen through the process of design development. The proposals therefore remain consistent with parameter plan KXC004.

6.3. Development Zone Boundaries and development types allowed

- 6.3.1. Condition 31 (b) states that development should accord with parameter plan KXC005 Rev. T, which shows the boundaries of the development zones and table 2 of the development specification document. The reserved matters proposal is consistent with the boundaries as shown on the parameter plan and the summary description of the proposals for each zone and therefore this condition has been met.
- 6.3.2. Condition 31 (d) states that the development should accord with the Principal Access and Circulation Routes shown on drawing KXC 007 Rev T 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. The areas of Public Realm surrounding Building S4 on all sides that are included with this submission, as referred to above, form the access and circulation routes to Building S4. The servicing area is located to the west of the building, accessed from Chilton Court via the passageway through Building S3 to Canal Reach beyond to the west. Details of the public

realm, and the access entrances into the building are shown on the drawings included with this submission. Therefore, this condition has been met.

6.4. Upper and Ground Floor Land Uses

- 6.4.1. Condition 31(e) and (f) state that development proposals should comply with parameter plans KXC008 Rev. R and KXC009 Rev. P, which show the permitted upper and ground floor land uses along street elevations respectively. The plans state that S5 may be any use permitted by Annex B at ground floor and predominantly residential use at upper floor levels.
- 6.4.2. Annex B of the development specification permits use of Zone S for business and employment (Class B1), residential (C3), shopping/food/entertainment uses (Classes A1-A5), Class D1 and Class D2.
- 6.4.3. Building S4 is a primarily residential building with some retail proposed at ground floor. The uses proposed are compliant with the permitted uses in the Revised Development Specification (2005) which states office and residential as the two primary uses within the zone, along with retail and other uses as secondary uses.
- 6.4.4. As Building S4 is set well within the Development Zone S, none of the permitted ground and upper floor uses on Parameter Plans 008 and 009 apply per se. However, the proposed uses are in line with the uses permitted in Table 2 of the Revised Development Specification, as such the requirements of paragraphs (e) and (f) of this condition are met.

6.5. Development massing and maximum building height above finished site levels

- 6.5.1. Condition 31 (g)-(i) state that development proposals should comply with parameter plans KXC012 Rev T, KXC013 Rev L and KXC014 Rev W which indicate finished site levels, development massing and maximum building heights respectively.
- 6.5.2. The proposals for Building S4 are consistent with the finished site levels indicated on the relevant parameter plan read in conjunction with the limits of deviation.
- 6.5.3. The massing criterion specifying the maximum percentage, in this case 25%, of the total floorspace applied for within each development zone that may be constructed 30m above finished ground levels applies to Development Zones P and S as a whole. The main residential entrances to the east of the building are at +25.5AOD. The finished floor level of level 9 is +55.3m AOD. As this is such a small amount, only level 8 and below has been included as under the 30m threshold, meaning that level 9 and above are included within the 25% cap for the massing of the building.
- 6.5.4. The floorspace of Building S4 above the 30m level amounts to 4,079m², which is 21% of the total floorspace of the building, at 19,783m². When taken cumulatively with the rest of the already approved development within Zone P and S, the total amount of floorspace proposed to be over 30m AOD is 24.5%, meaning that the Development Zone as a whole is compliant with the massing criteria set by Parameter Plan KXC013.

6.5.5. The maximum proposed height for Building S4 is 72.1m AOD, which occurs towards the part of the building fronting Cubitt Park. On the whole, this height is below the maximum building heights specified for the relevant parts of Development Zone S (i.e. 72.5m A.O.D. and 75.0m A.O.D.), as shown on Parameter Plan KXC 014.

6.5.6. The proposal therefore conforms to sub-paragraph (i) of Condition 31.

6.6. Strategic View Corridors

6.6.1. Condition 31 (j) states that development height should accord with the constraints of the Kenwood House view towards St Paul's Cathedral, as illustrated on parameter plan KX015 Rev. S. The proposed building falls within this strategic view corridor however, the building falls below the maximum permitted building height for this area which was set at the outline stage having regard to the strategic viewing corridors. The proposal therefore complies with the condition.

6.7. Basement zones and maximum floorspace of basements

6.7.1. Parameter Plan KXC016 referred to in (k) identifies Zone S as an area within which new basements may be constructed, with an extra note that basements are not to compromise the integrity of the Thameslink Tunnels. The tunnels underground have informed the massing of the building/basement due to various restrictions including the loading. The foundations and piling of the building, have therefore been located away from the existing tunnels so as not to compromise their integrity.

6.7.2. This is in line with the parameter plan referred to in (k), which confirms the acceptability of providing a basements within the S Zone.

6.8. Servicing arrangements

6.8.1. Condition 31(l) states that development proposals should comply with parameter plan KXC017 rev R which sets out which frontages should not include any direct car park or service yard entrances or direct service accesses.

6.8.2. Servicing Building S4 will take place to the east (rear) of the building from Chilton Court via the passageway through Building S3 using the lay-by and entrances at ground floor level.

6.8.3. The proposals are therefore in conformity with Parameter Plan KXC 017.

6.9. Permitted Basement Uses

6.9.1. Condition 38 sets out that the use of basement areas should be restricted to purposes ancillary to the primary permitted uses of the relevant building. Building S4 is a residential building with an allowable mix of retail uses (A1-A5) at ground floor level and residential across the upper floors, in accordance with the permitted uses set out in the outline permission. The proposed use of the basement for cycle parking and plant equipment is compliant with the requirements of this condition.

6.10. Priority Zones for Green/Brown Roofs and Wind Turbines

- 6.10.1. Condition 31 (o) states that development proposals should comply with parameter plan KXC021 Rev A. The roofscape of Building S4 is at several levels across the massing of the building. Across these levels, two areas intensive meadow green roof, are proposed, at levels 10 and 13, totalling 121sqm. This does not include any areas of landscaping or planting on the terraces at levels 1, 9 and 12 (totalling 1,097sqm). The areas of green roof will take up 13% of the available roof area (not including the terraces) and are thus considered acceptable.
- 6.10.2. The proposals are therefore considered to comply with Condition 31 of the outline permission.

6.11. Floorspace permitted

- 6.11.1. Condition 33 sets the maximum limit on development floorspace site-wide. Condition 34 then divides that floorspace setting maximum limits north and south of the canal. Condition 35 sets out the permitted range of uses and refers to Table 1 of the revised development specification document which sets floorspace limits for each use north and south of the canal. Condition 36 then distributes those use limits across the development zones.
- 6.11.2. The total amount of floorspace so far approved/ submitted across the KCX development, including the current S4 proposal, is 705,300m². The site-wide figure of 713,090sqm prescribed by condition 33 would thus not be exceeded. The total cumulative figure to date for the north of the Canal is 484,491sqm including Building S4. The maximum floorspace for this sub-area of 486,340sqm would therefore not be exceeded by this proposal and would not exceed the proposed maximum floorspace for the uses within Building S4 would not exceed the total maximum figures for the relevant land uses applying within Development Zone S.

Basement

- 6.11.3. Conditions 37 and 38 require developments to be built in accordance with the approved basement floorspace figures and requires details of the proposed design and layouts to be submitted and approved.
- 6.11.4. The floorspace of the proposed basement of Building S4 is 1,221sqm GEA. Together with basement floorspace already submitted or approved, the cumulative site-wide total is 71,558m² and, north of the Regent's Canal, 35,739sqm. These totals fall within the overall figure of 83,500sqm site-wide and 47,500sqm north of the Canal, as specified by Condition 37.

6.12. **Housing**

Floorspace / unit number requirements

- 6.12.1. The residential mix for King's Cross Central is controlled by conditions 39, 42 and 42A and Section NN of the S106 Legal Agreement. Condition 39 sets a 137,200sqm minimum amount of residential floorspace that must be delivered site

wide, and a 1,700 maximum limit on the number of residential units. Condition 42 breaks down the minimum residential floorspace by tenure type including affordable housing and social rented housing. Condition 42A requires no less than 23% of all residential units to be family sized, providing 3 or 4 bedrooms. These controls apply site-wide and therefore will require on-going monitoring as relevant reserved matters come forward.

6.12.2. Building S4 would provide a total of 156 dwellings, which comprise 56 Social Rented Units and 120 Market units. The units are considered to be a good mix of dwelling sizes with all units having access to outdoor amenity space.

6.12.3. The proposed mix of dwelling sizes for the proposed units is as follows:

Studio	1 bed	2 bed	3 bed	4 bed	Total
14	46	80	33	3	176

6.12.4. As noted above, Section NN of the S106 Agreement sets out the minimum affordable housing floorspace and the baseline mix of unit size and type that must be delivered. It also required the affordable housing units to be brought forward in tranches relative to the number of market units being delivered. Section NN of the original section 106 agreement dated 22nd December 2006 has been varied by the Deed of Variation (DoV) dated 29th April 2015. The Deed of variation amended the baseline mix and the number of affordable units remaining to be delivered.

6.12.5. In terms of Building S4 the provision of Social Rent units is welcome and provides the final tranche of units required by the outline permission and S106, as is the significant proportion of larger units, in line with the requirements of Policies H6 and H7 of the Local Plan.

6.12.6. In respect of condition 42A, S4 proposes 36 of the 176 residential units (20%) to have 3-4 bedrooms. When added to the site wide total this would represent 23%, above the minimum 19% required by the condition. It is therefore considered that the site-wide minimum can be achieved and the number of family sized units in this reserved matters application is compliant with condition 42A.

6.13. Residential layout, design quality and amenity

Social Rented

6.13.1. The general layout and design of the residential units is considered to be of a high quality. All of the proposed Social Rented homes (except the 4 bed 6 person units) meet or exceed space standards and 59% of the homes will accommodate households of four to six people. Officers note that the proposed 3 x 4 bed 6 person units are 1m² smaller than the minimum National Space Standard of 99m² for this type of unit. However, this shortfall is considered minor and would not compromise the overall standard of accommodation for future

occupants of these units. Forty-eight flats are dual aspect and eight are single aspect.

Market Units

- 6.13.2. Similarly, the general layout of the proposed market units is considered to be of a high quality with all units either meeting or exceeding minimum floorspace standards. Officers note that a significant proportion of the proposed market units are single aspect however, these units would benefit from open views either across Cubitt Park to the front of Chilton Court to the rear and are considered to provide a good standard of accommodation as a result.
- 6.13.3. Each block has its own core, both of which contains 2 lifts and a staircase. Each core serves no more than 11 flats per level.

Wheelchair and Lifetime Homes

- 6.13.4. Section NN of the S106 legal agreement requires that up to 10% of the open market units should be designed as wheelchair accessible. Officers note that the original outline planning permission pre-dates the current building regulation terminology for wheelchair accessible and wheelchair adaptable dwellings. None of the dwellings will be fully wheelchair accessible to comply with Building Regulation M4 (3)(2)(b). The submitted Access & Inclusivity document explains the applicant's approach to providing homes that can be adapted for future wheelchair use. A total of 18 wheelchair adaptable units are currently proposed, 7 of which are located between first and fourth floors. Accordingly, the Council's Housing Officer is satisfied that the requirements of section V of the s106 legal agreement have been met in this regard.

Daylight and Sunlight

- 6.13.5. In accordance with condition 43, a daylight and sunlight report, prepared in line with the BRE's 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice 2011', accompanies this reserved matters application. A Daylight and Sunlight Report is submitted as a separate document and sets out details of how the design for Building S4 has applied the standards recommended in the BRE 2011 Guide to Good Practice for Planning for Daylight and Sunlight (the current BRE Guidelines, which replaced the 1991 document referred to in the Condition 43).
- 6.13.6. The report shows that 313 of the 507 (61.7%) rooms proposed, including open plan living areas, pass the recommended Average Daylight Factor (ADF) threshold set by BS 8206-2 and daylight levels achieved overall are in line with values generally achieved on high density urban locations. Further, 42% of all spaces analysed achieve sky view over 80% of the floor area calculated.
- 6.13.7. With regards to sunlight levels (Annual/Winter Probable Sunlight Hours 'A/WPSH'), 21.6%, of all spaces analysed pass the annual sunlight requirement which indicates that living rooms in the majority of apartments tested have limited access to direct sunlight. This is mainly due to the effects of overshadowing from surrounding buildings and from within the development itself.

- 6.13.8. For dense urban living within a Central London Area this outcome is considered acceptable for this particular context. Furthermore, the results must be also balanced in conjunction with the high quality internal space size/layout, high proportion of dual aspect units, and the easy access to both private and communal amenity space for the prospective residents. In that regard, the proposed internal living environment is considered acceptable.
- 6.13.9. Any variance with the BRE standards has been minimised by careful internal design and is mitigated by the overall high standard of residential amenity within Building S4, complemented by the carefully planned external environment. Accordingly, it can be seen that the relevant standards have been applied in a positive and responsive manner and an appropriate level of observance achieved.
- 6.13.10. These details are considered to meet the requirements of Condition 43.

6.13.11. **Urban Design**

Mass and Scale

- 6.13.12. The proposed building is L-shaped in plan, with the longest element facing Lewis Cubitt Park and the shorter one on Keskidee Lane. It is composed of two parts, each belonging to a different tenure: Social Rented on the shorter wing to the south, facing Keskidee Lane, and market to the north, occupying the long block. The massing has been shaped to respond to the neighbouring buildings and public spaces in between. The market block is 14 storeys high while the social rent block is 9 storeys high, which is lower than the rest of the host and neighbouring buildings to allow more light into Keskidee Square. Similarly, the mass towards S5 and Chilton Square is reduced in height to maximise light into the surrounding public spaces. At roof level, a number of duplexes create different profiles and animate the roofscape. The L-shape around Chilton Court allows more distance with the commercial Building S3, reducing issues of loss of light and overlooking.
- 6.13.13. The long market block is characterised by an expression of the core, centrally located on both the east and west facades, articulating the two wings of the block, breaking up the length of the elevation and introducing visual variety. On the social rented block, the introduction of a stepped massing approach of staggered brick planes towards Keskidee Lane results in a large number of double aspect units, allowing flats to get views of the park and improving daylight inside, which is welcomed. The majority of flats have been designed to allow views of the park and to maximise the number of dual aspect units.

Detailed design

- 6.13.14. Throughout the design process, achieving a high quality of accommodation and spaces in the social rented block has been a key consideration. Internally, the design of the Social Rented block is characterised by 7 units on each floor arranged around and accessed via a corridor which is directly connected to the central core in the inside corner of the plan, towards Chilton Court. The layout

has been designed to maximise views to the park and dual aspect flats through the staggered units and to reduce their depth for better access to light.

- 6.13.15. The market block's floorplan is characterised by a circulation core placed centrally in the massing, dividing the block in two wings. The flats are accessed through a corridor that runs at the centre of the long block, with flats organised on both its sides. The corridor is terminated on both ends by a window to allow natural light into the centre of the plan, and light also penetrates from the glazing by the central stair.
- 6.13.16. A range of units in the market block are proposed as interlocking flats and are placed around the setback core. Spatially, this results in one 1-bed unit sandwiched between 2-bed units with taller living rooms. In plan, the building steps in and out to break up the mass and to create dual aspect units and large corner balconies. Five duplexes are located above the 12th floor of the market block and create a playful roovescape. Three of the duplexes face Lewis Cubitt Park while the other two face south and north.
- 6.13.17. Communal and private residential amenity is provided on different parts of Building S4. An internal flexible space for market residents, with workspace and seating areas as well as a dining and kitchen space, is located on the north east corner at ground floor while on the rooftop of the social residences, at ninth floor, a landscape garden of around 260sqm is provided as a space for interaction and biodiversity to the social block residents (see image below). Private amenity is also provided by means of private balconies and terraces for all units. Duplexes at the top floor benefit from larger private outdoor spaces and views in every direction.



Figure 30: Terrace at ninth floor for Social Rented residents with sheltered areas and biodiverse planting by TLG Landscape Design

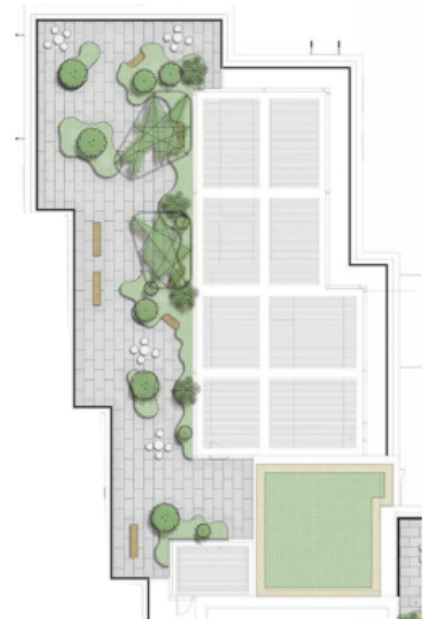


Figure 31: Plan of ninth floor terrace by TLG

- 6.13.18. The main entrances for both the social and private residences are located on the front elevation of the building and provide a direct connection to the park, which is welcomed. Secondary entrances for both tenures are located at the back, on Chilton Court, allowing residents to access the building more directly from Canal Reach. The lobbies for each block are accessed from both main and secondary entrances, creating a through east-west connection between them and increasing legibility around and across the building. Cycle entrances are located on Chilton Court and lead to lifts that are connected to the cycle storage at basement level, while retail units are accessed independently from their own separate entrances at ground floor level. Back of house areas, including servicing uses such as the substation and refuse stores are located at ground and basement levels, towards the back of the development, facing the service yard of Chilton Court where active uses are least required.
- 6.13.19. The building elevations have been designed to respond to the surrounding context and internal uses as well as to clearly reflect the established building hierarchy. They are divided into two typologies: The park and square elevations, which consist of the main residential facades of Lewis Cubitt Park, Chilton Square and Keskidee Square, and the lane and court elevations, used for secondary facades facing Chilton Court, Chilton Lane and Keskidee Lane. The main residential facades are characterised by robust masonry columns and slabs made of strong portal brick frames with repeated horizontal lines and by grander proportions than those of the secondary facades, particularly on the park and Chilton Square elevations, where a triple order characterises the frontages. The depth of the robust brick piers provides privacy and weather protection. On the Lewis Cubitt Park elevation, through the setback core, the mass is broken up and more depth to the façade is introduced, adding variety and interest to the elevation facing the park. The secondary elevations are more solid and designed for more privacy through, for example, the use of raised window cills. Openings that appear to be carved into the block are also introduced to give these elevations a sculptural character.
- 6.13.20. Active frontages have been located throughout the ground floor façades of S4 but are particularly relevant on the elevations facing the more public spaces: Keskidee Lane, Keskidee Square, Lewis Cubitt Park and Chilton Square. These frontages are animated by retail and residential activity. The shopfront of a large retail along the whole length of the building on Keskidee Lane contributes to activate the streetscape as well as to create a visual link to Keskidee Square. Two smaller units sit between the two residential cores, facing Lewis Cubitt Park, and a retail unit is located orthogonally to Chilton Square to directly address the open space.
- 6.13.21. The base of the building facing Chilton Court is characterised by some blank frontage where services and louvres are located, but it has been animated through decorative metal screens with incorporated lighting, creating a playful frontage.
- 6.13.22. The design of both main entrances is very similar so as to not create distinction between the building tenures and provide a more coherent and inclusive development. They are characterised by glazed enclosures of green metalwork

frames that sit within a masonry building frame. Through glazing ratios and various details such as the design of doors, the use of timber panels and canopies, and a different paving material, the residential entrances are domestic in scale and character, and contrast well with the larger glazed retail units at ground floor level.

Materials

- 6.13.23. Building S4 is characterised by a simple material palette, using brick, concrete and metal as the main materials throughout the development. The choice of materials and tones has been dictated by the search for contrasts and clear architectural composition. The brick is light cream stock and is used to create a contrast with the darker buildings surrounding Lewis Cubitt Park as well as to reflect light. White concrete is used for horizontal elements on the façade such as the lintels and string course, contrasting with the brick tone and supporting the green framed windows and Juliet balconies. The metalwork used for the windows is a dark khaki colour while the one used for the projecting balconies is white, contrasting with the darker back plane. Although having the same materials, the primary and secondary elevations are composed in a different way to reflect the hierarchy of facades and respond to the surrounding context. Similarly, the duplexes adopt the same language of white cream brick than the floors below.
- 6.13.24. Throughout the design process, the proposal has improved substantially, resulting in a building that is high in design quality and provides high quality residential accommodation and design. As such, Building S4 is considered to make a positive contribution as a frontage building to Lewis Cubitt Park and responds well to the character of the wider King's Cross Central site, and will positively impact the everyday life of residents, workers and passers-by.
- 6.13.25. **Inclusive Design and Security**
- 6.13.26. Condition 19 states that all relevant reserved matters applications should be accompanied by an access statement. The statement should address the relevant design principles as set out in the site wide access and inclusivity strategy which was submitted as a supporting document to the outline permission. Section V of S106 legal agreement also deals with access and inclusivity. It requires the applicant to involve an 'inclusive design champion' in the preparation of the detailed design of buildings and requires them to consult the King's Cross Access Forum on proposals.
- 6.13.27. A separate Access and Inclusivity Statement forms part of this submission. This demonstrates compliance with the criteria contained in the condition, including how the principles set out in the site-wide Access and Inclusivity Strategy have been applied in the design of Building S4, Chilton Court, north boundary to Chilton Square, Keskidee Square, Keskidee Lane and the pavement up to Lewis Cubitt Park.
- 6.13.28. In accordance with Section V of the Section 106 Agreement, the evolution of the Building S4 scheme and the preparation of the Access Statement have been guided by the applicant's designated Inclusive Design Champion of All Clear

Designs Ltd. The champion body has extensive experience of the KXC development, from its inception through to the several phases of Reserved Matters and other submissions preceding and now including these proposals.

6.13.29. The Access and Inclusivity Statement is submitted to meet the requirements of Condition 19.

6.13.30. **Landscaping and Public Realm**

6.13.31. With regards to outline condition 9, which considers the public realm adjacent to the site, only part (c) requiring details of new tree or other planting, earthworks, ground finishes and drainage to be submitted is relevant to this application. Condition 10 requires the submission of a programme for the planting. In the case of this submission for Building S4, only part (c) is relevant to the details required by the condition.

6.13.32. The proposed public realm includes areas alongside the S3 façade, S1 and S2 northern facades, along Keskidee Lane, Keskidee Square, and part of the Chilton Court pavement on the western side of S4. It also comprises the pavement immediately adjacent to Building S4 on the Lewis Cubitt Park side of the development.

6.13.33. Keskidee Square constitutes the main area of the public realm proposals, being centrally located within the S block and surrounded by S1, S2, S3 and S4. The character of the space is intimate, with a feature tree acting as a focal point, surrounded by a timber platform to provide space for socialising and relaxing. The use of a granite paving pattern and a granite frame surrounding it give it a unique character and demarcate the main public space, acting as a flexible space surrounded by space for spill out activity from surrounding buildings.

6.13.34. Keskidee Lane acts as a main pedestrian connector between Lewis Cubitt Park and Canal Reach. It is composed of eastern and western wings which are designed to accommodate pedestrians moving through the area through generous pavements as well as a flexible space through the use of moveable raised planters and furniture centrally located along the laneway. This flexibility also allows for emergency vehicles to access the space if needed.

6.13.35. Although the proposal covers various public realm areas of different types and scale, it is proposed to adopt a coherent palette of materials and design rationale that relate to the wider King's Cross masterplan. Sandstone and granite paving of different types and sizes, as well as street furniture such as cycle stands and bollards, will be used in the same way as they are throughout the whole King's Cross Central development, increasing legibility and coherence in the area.

6.13.36. Given the above, the proposals are considered to comply with conditions 9 and 10.

6.13.37. **Climate change and Biodiversity**

- 6.13.38. Section X of the S106 legal agreement attached to the outline permission seeks to ensure that development is designed in such a way that it does not prejudice the prospect of the entire development achieving a 60% reduction in carbon emissions from the year 2000 levels identified in the Energy Assessment by 2050. It also seeks to ensure a saving in carbon emissions compared with the current 'business as usual' benchmark of at least 32% and a further 10% reduction in carbon emission as a result of renewables with the objective of achieving carbon emissions of at least 39% less than the benchmark. It effectively states that the way to achieve this is via the requirements of condition 17 of the outline permission: be lean, be clean and be green.
- 6.13.39. In accordance with outline condition 17, an Environmental Sustainability Plan has been submitted, to demonstrate how parts (a)-(f) of this condition have been met. These parts will be considered in turn below. Part (a) and (b) of the condition require that energy efficiency measures be set out in full and details provided of the carbon reduction achieved through the building design and technology energy efficiency measures against building regulations. Part (c) relates to details of the provision of green and brown roofs and (d) to energy supply. The latter criterion (as well as condition 48 and Section X) requires each building to be linked to the energy centre proposed for the entire King's Cross Central site. It also requires an assessment of any other measure to incorporate renewables. Part (e) requires that buildings achieve a BREEAM rating of 'very good' or better. Part (f) relates to the provision of measures which will enhance biodiversity.
- 6.13.40. Energy Efficiency
- 6.13.41. Building S4 has been designed with energy efficiency being one of the key drivers from the outset.
- 6.13.42. Whilst the offsetting of electrical energy and the heating supplies to each building will be provided via the low-carbon KXC Energy Centre, the project team recognise the need to reduce energy consumption demand of both the building and its users through the application of the following design methodologies specified in the Mayors Energy Hierarchy:
- 6.13.43. **Passive Design** - *The use of the building structure (thermal mass) and the development of the façade systems to respond to their orientation and relation to sun angles to minimise cooling loads and artificial lighting energy demand.*
- 6.13.44. The residential units are designed to maximise use of day lighting with balance of glazed areas in correspondence to orientations and matching it with correct glass specifications. High performance building fabric with low U-values and the specification of low air-leakage rates will be used to minimise uncontrolled heat losses and gains. Given that the building is primarily for residential uses, there is limited opportunity to expose the thermal mass directly to utilise night-time cooling by leaving windows open at night given the site's urban location and occupants' personal preference regarding the internal environment. Furthermore, typical internal finishes such as carpets, suspended ceilings and lightweight internal partitions limit the effectiveness of the concrete structure as a heat store.

For these reasons the use of thermal mass as a means of temperature regulation is not proposed here.

- 6.13.45. **Energy efficiency** – *energy efficient equipment and controls help deliver energy as efficiently as possible and reduce energy consumption.*
- 6.13.46. In dwellings, the Part L1A 2013 Building Regulations require that 85% of all fixed light fittings must be capable of accepting only low energy lamps. For this development the lighting installation will employ low-energy, high efficiency light fittings. In addition to reducing energy use associated with lighting, this strategy will help to limit unwanted heat gains. Controls will be installed as appropriate in the external areas, service corridors, and communal areas in order to reduce energy consumption, e.g. daylight sensors, timers, and passive infra-red (PIR) movement detectors.
- 6.13.47. All residential dwellings will benefit from highly efficient mechanical ventilation with heat recovery units (MVHR) as this is the most energy efficient way to maintain a comfortable temperature internally whilst minimising heating demands in winter. The MVHR units recover heat from the exhaust air and use it to raise the temperature of the intake air – without cross contamination- reducing heat loss through exhaust air and thus reducing the energy required to heat an apartment.
- 6.13.48. By utilising passive and active design, Building S4 will also be ‘future-proofed’ to ensure it is adaptable to climate change and the future operational needs of the tenant, and is capable of accommodating future low/zero carbon technologies.
- 6.13.49. Section X of the s106 legal agreement requires that under condition 17(b) the applicant should demonstrate that all reasonable endeavours have been made to achieve for each building a reduction in carbon emissions of at least 5% compared to the emissions Part L of the Building Regulations. The residential units will comply with Part L1A 2013 from passive design and energy efficiency alone (prior to the contribution of the low-carbon supply and renewable energy measures).
- 6.13.50. The carbon emissions for the residential areas of Building S4 are expected to be approximately 187 tonnes CO₂/year, i.e. surpassing expected Part L1A 2013 carbon emissions compliance level of 197 tonnes CO₂/year for the development. This represents a 5.0% reduction over the Part L1A 2013 TER. Consequently, the building complies with the target 5% reduction set by the S106 Agreement, before taking into account the carbon savings resulting from connection to the KXC Energy Centre.
- 6.13.51. The applicant has demonstrated that they have given significant thought to the design of the buildings in order to minimise energy consumption and used best endeavours to achieve the requirements of the s106 agreement. It is therefore considered that the requirements of condition 17 (a) and (b) have been met.
- 6.13.52. Energy Supply

- 6.13.53. Section X of the s106 legal agreement and condition 17 (d) require that energy be supplied to new buildings within the development through the use of low carbon technologies and in appropriate locations through renewables.
- 6.13.54. Condition 48 specifically requires that all new buildings within development zone R incorporate the necessary pipework to connect to the district heating/combines heat and power systems. The ESP submitted demonstrates that building S4 will incorporate the necessary pipework for connection to the site-wide low-carbon energy centre now constructed within Zone T1.
- 6.13.55. The connection to the district energy supply system shall allow it to take advantage of the low-carbon benefits associated with combined heat and power. The district energy system will meet all of the heat and hot water demand for the building. It will also generate electrical power which will be sold, thereby offsetting a significant percentage of the building's demand. It is considered that the requirement of condition 17 (d) has been met and can now be discharged.
- 6.13.56. Biodiversity
- 6.13.57. Part (f) of condition 17 requires the incorporation of bird boxes, bat roosts and other wildlife features on the buildings. Building S4 will make a positive contribution towards fulfilling objectives set out in the London Biodiversity Action Plan.
- 6.13.58. Building S4 includes 121sqm of green roof. The landscape design will enhance the biodiversity of the site. This will be delivered through the implementation of ecologically sensitive soft landscaping and extensive meadow roofs at levels 10 and 13 and intensive green roofs at levels 1 and 9 of the new building.
- 6.13.59. A series of bird and bat boxes are to be incorporated at Plot S4. A minimum of four bird boxes and four bat boxes will be erected at suitable roof levels to enhance the site with respect to bird nesting and bat roosting opportunities.
- 6.13.60. Green and Brown Roofs
- 6.13.61. The Outline Planning Permission defines Building S4 as a priority zone for green and/or brown roofs. Hence, it is proposed that a green roof with associated planting will be provided on Building S4. The proposed green/brown roof will cover **121m²** of the roof area, which is **13%** of the total roof area on Building S4 (not including private and communal roof terrace areas). Officers note that this falls short of the minimum 15% required by Condition 46 of the OPP. However, the 13% figure does not include the 1097sqm of private and communal amenity space located on the roofs of the Social Rented and Market buildings. As such, the scheme is considered to strike a good balance between the provision of green roof space and the provision of outdoor amenity space to be enjoyed by occupants of the building.
- 6.13.62. The proposals are considered to be in accordance with the parameters of the outline planning permission.

Water

- 6.13.63. A site-wide surface and foul water disposal strategy was agreed as part of the outline permission, part of this was to ensure a maximum combined peak discharge of 2292l/s for storm and foul water from King's Cross Central to the existing drainage infrastructure. This was secured by condition 45. The surface water discharge peak flows for S4 are 175 l/s and 10.6l/s for surface water and foul water, respectively. The cumulative peak discharge from the site will exceed this under certain weather conditions and in such cases the site wide drainage infrastructure will attenuate the peak flow from individual plots. Site-wide discharge is to be split between the Camden Sewer and York Way Sewer in the north and Camley Sewer and Fleet Sewer in the south. There are 3 drainage infrastructure areas across the entire site which will discharge into the existing system and S4 falls within the North-West Drainage Area. The drainage network for this infrastructure area has been designed on SUDS principles to achieve an overall peak flow reduction of 10%. It is considered that drainage discharge would not exceed the site wide maximum and condition 45 is complied with.
- 6.13.64. **Transport**
- 6.13.65. Servicing and waste collection
- 6.13.66. Condition 22 requires that any relevant reserved matters application is supported by a servicing strategy which is consistent with parameter plan KXC017 (servicing). The strategy should include details of the proposed hours of servicing and the mechanisms which are to be used to ensure that loading and unloading takes place in accordance with the strategy. Condition 58 states that unless specified otherwise by the Local Planning Authority in the reserved matters approval there shall be no restriction on the hours of servicing of any of the buildings within the development. Further, Condition 28 requires that details of refuse storage and collection are provided as part of relevant reserved matters applications. Section Z of the S106 legal agreement deals with waste and states that the design of buildings should assist with waste segregation and provide appropriate waste storage.
- 6.13.67. There are two servicing bays proposed to the rear of the building within Chilton Court. All servicing/delivery vehicles for the flexible retail and residential elements of the development will utilise these bays, which are accessed from Canal Reach via the vehicular route underneath Building S3, which is currently under construction. Refuse vehicles will also use these bays. The residential and retail refuse stores all have direct access to Chilton Court, and are within 10m of the loading bays. These arrangements are deemed to be in line with the requirements of the OPP.
- 6.13.68. The Council will continue to work with the King's Cross Estate to ensure the roads surrounding their buildings are able to best serve the buildings around them as well as to minimise the effect from servicing, while continuing to create safe spaces for people to use sustainable transport modes. It is not anticipated to have a major impact on the public highways and therefore we would not require a Service Management Plan.

6.13.69. Due to the details submitted, and having considered the location and existing infrastructure the application is considered to comply with conditions 22 and 58, in this instance. Further, the provision that has been made for the storage and collection of refuse and recycling is considered to be satisfactory and therefore condition 28 can be discharged.

6.13.70. Car Parking

6.13.71. Condition 49 of the outline planning permission sets maximum parking standards to be applied site wide. Part a) of the condition restricts residential car parking to a maximum of 800 spaces at an average ratio of 0.47 per unit across all unit types and tenures. It also states that Class B1 offices and Class A1-A5 shopping/food and drink accommodation located north of Regent's Canal may have 1 car parking space per 1250sqm of floorspace to meet staff/operational needs. Part c) of the condition states that 5% of the spaces provided within these standards should be for disabled users and also permits the provision of additional disabled parking within the development above the specified standard. Condition 50(a), requests details of the use of any car parking proposed within a development.

6.13.72. The proposed development includes a total of six disabled car parking spaces, three within Chilton Court and the remaining three located along Canal Reach. This level of provision is within the maximum standards set out in the Outline Planning Permission (OPP), and is also within the standards set in the London Plan.

6.13.73. Cycle Parking

6.13.74. Condition 51 of the outline permission requires the development to be constructed in accordance with the cycle parking standards set out in appendix 6, as referred to in policy T3, of the Unitary Development Plan (2006). The cycle parking standards require 1 space for each dwelling and an additional 10% allowance for visitors and for retail space (Class A1-A5) require 1 space per 250 sqm of floorspace for staff and 1 space per 250sqm of floorspace for visitors above a threshold of 500sqm or part thereof (one for staff and one for visitors).

6.13.75. Building S4 proposes a total of 298 long stay spaces for the residential element of the development in the form of:

- 44 two tier stands (88 spaces) and 12 Sheffield stands (24 spaces) located within the Social Rented cycle store;
- 186 spaces in the Market cycle store comprising 81 two tier cycle racks (162 spaces), 11 Sheffield Stands (22 spaces) and 2 spaces for other larger/recumbent cycles

6.13.76. Both cycle stores are located in the basement and accessed via a lift from the ground floor. In addition to the long stay spaces, there are also 15 Sheffield stands (30 spaces) provided in the public realm in the immediate vicinity of the building. These spaces can be utilised by visitors to the site and by staff of the retail units. This level of provision significantly exceeds the requirements of the

original outline permission, while also meeting the minimum requirements of the current London Plan.

6.13.77. As such, the proposed cycle parking is deemed to be in line with the outline planning permission for King's Cross and the UDP planning guidance as well as the Council's current design standards set out in *CPG Transport*.

6.13.78. Management of Construction Impacts on the Public Highway in the local area

6.13.79. We are satisfied that a CMP will not be required as part of this application, as there are sufficient measures in place to safely develop this site. These measures are currently being used as part of the wider Kings Cross development, area wide construction measures are in place which are working effectively and we can continue to work with Argent if any unexpected issues arise. If planning permission is granted these works will commence in October 2021 and are scheduled to be complete by February 2024.

6.13.80. **Amenity**

Spoil and lorry movements

6.13.81. Conditions 64-67 deal with spoil and lorry movements. Condition 64 restricts the volume of spoil which can be removed from the site to 270,000 cubic metres per calendar year whilst condition 65 restricts the number of lorry movements for removing the spoil to 31,500 within any calendar year. Conditions 66 and 67 restrict lorry movements bringing material to the site. 8,300 lorry movements are permitted per calendar year for importing infrastructure materials and 73,000 for importing construction materials. The reason for these conditions is to ensure that the amenity of adjoining properties and the area generally are protected from the negative effects of development. The restrictions mean that work on the site has to be phased over a longer period rather than all commenced at the same time; this in turn reduces the amount of noise, dirt, dust, and traffic disruption that would occur at any one time.

6.13.82. For Building S4 the estimated spoil volumes are to be confirmed following the ground investigation works. However, it is anticipated that given the small size of the basement, the spoil removed will be lower than the annual site-wide limit for spoil removal of 270,0003 specified by Condition 64 and is therefore acceptable.

6.13.83. There would be approximately 3451 and 500 lorry movements in 2021 and 2022 respectively from the entire King's Cross Central site. Therefore annual lorry numbers will be much less than the maximum for any given year specified by Condition 65 of 31,500 lorries. As such, compliance with these conditions has been demonstrated.

6.13.84. Noise disturbance from plant

6.13.85. Condition 60 of the outline permission requires applications for reserved matters to include details of the noise impact of any plant or equipment which forms part of that application.

- 6.13.86. The condition seeks to ensure that the noise standards set out in policies SD7B, SD8A and appendix 1 of the Unitary Development Plan (2006) are complied with and that noise disturbance to neighbouring properties is prevented.
- 6.13.87. The standards require that noise from operational plant is at least 5dB below the background noise level. Where it is anticipated that plant will have a noise that has a distinguishable, discrete continuous note and/or if there are distinct impulses then that plant should operate at least 10dB below the background noise level.
- 6.13.88. In conformity with Condition 60, all noise generating building services plant/equipment (excluding emergency plant) will be specified and installed to achieve an acoustic performance at the neighbouring noise sensitive facades (i.e. housing, schools, hospitals, offices and workshops), of at a least 5 dBA below the prevailing baseline noise measurement, as defined by the baseline noise survey in 2017.
- 6.13.89. The nearest properties to Building S4 with sensitive facades are the flats of Building S5 (residential) to the north which is yet to be built. The rest of the buildings immediately surrounding the development (S1, S2 and S3) are all office/commercial buildings which are less sensitive to noise.
- 6.13.90. The plant for building S4 will be designed in conformity with the table below, exceeding requirements of Condition 60 and in conformity with current Local Plan requirements.

Period	Background Sound level	Plant noise limit
Daytime (07:00-23:00)	43 dB LA90,1h	33 dB LAeq,1h
Night-time (23:00-07:00)	39 dB LA90,15min	29 dB LAeq,15min

- 6.13.91. A condition is attached to the draft decision notice controlling the hours of operation for the flexible ground floor retail units (if used for the purposes of Class A3, A4 or A5) to ensure they do not harm the amenity of neighbouring flats directly above in terms of noise and disturbance.
- 6.13.92. **Contamination**
- 6.13.93. Condition 18 of the outline permission requires that relevant reserved matters applications are accompanied by an earthworks and remediation plan. The plan is required to provide details of site levels (condition 31) and ground conditions and to demonstrate compliance with conditions 64 and 65 which relate to the removal of spoil.
- 6.13.94. The information to satisfy Condition 18 is included in the submitted Earthworks and Remediation Plan ('ERP'). The ERP provides information pertaining to the ground conditions based on preliminary investigations and on results from plots in the immediate vicinity of S4, ahead of full ground investigation works which

were scheduled for December 2020. The report sets out the envisaged position based on extensive investigation and results in the immediately surrounding plots, including S3 to the west, S5 to the north, S2 to the south and Cubitt Park to the east.

6.13.95. The proposals are therefore considered to comply with Condition 18.

6.13.96. **Archaeology**

6.13.97. Condition 56 states no development shall take place in each phase notified under condition 21 (construction time-table) until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been approved by the LPA.

6.13.98. A written scheme of investigation (WSI) for an Archaeological Watching Brief at Plot S4 has been compiled by MOLA and accompanies this submission. The document is intended to guide any requirement for contingent excavation or preservation of any possible deposits found at the site during the course of the building works.

6.13.99. The WSI has been reviewed by Historic England who have confirmed compliance with relevant standards and guidance. Consequently, the requirements of Condition 56 have been discharged in relation to Building S4.

6.13.100. **Other Matters**

6.13.101. An Environmental Statement was submitted with the original outline planning application in accordance with the relevant EIA Regulations. That statement, together with other environmental information [listed elsewhere in this report], was duly considered before outline planning permission was granted on 22 December 2006. Officers are satisfied that the environmental information already before the Council is adequate to assess the environmental effects of the development and that further environmental information is not required. Officers have taken the environmental information into consideration in making their recommendation that the reserved matters should be approved.

6.13.102. **CONCLUSION**

6.13.103. The detailed design and external appearance of the building is of high architectural quality and has been well considered in the context of the adjoining S Zone buildings as well as the heritage of the area. The prominent eastern facade has been treated thoughtfully to reflect the wider context of the Kings Cross redevelopment and the historic context of the area, and is considered to respond well to this last site fronting onto Cubitt Park.

6.13.104. The proposal is considered to be a high quality scheme that responds positively to approved character and setting of the wider S zone.

6.13.105. The proposals comply with all the parameters set down in the outline permission in terms of land use, floorspace, height and mass, landscaping and access.

Sustainability and accessibility have been at the heart of the design rather than an afterthought and this is reflected in the proposals. Furthermore, residents will be provided with all the necessary facilities to live comfortably and sustainably. Considering the high density of the development, the internal living environment is of good quality achieved by maximising the numbers of dual aspect flats and flats with external amenity space. The building, and the adjacent public realm, has also been designed to be accessible and by everyone regardless of age, gender or physical capability.

6.13.106. As such, it is recommended that approval of reserved matters be granted (subject to conditions).

6. LEGAL COMMENTS

6.26. 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 shall be carried out in accordance with the following approved plans: 19075_07_001 P1, 19075_07_002 P1, 19075_07_099 P1, 19075_07_100 P1, 19075_07_101 1st Floor P1, 19075_07_102 P1, 19075_07_103 P1, 19075_07_104 P1, 19075_07_105 P1, 19075_07_106 P1, 19075_07_107 P1, 19075_07_108 P1, 19075_07_109 P1, 19075_07_110 P1, 19075_07_111 P1, 19075_07_112 P1, 19075_07_113 P1, 19075_07_114 P1, 19075_07_200 P1, 19075_07_201 P1, 19075_07_202 P1, 19075_07_203 P1, 19075_07_204 P1, 19075_07_300 P1, 19075_07_301 P1, 19075_07_302 P1, 19075_21_500 P1, 19075_21_501 P1, 19075_21_502 P1, 19075_21_503 P1, 19075_21_504 P1, 19075_21_505 P1, 19075_21_506 P1, 19075_21_507 P1, 19075_21_508 Duplex 3B Elevations - Bay Studies

All Clear Designs Access and Inclusivity Statement November 2020, Hoare Lea Daylight and Sunlight Report December 2020, Environmental Sustainability Plan December 2020, Ramboll Earthworks and Remediation Plan December 2020, Urban Design Report December 2020, Compliance Report October 2020, Proposed Residential Accommodation December 2020, Written Scheme of Investigation for an Archaeological Watching Brief December 2020

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

2. 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 sample panels of all external materials and finishes. The materials under this condition shall be displayed in the form of a samples board to be retained on site for the duration of the relevant works;

(b) Details of all hard and soft landscaping to be incorporated within the public realm including sample panels of typical paving, setts and other hard landscape surface treatments. The samples to demonstrate all materials and typical variations of pattern relationships within those materials;

(c) Details of landscaping features and plant species to be incorporated within the roof terraces; and

(d) Details of lighting within the public realm, to include location, design, specification, fittings and fixtures;

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, D2, A1, A2 and A3 of the London Borough of Camden Local Plan 2017.

3. Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan (2016) and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.

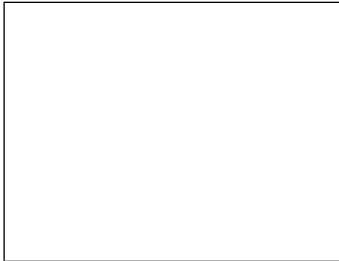
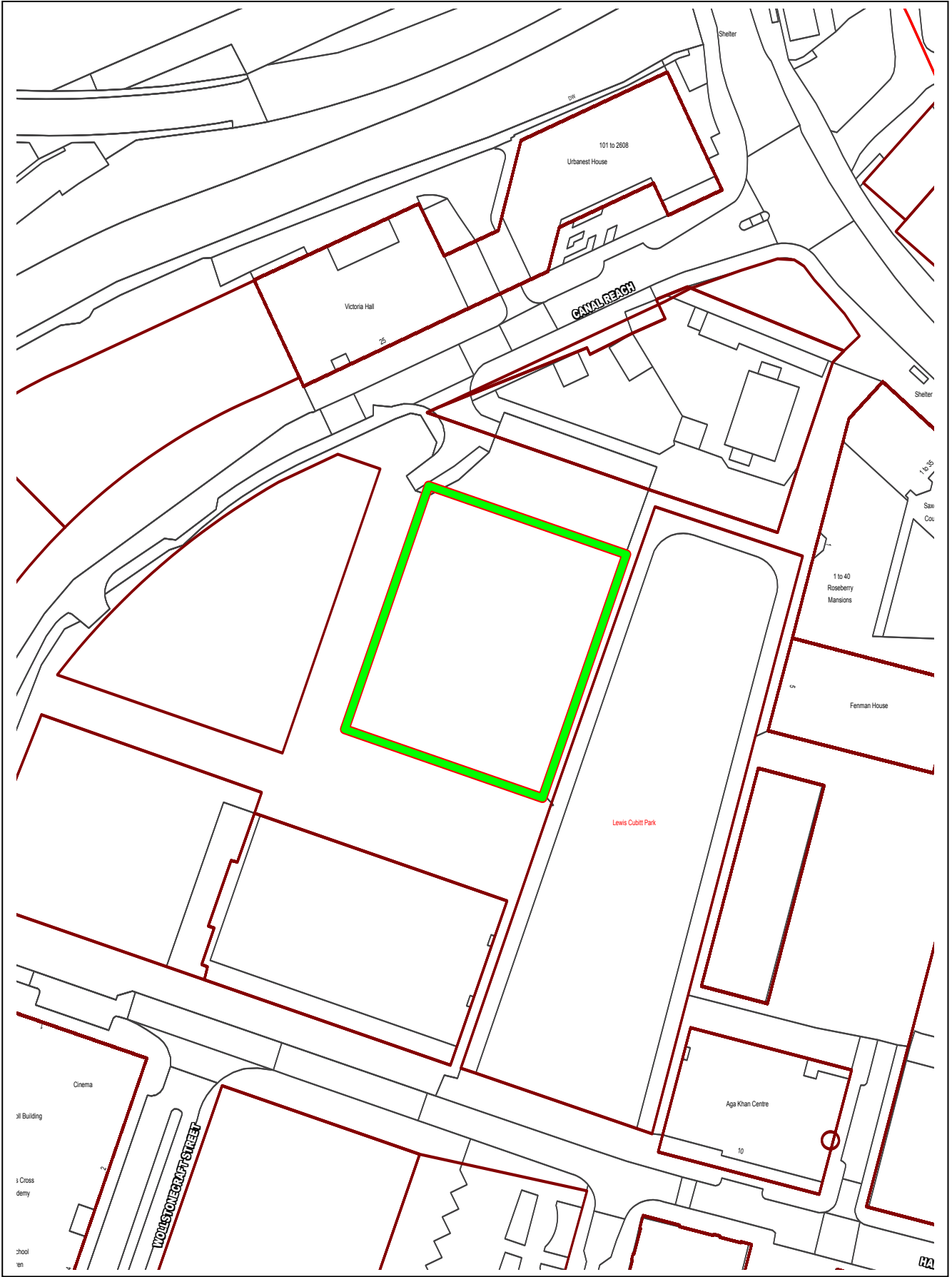
4. The ground floor commercial units if used for Class A3, A4, or A5 purposes as defined by the Town & Country Planning Use Classes (Amendment) Order 2005 shall not be open for use by visiting members of the public outside the hours of 07:30 - 23:30.

Reason: To safeguard the amenities of the adjacent residential occupiers of the premises and the area generally in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 The following conditions on the outline permission (ref 2004/2307/P) relating to the relevant subject areas described in this reserved matters and approval of details application are now partially or wholly discharged: 9, 10, 12, 14, 16, 17, 18, 19, 20, 21, 22, 24, 27, 28, 31, 33, 34, 35, 36, 37, 38, 39, 42, 42A, 43, 45, 46, 48, 49, 50A, 51, 56, 60, 61, 64, 65, 66 and 67. You are however reminded of the need to comply with all the ongoing requirements of the controlling conditions of the outline permission, and where relevant, the recommendations of the various method

statements and reports which have been approved pursuant to conditions.



Application No: 2020/5885/P

**Plot S4
King's Cross Central
York Way
London**

**Scale:
1:1250
Date:
22-Feb-21**



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Building contour above ground

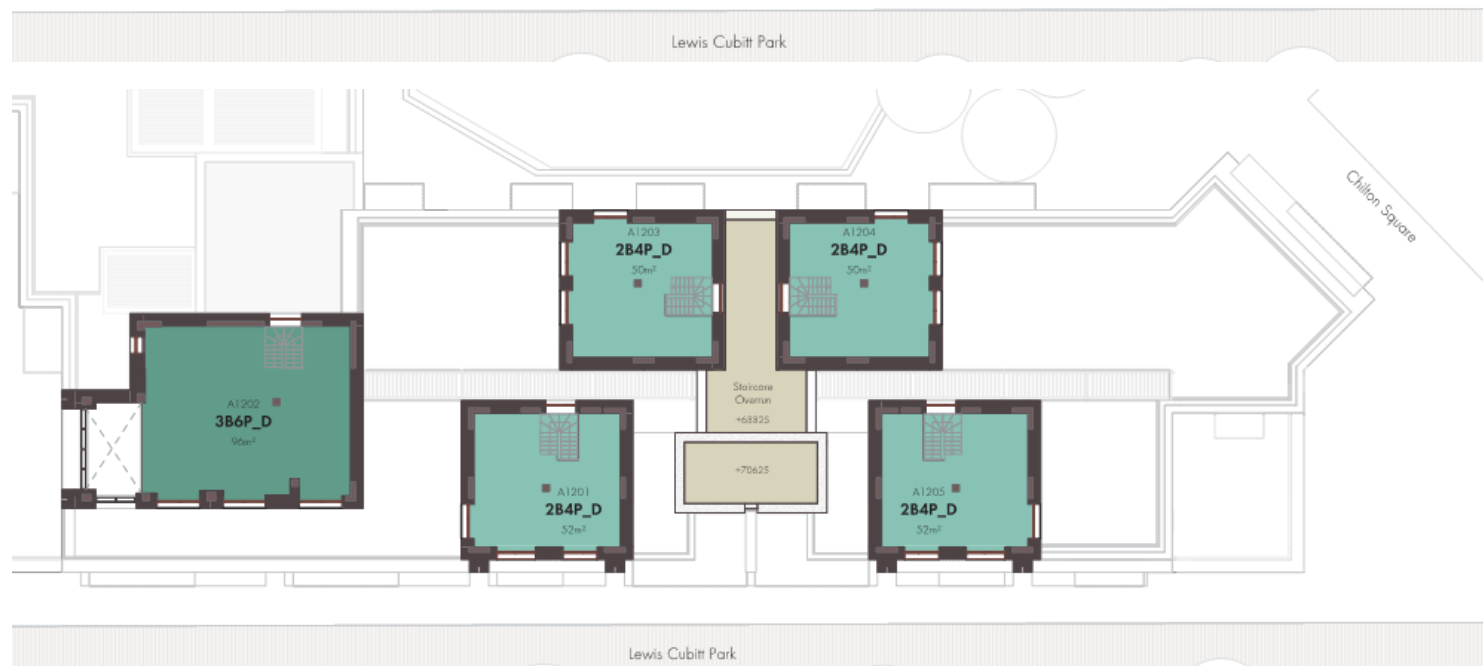


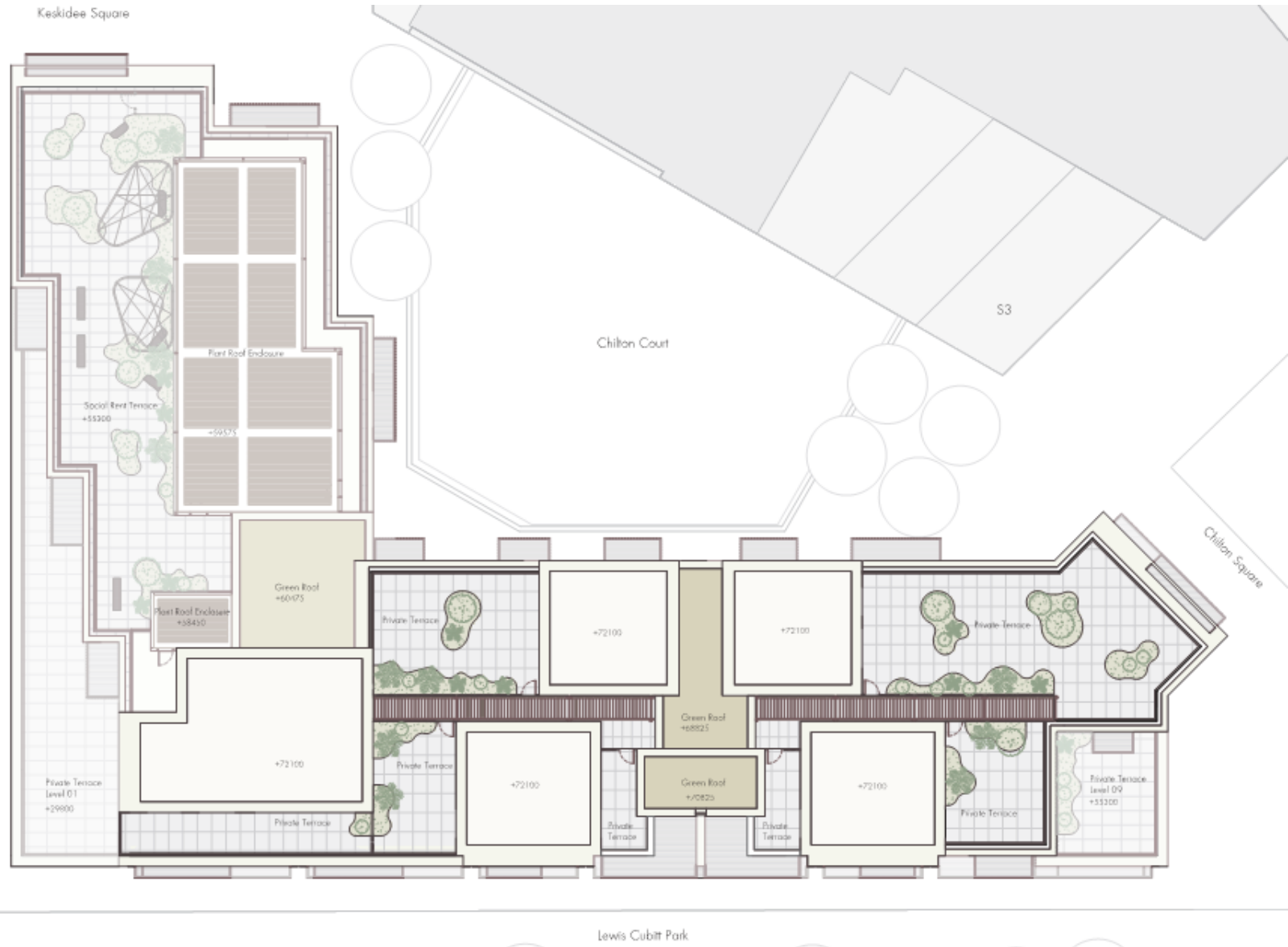
Lewis Cubitt Park























END

