

Address:	Plot F1 Kings Cross Central York Way London		1
Application Number:	2023/1881/P	Officer: Patrick Marfleet	
Ward:	St Pancras & Somers Town		
Date Received:	11/05/2023		
<p>Proposal: Reserved matters relating to Building F1 for the erection of a 6 storey, plus ground floor, office building with flexible retail space at ground and first floor level, as required by conditions 9-12, 14, 16-22, 27, 28, 31, 33-34, 35, 36, 45, 46, 48, 49-50A, 51, 56, 60, 63, 64-65, 66-67 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: KXC-F1-001-LWA133-A-P-001 P01, KXC-F1-001-LWA133-A-P-002 P01, KXC-F1-001-LWA133-A-P-010 P01, KXC-F1-001-LWA133-A-P-011 P01, 24303301-STR-HGN-100-DR-D-00101 P0, KXC-F1-001-ARUP-S-17-1B1 00, KXC-F1-001-ARUP-S-20-1B1 00, KXC-F1-001-ARUP-S-20-204 00, KXC-F1-001-LWA133-A-P-1B1 P01, KXC-F1-001-LWA133-A-P-1GF P02, KXC-F1-001-LWA133-A-P-101 P01, KXC-F1-001-LWA133-A-P-102 P01, KXC-F1-001-LWA133-A-P-103 P01, KXC-F1-001-LWA133-A-P-104 P01, KXC-F1-001-LWA133-A-P-105 P01, KXC-F1-001-LWA133-A-P-106 P01, KXC-F1-001-LWA133-A-P-107 P01, KXC-F1-001-LWA133-A-P-201 P02, KXC-F1-001-LWA133-A-P-202 P01, KXC-F1-001-LWA133-A-P-301 P02, KXC-F1-001-LWA133-A-P-302 P01, KXC-F1-001-LWA133-A-P-303 P02, KXC-F1-001-LWA133-A-P-304 P02, KXC-F1-001-LWA133-A-P-305 P02, KXC-F1-001-LWA133-A-P-410 P01, KXC-F1-001-LWA133-A-P-415 P01, KXC-F1-001-LWA133-A-P-420 P01, KXC-F1-001-LWA133-A-P-430 P01, KXC-F1-001-LWA133-A-P-431 P01, KXC-F1-001-LWA133-A-P-435 P01, KXC-F1-001-LWA133-A-P-440 P01, P21377-00-001-GIL-0150 02, P21377-00-001-GIL-0151 01, 220721-1.1-GSC-SH, 220725-1.0-GSC-TS-AN</p> <p>Earthworks and Remediation Plan (May 2023), Access and Inclusivity Statement (March 2023), Environmental Sustainability Plan (May 2023), Compliance Report (May 2023), Written Scheme of Investigation for an Archaeological Watching Brief (May 2023), Urban Design Statement (May 2023)</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:	Agent:
Argent (King's Cross) Ltd 4 Stable Street London N1C 4AB	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 in temporary retail/restaurant use</i>	<i>N/A</i>
Proposed		Office (Class B1)	4,380sqm
		Flexible Retail (Class A1, A3, A4)	639sqm
		Total	5,019sqm

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

OFFICERS' REPORT

Reason for Referral to Committee: The application is being referred under part (ii) details of the siting, design and external appearance of more than 1000sqm of non residential floorspace of the Kings Cross Delegation Agreement agreed by the Development Control Committee on 26/07/2007.

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.

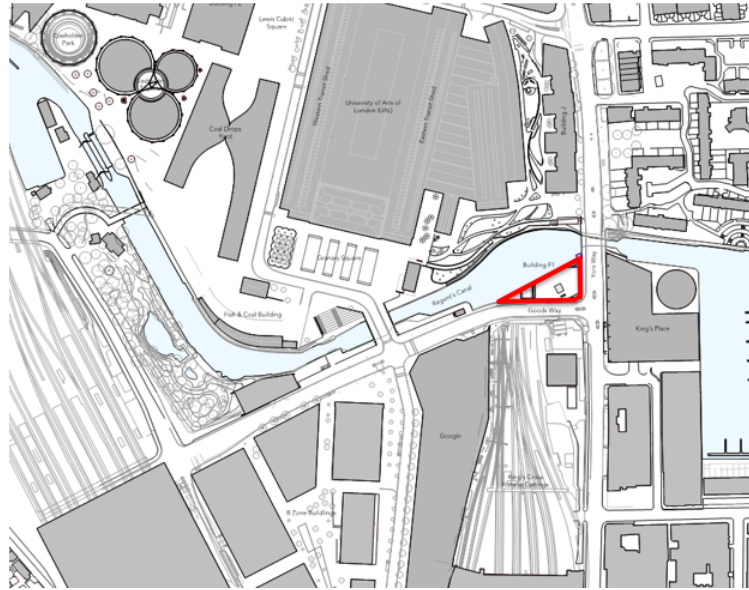
Building F1 is the last plot of land to be developed under the original outline permission and sits on the edge of the King's Cross Central (KXC) Development. The building will form the southern corner of the intersection between York Way and Goods Way, along the Regent's Canal and mark a significant gateway to KXC site.

Building F1 is a six storey, plus ground floor, office block, providing a total of 5,019 sqm of commercial floorspace, with a flexible retail unit at ground and first floors, and a self-contained office unit at ground floor. The building sits on an 'island' plot which is visible from all sides and from surrounding vantage points. Careful consideration has therefore been given to the massing, architecture and materiality of the building throughout the pre-application process, to ensure it responds positively to the industrial heritage and historic context of the Regent's Canal, but also the wider context of new and historic buildings on the KXC site. The design and heritage impacts of the proposals are discussed in paragraph 6.11.6 below.

The proposals also include some minor public realm works to improve circulation around the site, namely the creation of an access route to the rear of the building, adjacent to the canal to provide a pedestrian and cyclist route through the site.

1. SITE

- 1.1. Plot F1 is a triangular shaped plot located in Development Zone F, which lies within the far north eastern corner of the southern part of the King's Cross Central ('KXC') development site. It sits in a prominent position within the KXC site and is bounded by Goods Way to the south, Regent's Canal to the north and York Way to the east.



- 1.2. The site was originally occupied by a petrol filling station, which was later converted into a restaurant for a temporary period between 2012 and 2015. In 2015, the petrol station building and canopy were removed and replaced with a replica of a portion of the Gasholder Triplet to serve as a marketing suite to the Gasholders residential building, which was under construction at the time. Following its use as a marketing suite the site has since been repurposed as a bar and is now currently occupied by a restaurant and bar pursuant to a temporary planning permission running from November 2018 to November 2023 (see relevant history in section 3 below).
- 1.3. The site is adjacent to the borough boundary with Islington and lies within the Regents Canal Conservation Area. The Grade II listed Granary Building is located to the north of the site and Kings Cross Station (and the Kings Cross Conservation Area) is located immediately to the south.

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 F1. 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 F1 is a ground plus six storey office block, providing a total of 5,019 sqm of commercial floorspace, with a flexible retail unit at ground and first floors, and a self-contained office unit at ground floor. The entrance to the building is located on the south eastern corner of the building at the junction of York Way and Goods Way with a secondary entrance located on the canal side of the building, which provides access to the cycle store at ground floor level and shower/changing facilities at basement level. Outdoor terrace areas are provide on each floor on the western elevation of the building.



2.4. The building is composed of a contrasting material palette which chiefly comprises a colour stained pre-cast concrete structural frame and a light coloured pre-cast concrete outer frame with deep set aluminium framed windows.

2.5. The proposal includes the removal of a portion of the York Way retaining wall. The removal of the wall helps to unlock the site and provide a new pedestrian route along the canal to allow access into the building from the elevated Maiden Lane Bridge / York Way pavement and an improved public realm along York Way as well as planting and seating in the western corner of the site along Goods Way.

APPROVAL OF DETAILS

2.6 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 - 12	Approval of Reserved Matters – Trees

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
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
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
63	Details of foundations within Development Zone F
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. The conditions below have already been complied with and/or discharged.

- 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 F1 reserved matters proposals.
- 3.5. Approvals for Development Zone F
- 3.6. **2022/2257/P** – A non-material amendment to Outline Planning Permission (reference 2004/2307/P dated 22 December 2006) for the comprehensive mixed use development of the former railway lands at King's Cross Central, comprising a transfer of permitted floorspace figures within development zones south of the canal (revision to Annex B). **Approved 23/06/2022.**
- 3.7. **2020/3364/P** - Non-material amendment to the floorspace figures within Table 1 and Annex B, and referenced within Condition 34 of Outline Planning Permission reference 2004/2307/P dated 22 December 2006 for the comprehensive mixed use development of the former railway lands at King's Cross Central. **Approved 02/09/2020.**
- 3.8. **2018/4837/P** - Change of use of existing marketing suite and associated terrace (Class A2) to a restaurant/bar use (Class A3/A4) including retention of, and alterations to, the existing building and landscaping and erection of a single storey ancillary kitchen structure to the rear, all for a temporary 5 year period. **Approved 03/11/2018.**
- 3.9. **2014/7724/P** - Temporary change of use of vacant petrol station sales building (sui generis) to restaurant use (Class A3) and of the petrol station forecourt to a covered outdoor dining and events space beneath retained station canopy, the erection of 3 x temporary buildings to provide toilet accommodation and a marketing suite, installation of a new canal-side balustrade and screen wall around the buildings. **Approved 26/01/2015.**
- 3.10. **2012/0601/P** - Temporary change of use of vacant petrol station sales building (sui generis) to restaurant use (Class A3) and of the petrol station forecourt to a covered outdoor dining and events space beneath retained station canopy, the erection of 3 x temporary buildings to provide toilet accommodation and a marketing suite, installation of a new canal-side balustrade and screen wall around the buildings. **Approved 08/03/2012.**

4. CONSULTATIONS

4.1. External Consultees

Historic England (GLAAS)

- No comments received

London Borough of Islington

- No comments received

Canals and River Trust

Should planning permission be granted we request that a number of conditions and informatives are appended to the decision notice securing the following details:

- A survey of the condition of the waterway wall
- Details of the proposed landscape management scheme
- Full details of the proposed lighting for the scheme
- Feasibility study to assess the potential of moving materials by water
- Full details of the proposed access arrangements from the site to the future adjacent mooring scheme.

Officer response – these issues raised above go beyond what can be considered under a reserved matters application. However, a condition has been added to the decision requesting details of lighting for the scheme to be submitted and approved. Separate discussions are being held between the applicant and CRT regarding the design of the residential moorings scheme and how this could be impacted by the scheme.

Transport for London

- Though we have no objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure. Therefore, it will need to be demonstrated to the satisfaction of TfL Infrastructure Protection engineers that:
 - The development will not have any detrimental effect on our tunnels and structures either in the short or long term;
 - The design must be such that the permanent loading imposed on our tunnels or structures is not increased or removed; and
 - we offer no right of support to the development or land.
- Therefore, we request that the grant of planning permission be subject to conditions to secure the following:
- The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with TfL Infrastructure Protection) have been submitted to and approved in writing by the local planning authority to include:
 - Information on Site investigations and Methodologies, clearly identifying any ground investigation works.
 - Ground movement assessment covering; unloading and loading impact in the short and long term on the LU tunnels and the possible impact from the regen canal wall.
 - Pre-post Condition Survey of the LUL structures
 - Monitoring of LUL tunnels depending on the results of the GMA
 - Construction activities including access and logistics
 - RAMS for Construction activities at subsequent stages – demolition, excavation, piling, retaining structure, superstructure, temporary works, etc.
 - Ongoing correspondence with LU IP regarding progress and alterations.

Officer response – the issues referred to above were assessed as part of the original outline permission. Notwithstanding this, the applicant has been in

discussion with TfL to discuss the development and the interface with the Piccadilly line tunnels which run under the site

4.2. **Non-statutory Consultees**

Regent's Canal CAAC - No comments received

4.3. **Local Groups**

King's Cross Development Forum - No comments received

4.4. **Individual comments**

The application was advertised on site (17/05/2023 – 10/06/2023) and in the local press (19/05/2023 - 11/06/2023). One comment was received and the following issues raised.

I am a resident of York Central, one of 20 such residents that unfortunately did not receive any notice of this particular planning application. Although we are actually part of the Borough of Islington, I would have imagined that our proximity to the subject site would have warranted some formal notification. Given this situation and the fact that the formal "comment period" has now closed, I hope you will consider the points that I raise below when you consider this application.

- Loss of two mature trees and overall lack of new greenery in the plan.
- Apparent loss of original gas works element.
- No mention of any environmental enhancements on the building.
- Potential disturbance to the delicate wildlife environment and the recent work on the new nesting "reed beds" that have been established immediately adjacent to the proposed development.

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 2021

London Plan 2021

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)
- 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 F and the wider southern 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 F1 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), (c) (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 F1 include a limited amount of public realm surrounding the building. Two areas defined as Principal Public Realm straddle the Plot F1 boundary; Goods Way (East) and York Way. The proposed development seeks to enhance the pedestrian experience of these areas, particularly York Way through the removal of the existing retaining wall and creating a positive active frontage which allows access to the canal side frontage of the building. 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. However, the development will incorporate predominantly office B1 use, with some retail/food and drink (A1, A3-A4) use at ground and first floor. This differs from Annex B of the Outline Planning Permission which states that Zone F will comprise new and

mixed-use development alongside the Regent's Canal, with residential uses above B1 business and employment uses.

- 6.3.2. Since the Outline Planning Permission was granted, it became apparent that a building comprising both residential and office use and the complexities that this would involve, including separate cores and entrances would be unfeasible on this constrained plot due to its size, location and proximity to the canal. Therefore, a non-material amendment to the Outline Planning Permission was approved in 2020 (ref. 2020/3364/P) to provide future flexibility to this site which would allow for the erection of an office building across the whole of Zone F. As such, the proposals are considered to comply with condition 31 (b) and (c).
- 6.3.3. 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 F1 on all sides that are included with this submission, as referred to above, form the access and circulation routes to Building F1. The servicing area is located on Goods Way. 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 proposed Building F1 is a primarily office B1 use, with some retail/food and drink use at ground and first floor. The uses proposed are compliant with the permitted uses in Parameter Plan KXC 008 and 009, which states any permitted use(s), and is therefore compliant with sub-paragraphs part (e) and (f) of this condition.

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 F1 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 0%, of the total floorspace applied for within each development zone that may be constructed 30m above finished ground levels applies to Development Zone F as a whole. The maximum building height is +51.0m AOD at the highest point, some 27.8m above finished ground floor level and well within the 28.8m stated on the plan. Consequently, 0% of the total floorspace will be above 31m in line with the Parameter Plan

6.5.4. No other Reserved Matters details have been submitted for buildings in Zone F. The proposal therefore conforms to sub-paragraphs (g) and (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 viewing 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 F 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 F 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 F1 will take place on the southern elevation on Goods Way, in compliance with the details included on parameter plan 017.

6.8.3. Due to the constrained nature of Zone F, servicing from a loading bay on Goods Way is considered to be the only feasible option. The exact location of the loading bay on Goods Way has been determined by the optimal travel distance from the refuse store, which is a maximum of 10m (see image below).

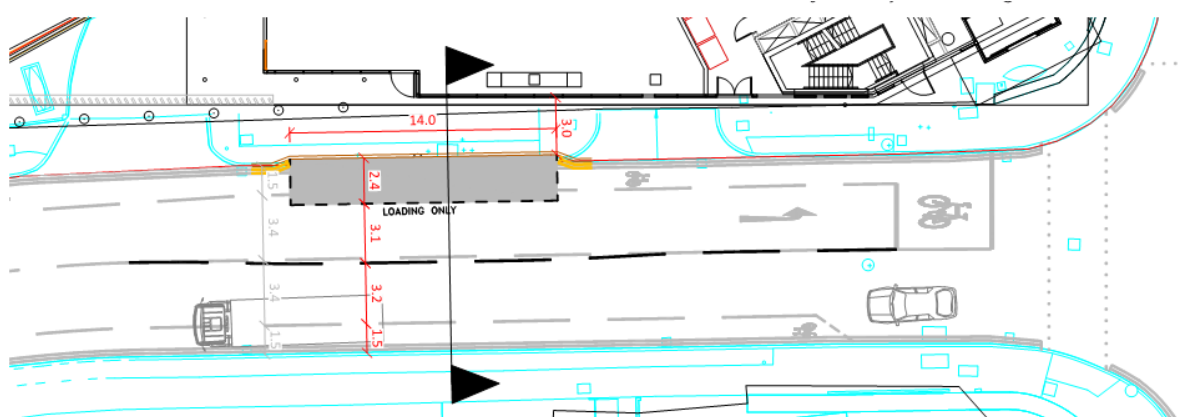


Figure 76: Partial plan of proposed loading bay location

- 6.8.4. The feasibility of incorporating a loading bay on site was explored however, the F1 site is too small to accommodate a loading bay on site that would allow vehicles to turn around on plot and exit the site in forward gear. This would, therefore, result in vehicles having to reverse to exit the site, across the east bound cycle lane with limited visibility onto Goods Way.
- 6.8.5. Furthermore, officers notes that Goods Way may be subject to further changes in its layout and traffic flow going forward and the applicant is encouraged to work with the highways authority to ensure that the servicing arrangements for Building F1 are amended/improved if the opportunity arises.
- 6.8.6. In order to protect pedestrian and cyclist safety a condition has been added to the decision notice to restrict deliveries and refuse collections to off peak hours from between 00:00 and 07:30.
- 6.8.7. 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 F1 is an office building with an allowable mix of retail uses (A1-A5) at ground and first floor level, in accordance with the permitted uses set out in the outline permission. The proposed use of the basement for showers, changing rooms 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 with regard to green/brown roof priority zones. Officers note that Building F1 is not located in a priority zone for green brown roofs. Notwithstanding this, the main roof of Building F1 is predominantly made up of a blue roof, except for lift overruns, riser zones, rooflight and PV panels. The roof of the entrance canopy on level 01 will provide a green roof. The main roof has a total area including lift overruns etc. of 695sqm. The entrance canopy is 18.5sqm with the green roof element being 15sqm of this. Therefore, the total roof area is 713.5sqm with the green roof making up 2% of this area.
- 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 F1 proposal, is 710,357m². The site-wide figure of 713,090sqm prescribed by condition 33 would thus not be exceeded. The total cumulative figure to date for the south of the Canal is 225,886sqm including Building F1. The maximum floorspace for this sub-area of 244,250sqm would therefore not be exceeded by this proposal and would not exceed the proposed maximum floorspace for the uses within Building F1 and would not exceed the total maximum figures for the relevant land uses applying within Development Zone F.

6.11.3. Development to be Carried Out in Accordance with Permission – Uses permitted

6.11.4. Conditions 35 and 36 list the uses that are permitted to take place in the developments on the KXC site and the maximum areas that can be provided for each use.

6.11.5. The proposals for Building F1 include 4,380m² of office space, with 639m² retail/food and drink space at ground and first floor. The maximum areas for F1, together with those approved/submitted for other areas south of the Regent's Canal, are set out in the table below, by use. The figures show that the proposals would not exceed the maximum figures permitted for the relevant land uses within that area, as set out in Table 1 to the Outline Planning Permission

Building	Maximum Approved / Proposed Floorspace for Each Permitted Use						
	B1	Resi	C1	A1-A5	D1	D2	Other
Building B2 (as amended 2012)	5,774	0	0	287	0	0	68
Building B4 (as amended 2012)	13,613	0	0	1,127	0	0	0
Building B3 (as amended 2012)	16,892	0	0	0	1,912	2,906	0
Great Northern Hotel (as amended 2011)	0	0	4,515	33	0	0	0
Building E1	3,798	0	0	217	0	0	0
German Gymnasium	0	0	0	1,225	0	0	0
Building B6 (as revised 2014)	19,038	0	0	1,401	0	0	0
Building B1 (as amended 2014)	41,035	0	0	1,000	0	0	1,045
Building B5 (as amended 2015)	20,715	0	0	1,340	0	0	0
2022 Zone A Building (as amended)	76,137	0	0	3,426	1,008	0	0
Building F1	4,380	0	0	639	0	0	0
Total	201,382	0	4,515	10,695	2,920	2,906	1,113
Maximum Permitted Floorspace	214,595	2,200	32,625	15,060	3,950	4,455	1,375
Remaining	13,213	2,200	28,110	4,365	1,030	1,549	262

6.11.6. Urban Design and Heritage

Existing site

6.11.7. Historically the site is a left-over piece of land which was formed following the construction of the railway, canal and laying out of Good's Way. In the 2008 Regent's Canal Conservation Area Appraisal the site is noted as detracting from

the setting of the canal, although this refers to the petrol station which has since been demolished.

- 6.11.8. The existing building is a modern structure which was initially constructed as show flats for the Triplet Gasholder development but has since been converted to a bar. It does not contribute to the significance of the conservation area in terms of its character and appearance. The site is identified as an opportunity site in the conservation area appraisal.

Proposed building – heritage impacts

- 6.11.9. In relation to the conservation area, as there has never been a building on the site connected with the railway or canal use there is not a historic precedent to guide the design. The outline permission sets out parameters for the footprint and height of the building. It is a complicated island site which must not only address the historic environment but also the differing context of York Way and the King's Cross redevelopment. It is also constrained by railway tunnels beneath it.
- 6.11.10. Each façade of the building has been designed to address the differing contexts. The most sensitive heritage context is the north western façade which faces Regent's Canal and Granary Square. Overall the more detailed facades face onto Goods Way and York Way, with a simpler façade facing onto the canal. This approach is appropriate as historically canal side buildings largely faced away from the canal as can be seen in examples such as the Fish and Coal Building.
- 6.11.11. The simpler and more uniform façade which faces onto the waterway is in keeping with the less decorative industrial buildings found along the canal. It is somewhat reminiscent of the Grade II listed Gilbey House in Camden Town which is in the same conservation area and was constructed as a canal side factory, store and offices.
- 6.11.12. At the western end the building steps down to a single storey element with a terrace on top. This allows views through from both Goods Way and Wharf Road Gardens to the railway sheds and tower of King's Cross Station and the spire of St Pancras Station. Whilst the view will be narrower than the existing, the landmark qualities of both stations will still be visible when passing through these spaces.

Impact on historic fabric

- 6.11.13. Both the canal side wall and the engineering bricks in the Maiden Lane bridge abutments are noted in the conservation area appraisal as making townscape materials and features which enhance the conservation area. The actual Maiden Lane bridge is a modern structure. The canal side wall is retained but railings are added on top as a safety measure for the route through. These railings would be of a similar height found further along the canal wall and would help unify its appearance.
- 6.11.14. There is a small bridge section of historic engineering brick wall which run along the York Way frontage and turns into Goods Way. As part of the proposals this section of wall will be removed which will cause a small amount of less than substantial harm to the character and appearance of the conservation area. However the wall itself has already been significantly truncated when the Maiden

Lane bridge was rebuilt and old petrol station constructed on the site which have reduced its value to the conservation area. This harm must also be balanced against the public benefits of providing a canal side route through the site and an active and welcoming ground floor frontage.

Mass and scale

- 6.11.15. Building F1 is made of 7 storeys and sits as a standalone building within the immediate area. It occupies most of the site's footprint at ground floor, but steps back considerably on the western side from first floor. This results in a building that occupies roughly half on the site's footprint from 1st floor and sits mostly on the eastern part of the site, towards York Way. The building's footprint and mass do not fill the entirety of the parameter plan massing as these have been partly defined by the constraint and specificities of the site and its surroundings.
- 6.11.16. Whilst the building shape is simple, it responds to the varied contexts surrounding the site and has been designed to reduce the impact on townscape and views. Each corner has been chamfered to reduce the block's prominence and soften the edges of the building. This is particularly effective in important views such as those from across the canal looking south where the chamfered western corner allows to maintain sightline of the historic King's Cross Station and Clock Tower and provides a visual gap.

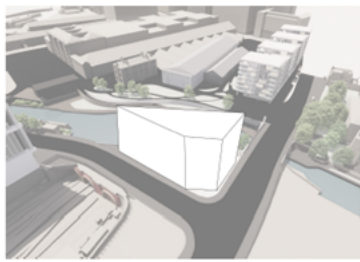


Figure 12: Parameter Plans theoretical massing. Full development of the site would be impacting within the context and our vision

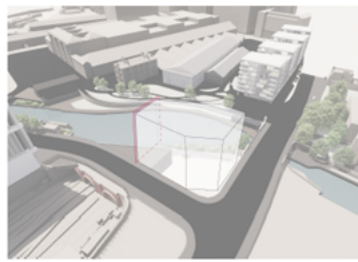


Figure 14: Chamfer west corner to make way for the tunnels and views through the site towards King's Cross Station

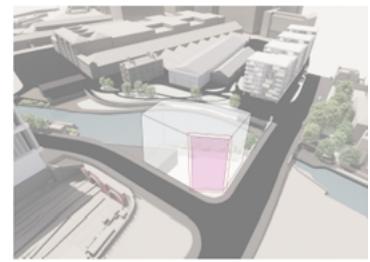


Figure 15: Increase angle of cut - a parallel line to the canal - to create a positive building lines to York Way, creating an opening to Goods Way

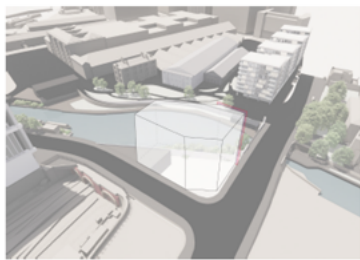


Figure 16: Reduced massing and relating to the scale of Building J with a positive elevation for western approaches from York Way

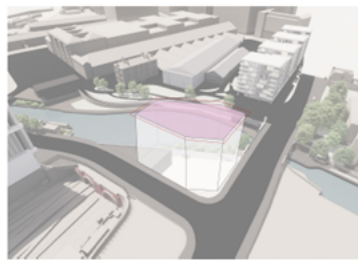


Figure 17: Reduced massing by reducing overall height

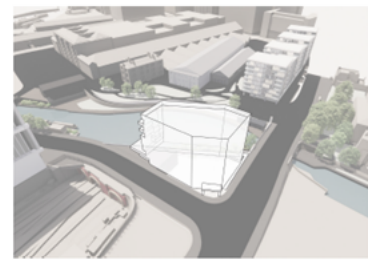


Figure 18: Create an open, transparent ground floor, amenity spaces with balconies and roof terraces

Figure x: Design process highlighting key moves in shaping the mass of Building F1

Layout

- 6.11.17. The ground floor is designed as the most public element of the building, with a large retail unit occupying the western part of the building, a large reception lobby located at the corner between Goods Way and York Way and a commercial unit sitting on the corner of York Way and Regent's Canal, close to the bridge. Less active uses are located at the centre of the ground floor, such as the circulation space, service areas and the cycle store.
- 6.11.18. The ground floor footprint occupies most of the triangular site. However, a series of setbacks provide public realm areas around the building: On the western area

the building is set back through a large open terrace and on the canal side, it sets back by 2.3m to create a colonnade that provides access to the cycling store and means of escape for the retail unit. This set back also provides a new pedestrian link along the canal. The south eastern chamfer creates more pavement space at the junction with York Way and Goods Way, creating a more generous opening to the King's Cross site.

- 6.11.19. The retail units extends onto the first floor, occupying the western side of the building and is connected via its own internal circulation space. The first floor also accommodates commercial space on the eastern part of the building. From floor 2 to 6 the layout repeats across every floor and is characterised by a large open plan office space. As the floors below, the main stair core and services are located centrally to the plan and the Goods Way façade. A lower ground floor is proposed and will accommodate a plant room and back of house service areas.

Detailed design

- 6.11.20. As a standalone building sitting at a prominent junction, with every elevation visible and exposed from multiple viewpoints, the façade design becomes an important element and key to the success of the building. Each frontage has been designed to address and respond to their specific context and orientation, with a particular focus in creating a canal side and a more urban façade.
- 6.11.21. The façade is composed of a grid made of vertical piers and horizontal spandrels that changes in proportions and frequency depending on their location within the building and to provide some hierarchy. The ground floor has been designed to be light and transparent to allow views straight to Regent's Canal and beyond and into internal spaces. Throughout the whole ground floor perimeter, the facade is made of full height glazed windows and lightly coloured pre-cast concrete piers, revealing internal activity but also exposing the structural coloured frame sitting behind the façade and sustaining the whole building. The structural coloured frame also references the more industrial character of the area. Additionally, a strong horizontal band gives the ground floor more prominence and a podium character, particularly where the building steps back from the 1st floor along the western side.
- 6.11.22. The canal façade has a more consistent 6m grid across all floors to respond to and reflect the character of some of the industrial buildings along Regent's Canal, characterised by regular structural bays. The west elevation, visible on views along Goods Way and across the canal, responds to its prominent position and has been designed to create visual interest and break the compositional order. This also provides amenity space to the building users across all floors, with alternating inset balconies every two floors. At first and top floors, the façade is characterised by large terraces. The western frontage is also animated by planting that overhangs from each floor, introducing greenery onto the scheme.



West and canal side elevations as seen from across Regent's Canal looking west



View of the canal side elevation from York Way looking south across the Maiden Lane Bridge

6.11.23. The Goods Way and York Way facades are characterised by vertical piers that become more frequent every two floors, with smaller openings, in reference to the character of some of the surrounding buildings. The chamfered corner between Goods Way and York Way follows a similar composition, but with a canopy expressing the main office entrance.



View of Building F1 from York Way looking north, with visible Goods Way, York Way and chamfered entrance frontages

- 6.11.24. The section of the façade along Goods Way where vertical circulation and services are located maintains a similar treatment of frequent vertical piers on each floor to create legibility between the more active uses and servicing.

Materials

- 6.11.25. The building's approach to materiality is for a simple material palette made of a predominant single material and with high thermal performance. The proposed material is pre-cast concrete in the form of light acid etched finished pre-cast concrete spandrels, panels and piers, which will clad the entirety of the building. The light tones are intended to contrast with the darker tones of the surrounding heritage buildings. The structural elements visible from the inside will have a tainted colour to provide visual interest and legibility of the structure, and reference the more industrial character of the conservation area. In addition to the pre-cast concrete structure and panels, aluminium is used for the window frames, with a mix of clear and back painted glass to provide additional shading where needed.

Conclusion

- 6.11.26. Throughout the design process, the design and architecture of Building F1 has improved considerably, resulting in a high quality scheme that sits comfortably within its prominent location, and addresses successfully the sensitivities and variations of the surrounding context. Whilst it will be visible from multiple points, the proposed mass and form as well as its materials will mitigate the impacts of the building onto views and the townscape. Officers believe the development will make a positive contribution to the character of the area and complete the last piece of the King's Cross masterplan.

- 6.11.27. **INCLUSIVE DESIGN AND SECURITY**

- 6.11.28. 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.
- 6.11.29. 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 F1 and surrounding public realm.
- 6.11.30. In accordance with Section V of the Section 106 Agreement, the evolution of the Building F1 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.
- 6.11.31. The Access and Inclusivity Statement is submitted to meet the requirements of Condition 19.
- 6.11.32. **LANDSCAPING AND PUBLIC REALM**
- 6.11.33. With regards to outline condition 9, which considers the public realm adjacent to the site, only parts (a) and (c) requiring details of trees to be removed and new 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.
- 6.11.34. The proposals include the removal of three mature trees, two cypress trees and a silver birch, which are identified as low quality trees with significant die back in the submitted tree survey. As such, the trees are not considered to make a significant contribution to the character of the conservation area and no objection is raised to their removal.
- 6.11.35. Given the constrained nature of the site, opportunities for landscaping on the building and surrounding public realm are limited. However, the proposals do include the following landscaping works:
- Green roof on the proposed main entrance canopy.
 - Subtle changes within the proposed paving around the site to demarcate different spaces.
 - 1.1m high green screen/planter along the edge of the outdoor seating space
- 6.11.36. The proposed planting will take place in the first available planting season

following physical completion of the relevant garden areas. The planting programme will, therefore, ultimately be controlled by the overall construction programme. This is discussed further in the response to Condition 21

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

6.11.38. **CLIMATE CHANGE AND BIODIVERSITY**

6.11.39. 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.

6.11.40. 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.

Energy Efficiency

6.11.41. Building F1 has been designed with energy efficiency being one of the key drivers from the outset.

6.11.42. 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:

6.11.43. **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.*

- 6.11.44. The proposed Building F1 will incorporate the following Passive Design measures:
- Central ventilation strategy for the office areas flexibility, and lower energy use due to improved energy efficiency of mechanical ventilation equipment.
 - Promoting energy savings and wellness initiatives through robust metering, and control strategy.
 - Energy-efficient equipment will be used throughout the development to reduce energy consumption; and setting an ambitious energy use intensity target (EUI) for operational energy.
- 6.11.45. **Energy efficiency** – *energy efficient equipment and controls help deliver energy as efficiently as possible and reduce energy consumption.*
- 6.11.46. The proposed building F1 will incorporate the following energy efficiency measures
- The installation of an intelligent ‘building management system’ to monitor and control the building’s energy performance and comfort conditions.
 - All-electrical development by removing the gas-fired boilers and CHP onsite to eliminate the NOx emissions and improve the air quality.
 - Installation of energy efficient lighting with a high efficacy and intelligent controls.
 - By being on target to achieve a BREEAM rating of ‘Excellent’ with an ambition to achieve ‘Outstanding’, Building F1 will follow the Ene01 ‘Prediction of Operational Energy Consumption’ framework and undertake actual energy calculations, to predict actual energy performance more accurately.
- 6.11.47. By utilising passive and active design, Building F1 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.
- 6.11.48. Section X of the outline S106 Agreement requires each new building to achieve carbon emissions at least 5% lower than Part L of the prevailing Building Regulations (i.e. Building Regulations 2013) using good passive design and energy efficiency measures only. Based on these measures alone the carbon emissions for Building F1 represent a 9% reduction over the Part L2A 2021 TER. Consequently, the building significantly exceeds the target 5% reduction set by the S106 Agreement, before considering the carbon savings resulting from the energy systems.
- 6.11.49. 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.

Energy Supply

- 6.11.50. 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.
- 6.11.51. The main sources of renewable energy for Building F1 are Hybrid Variable Refrigerant Flow (HVRF) and Photovoltaics (PV). Hybrid VRF systems are all electric systems which use modular heat pumps to supply space heating and cooling to building spaces. The system consists of an externally located heat pump heat recovery unit which provides either heating or cooling into a refrigerant circuit by either extracting or expelling heat into the outside air via a refrigerant cycle. Furthermore, the layout of the main roof has been designed to maximise the number of PV panels.

BREEAM

- 6.11.52. The design of Building F1 has sustainability at its core. Most of the building will be office, and therefore the office use has been registered since concept design stage under the BREEAM New Construction 2018 scheme and is on target to achieve an 'Excellent' with an ambition to achieve 'Outstanding', which is welcomed.

Biodiversity

- 6.11.53. Part (f) of condition 17 requires the incorporation of bird boxes, bat roosts and other wildlife features on the buildings. Building F1 will make a positive contribution towards fulfilling objectives set out in the London Biodiversity Action Plan.
- 6.11.54. The landscape design of building F1 will enhance the biodiversity of the site. This will be delivered through the implementation of ecologically sensitive soft landscaping and blue/green roofs.
- 6.11.55. A series of bird and bat boxes are to be incorporated at Plot F1 to enhance the site with respect to bird nesting and bat roosting opportunities, details of these boxes will be secured by condition.
- 6.11.56. With regards to the impact of the development on the adjacent canal, a condition has been added to the decision (as requested by the Canals and River Trust) securing details of all proposed lighting for the development to ensure no harm is caused to wildlife of the surrounding waterway network.
- 6.11.57. Green and Brown Roofs
- 6.11.58. The Outline Planning Permission does not define Building F1 as a priority zone for green and/or brown roofs.
- 6.11.59. However, the roof of F1 will have a 611m² blue roof. A blue roof is one which stores rainwater and discharges into the drain at a controlled rate. A smaller green roof is provided on the canopy entrance to the building which is a total of

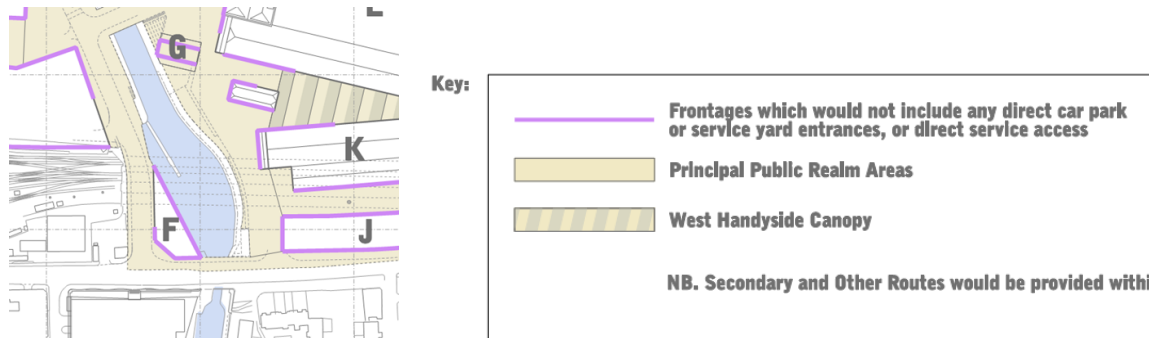
15m². Additionally, the separate amenity terraces located at levels 2-6 will comprise landscaping and planting on top of this green/brown roof provision.

- 6.11.60. As such, Building F1, together with the green/brown roofs provided on previously approved buildings, will make a significant contribution to the site-wide requirement established by Condition 46 for at least 15% of the roofs of new buildings to be of green/brown type (or equivalent systems) (as defined in the revised Development Specification (2005). Although an 'equivalent system' is not defined in the Outline Planning Permission, it is justified to take account of the blue roof provision which when coupled with the green roof would amount to 88% of roof coverage.
- 6.11.61. The proposals are considered to be in accordance with the parameters of the outline planning permission.

Water

- 6.11.62. 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 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. 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.
- 6.11.63. **TRANSPORT**
- 6.11.64. Servicing and waste collection
- 6.11.65. 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. Furthermore, 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.
- 6.11.66. As mentioned earlier in the report, servicing of Building F1 will take place from the southern elevation on Goods Way, in compliance with the details included on parameter plan 017.

- 6.11.67. Due to the fact that the plot is adjacent York Way and Goods Way and taking account of the constrained nature of Zone F, servicing from a loading bay on Goods Way is considered to be the only feasible option. The exact location of the loading bay on Goods Way has been determined by the optimal travel distance from the refuse store, which is a maximum of 10m.
- 6.11.68. These arrangements are deemed to be in line with the requirements of the Outline Planning Permission, which specifies that servicing for Plot F1 should take place from Goods Way (see parameter plan below).



- 6.11.69. In order to protect pedestrian and cyclist safety a condition has been added to the decision notice to restrict deliveries and refuse collections to off peak hours from between 00:00 and 07:30.
- 6.11.70. 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. Given the size of the building and the expected number of deliveries (approx. 13 a day) it is not anticipated to have a major impact on the public highways, given the aforementioned condition, and therefore we would not require a Service Management Plan.
- 6.11.71. 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. Furthermore, 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.
- 6.11.72. Car Parking
- 6.11.73. 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 south 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.

6.11.74. The proposed development does not include any on or off-site car parking spaces.

6.11.75. Cycle Parking

6.11.76. 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).

6.11.77. Building F1 proposes a total of 37 long stay spaces for both the retail and office elements of the development in the form of:

- 20 Two-tier stands
- 2 Sheffield stands (4 spaces)
- 2 Adaptable Sheffield stands (4 spaces)
- 9 Foldable bike lockers

6.11.78. The cycle store is located at ground floor level and is accessed via the canal side entrance to the building. This level of provision is in compliance with the requirements of the original outline permission.

6.11.79. 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*.

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

6.11.81. A CMP will not be required as part of this application, as there are sufficient measures already in place to safely develop the 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 would continue to work with Argent, as we have over a number of years, in the event that any unexpected issues arise.

6.11.82. **AMENITY**

Spoil and lorry movements

6.11.83. 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.

- 6.11.84. For Building F1 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.
- 6.11.85. There would be approximately 843 lorry movements associated with the construction of Plot F1. Therefore, given this is the last remaining plot to be developed annual lorry numbers will be much less than the maximum for any given year specified by Condition 65 of 31,500 lorries for the whole KXC site. As such, compliance with these conditions has been demonstrated.
- 6.11.86. Noise disturbance from plant
- 6.11.87. 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.
- 6.11.88. 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.
- 6.11.89. 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.
- 6.11.90. 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.
- 6.11.91. The nearest properties to Building F1 with sensitive facades are the Arthouse flats to the north. The rest of the buildings closest to the development are all office/commercial buildings which are less sensitive to noise.

6.11.92. The plant for building F1 will be designed in conformity with the table below, exceeding requirements of Condition 60 and in conformity with current Local Plan requirements.

Proposed Noise Limit for Building Services Plant/Equipment at NSRs, dB L _{Aeq,T}			
Presence of Acoustic Features	Operational Period, T		
	Daytime (07:00 – 23:00)	Weekday Office Hours (07:00 – 19:00)	Night (23:00 – 07:00)
No Acoustic Features	50	51	41
Acoustic Features	45	46	36

6.11.93. **CONTAMINATION**

6.11.94. 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.

6.11.95. 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 F1, ahead of full ground investigation works once the site has been vacated. The report has been reviewed by the Council's land contamination officer and is considered acceptable subject to a condition securing details of the proposed ground investigation, updated contamination risk assessment and remediation method statement.

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

6.11.97. **ARCHAEOLOGY**

6.11.98. 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.

6.11.99. A written scheme of investigation (WSI) for an Archaeological Watching Brief at Plot F1 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.

6.11.100. The WSI follows all relevant standards and guidance laid down by the Chartered Institute for Archaeologists (CIfA 2020) and London region archaeological guidance from Historic England (GLAAS 2015). Historic England (GLAAS) were consulted on the application but no comments have been received.

Consequently, the requirements of Condition 56 have been discharged in relation to Building F1.

6.11.101. OTHER MATTERS

6.11.102. 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.

6.11.103. CONCLUSION

6.11.104. The detailed design and external appearance of the building is of high architectural quality and has been well considered to respond to the varying contexts of this island site.

6.11.105. The proposal is considered to be a high quality scheme that responds positively to character and setting of the wider Regents Canal Conservation Area.

6.11.106. 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. The building, and the adjacent public realm, has also been designed to be accessible and by everyone regardless of age, gender or physical capability.

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

7. LEGAL COMMENTS

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: KXC-F1-001-LWA133-A-P-001 P01, KXC-F1-001-LWA133-A-P-002 P01, KXC-F1-001-LWA133-A-P-010 P01, KXC-F1-001-LWA133-A-P-011 P01, 24303301-STR-HGN-100-DR-D-00101 P0, KXC-F1-001-ARUP-S-17-1B1 00, KXC-F1-001-ARUP-S-20-1B1 00, KXC-F1-001-ARUP-S-20-204 00, KXC-F1-001-LWA133-A-P-1B1 P01, KXC-F1-001-LWA133-A-P-1GF P02, KXC-F1-001-LWA133-A-P-101 P01, KXC-F1-001-LWA133-A-P-102 P01, KXC-F1-001-LWA133-A-P-103 P01, KXC-F1-001-LWA133-A-P-104 P01, KXC-F1-001-

LWA133-A-P-105 P01, KXC-F1-001-LWA133-A-P-106 P01, KXC-F1-001-
LWA133-A-P-107 P01, KXC-F1-001-LWA133-A-P-201 P02, KXC-F1-001-
LWA133-A-P-202 P01, KXC-F1-001-LWA133-A-P-301 P02, KXC-F1-001-
LWA133-A-P-302 P01, KXC-F1-001-LWA133-A-P-303 P02, KXC-F1-001-
LWA133-A-P-304 P02, KXC-F1-001-LWA133-A-P-305 P02, KXC-F1-001-
LWA133-A-P-410 P01, KXC-F1-001-LWA133-A-P-415 P01, KXC-F1-001-
LWA133-A-P-420 P01, KXC-F1-001-LWA133-A-P-430 P01, KXC-F1-001-
LWA133-A-P-431 P01, KXC-F1-001-LWA133-A-P-435 P01, KXC-F1-001-
LWA133-A-P-440 P01, P21377-00-001-GIL-0150 02, P21377-00-001-GIL-0151
01, 220721-1.1-GSC-SH, 220725-1.0-GSC-TS-AN

Earthworks and Remediation Plan (May 2023), Access and Inclusivity Statement (March 2023), Environmental Sustainability Plan (May 2023), Compliance Report (May 2023), Written Scheme of Investigation for an Archaeological Watching Brief (May 2023), Urban Design Statement (May 2023)

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;
 - (d) Details of hard and soft landscaping within the public realm; and
 - (e) Typical details of new railings on canal wall at a scale of 1:10 including materials, finish and method of fixing.

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 (2021) and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.

4. Prior to the occupation of the development hereby approved, full details of the proposed lighting scheme, (to include a lux plan indicating any light spill over the water space) and any CCTV scheme, shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme should be implemented in accordance with the approved details.

Reason: In order to protect and conserve the waterway setting and wildlife habitats in accordance with the requirements of the London Plan (2021) and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.

5. No development shall commence until:

(a) A site investigation is undertaken and the findings are submitted to and approved in writing by the local planning authority. The site investigation should assess all potential risks identified by the desktop study and should include a generic quantitative risk assessment and a revised conceptual site model. The assessment must encompass an assessment of risks posed by radon and by ground gas. All works must be carried out in compliance with LCRM (2020) and by a competent person.

(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.

(c) Following the completion of any remediation, a verification report demonstrating that the remediation as outlined in the RMS have been completed should be submitted to, and approved in writing, by the local planning authority. This report shall include (but may not be limited to): details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil and waste management documentation. All works must be carried out in compliance with LCRM (2020) and by a competent person.

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 policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

6. All deliveries, refuse collections and loading/unloading of vehicles shall take place between 00:00 and 07:30.

Reason: To protect pedestrian and cyclist safety in accordance with the requirements of policies A1 and T4 of the London Borough of Camden Local Plan 2017.

Informative(s):

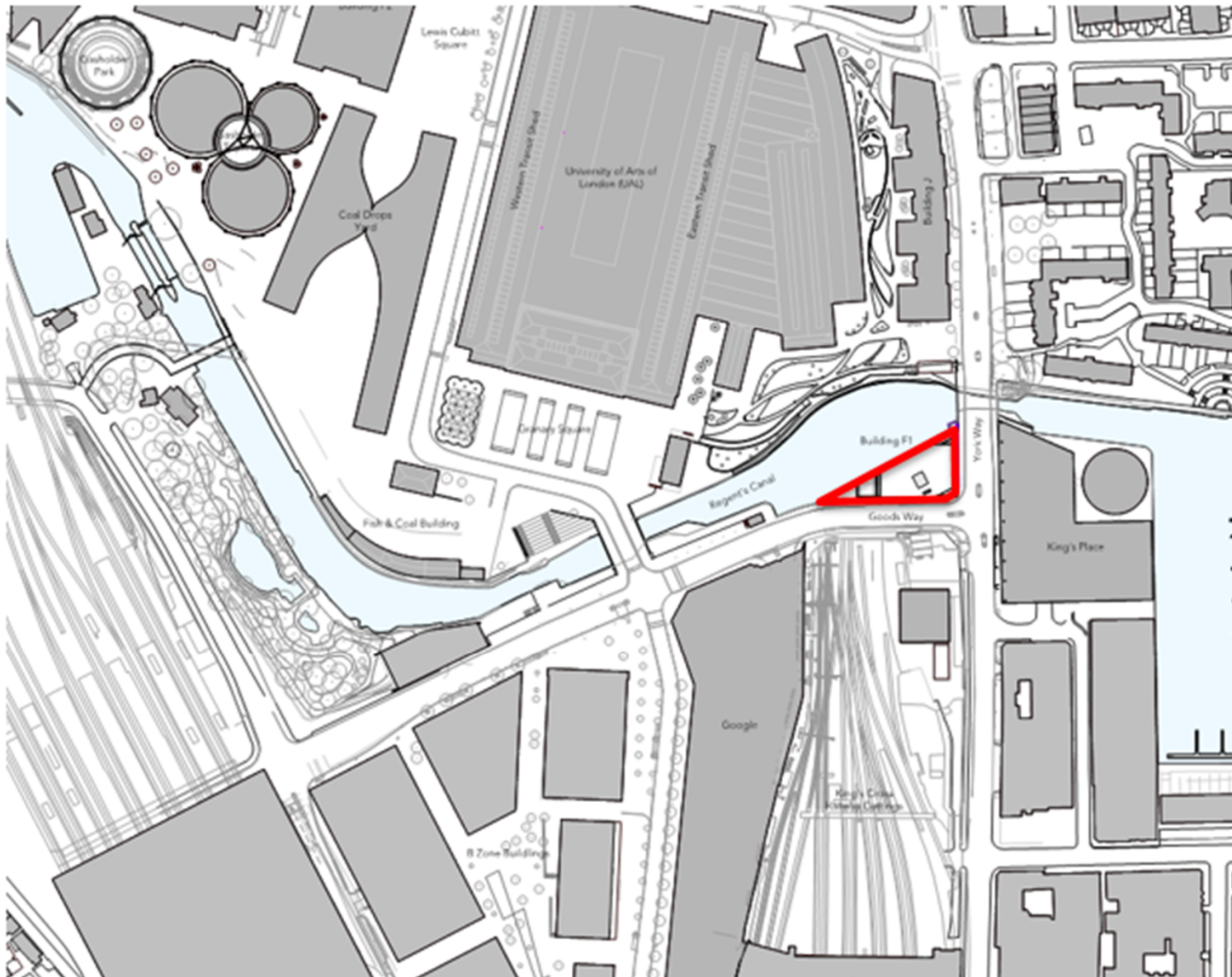
- 1 The following conditions on the outline permission (ref 2004/2307/P) relating to the relevant subject areas described in this reserved matters and approval of details application are now partially or wholly discharged: 9-12, 14, 16-22, 27, 28, 31, 33-34, 35, 36, 45, 46, 48, 49-50A, 51, 56, 60, 63, 64-65, 66-67. 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.
- 2 Goods Way may be subject to further changes in its layout and traffic flow going forward and the applicant is encouraged to work with the highways authority to ensure that the servicing arrangements for Building F1 are amended/improved if the opportunity arises.
- 3 Access to or over-sailing of, the Canals and River Trust's land during the construction and operation of the development (including via the creation of the new towpath accesses) must be agreed in writing with the Canal & River Trust before development commences. Please contact Bernadette McNicholas in the Canal & River Trust Estate Team at Bernadette.mcnicholas@canalrivertrust.org.uk for further information.
- 4 The applicant/developer should refer to the current Canal & River Trust "Code of Practice for works affecting the Canal & River Trust" to ensure that any necessary consents are obtained, and liaise with the Trust's Third Party Work's Engineer for more advice (enquiries.tpwsouth@canalrivertrust.org.uk)
- 5 Any surface water discharge to the waterway will require prior consent from Canal & River Trust. Please contact Liz Murdoch from the Canal & River Trust Utilities Team (Liz.Murdoch@canalrivertrust.org.uk)
- 6 The applicant/developer is encouraged to contact the Canal & River Trusts Water Sale team to discuss the potential for using the canal water for heating and cooling via dareen.leftley@canalrivertrust.org.uk

Planning Committee

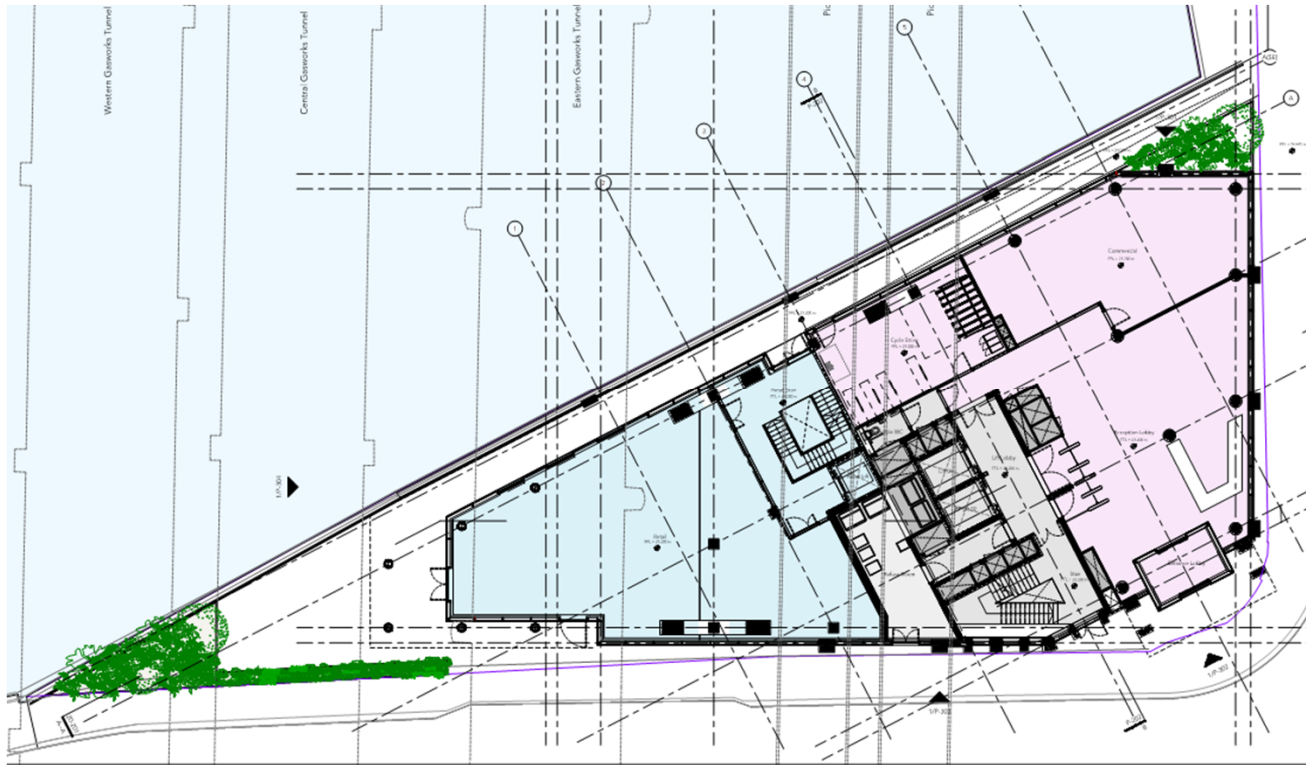
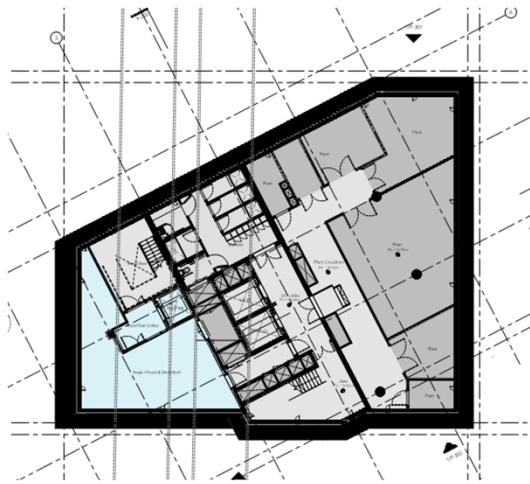
July 2023

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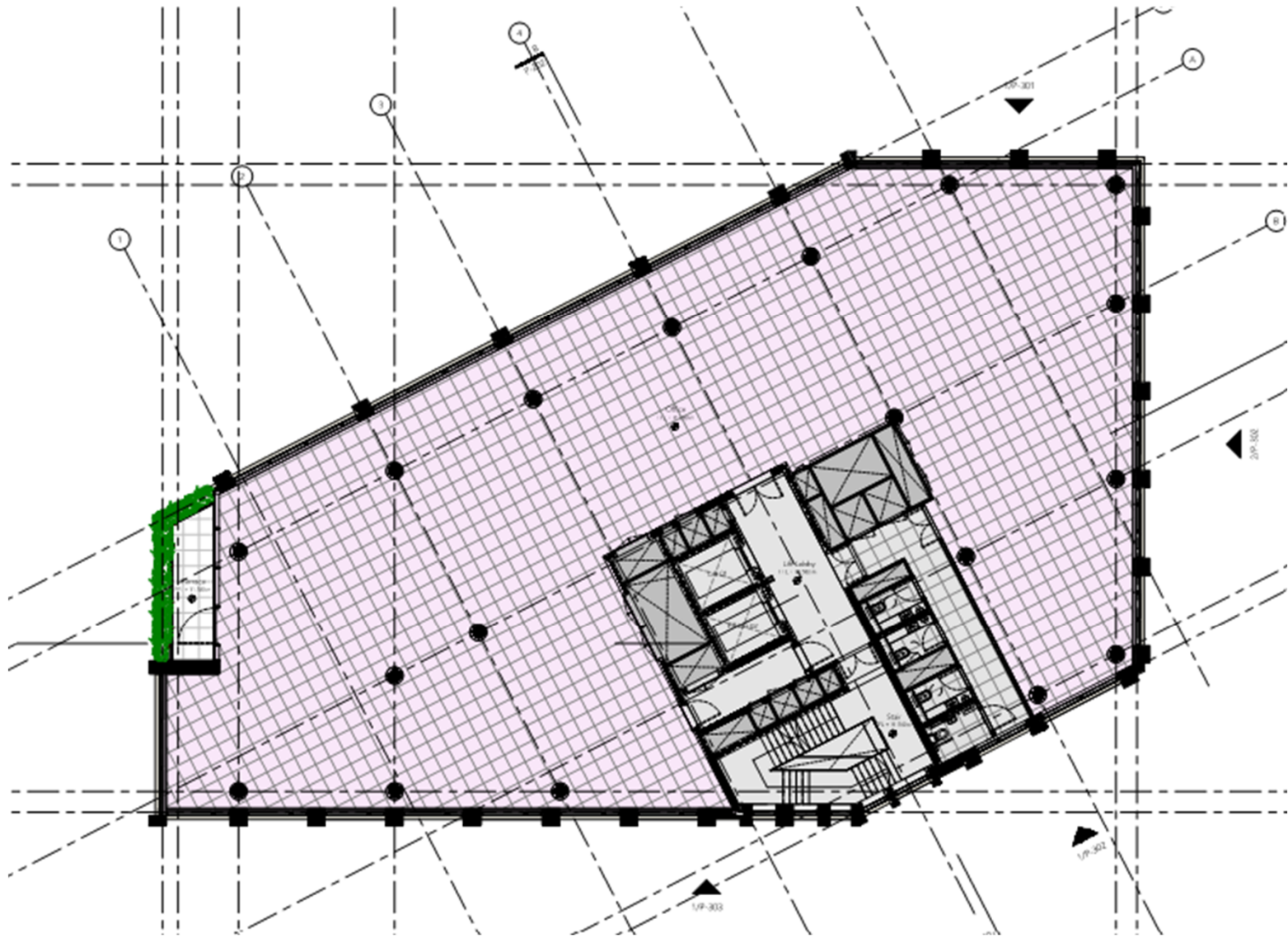
Reserved matters relating to Building F1 for the erection of a 6 storey office building, as required by conditions 9, 10, 12, 14, 16-22, 24, 27, 28, 31, 33-39, 42, 42A, 43, 45, 46, 48, 49, 50A, 51, 56, 60, 61, 64-67 67 of outline planning permission reference 2004/2307/P granted 22/12/06 (subject to S106 agreement) for a comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area.

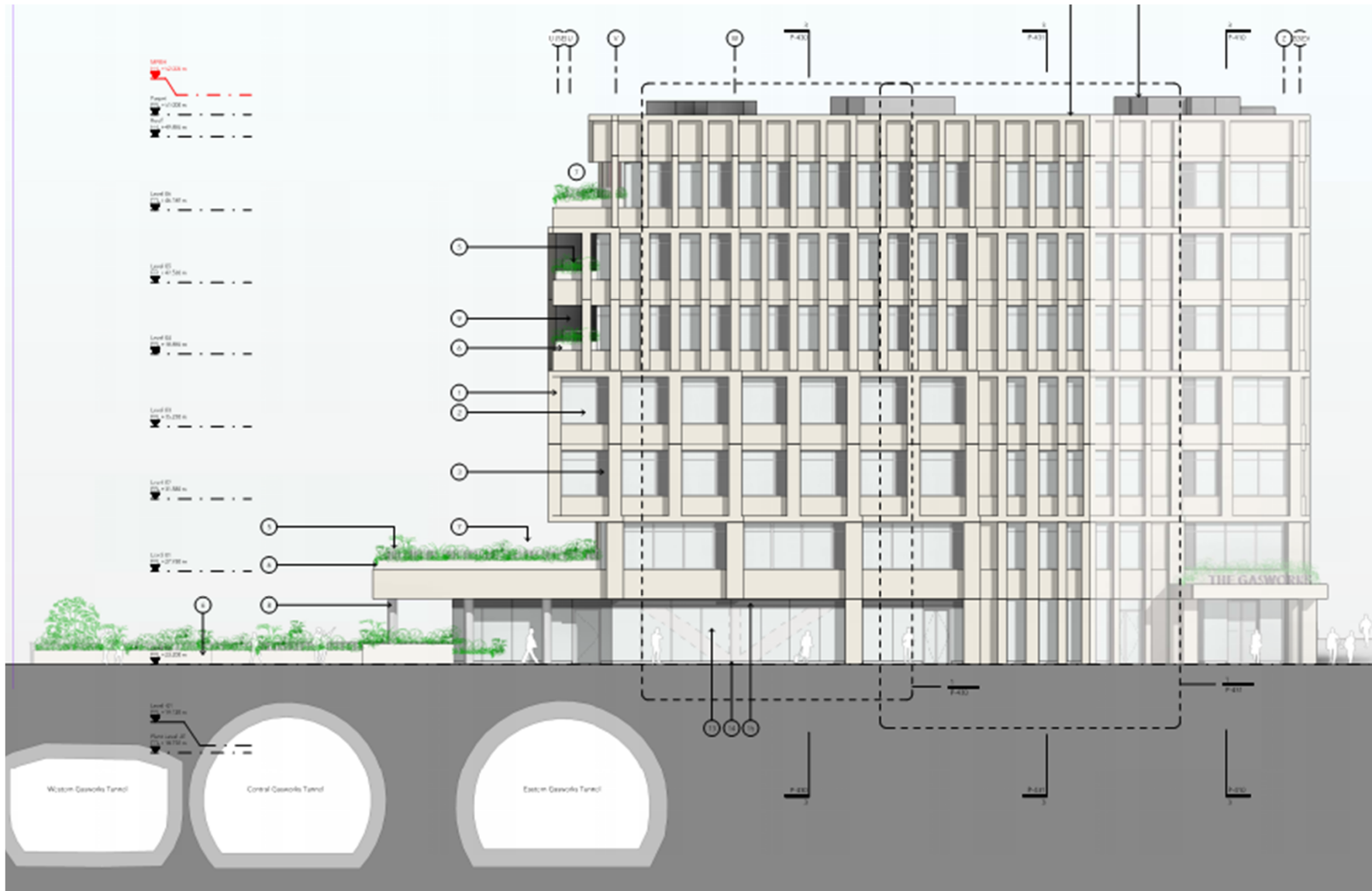


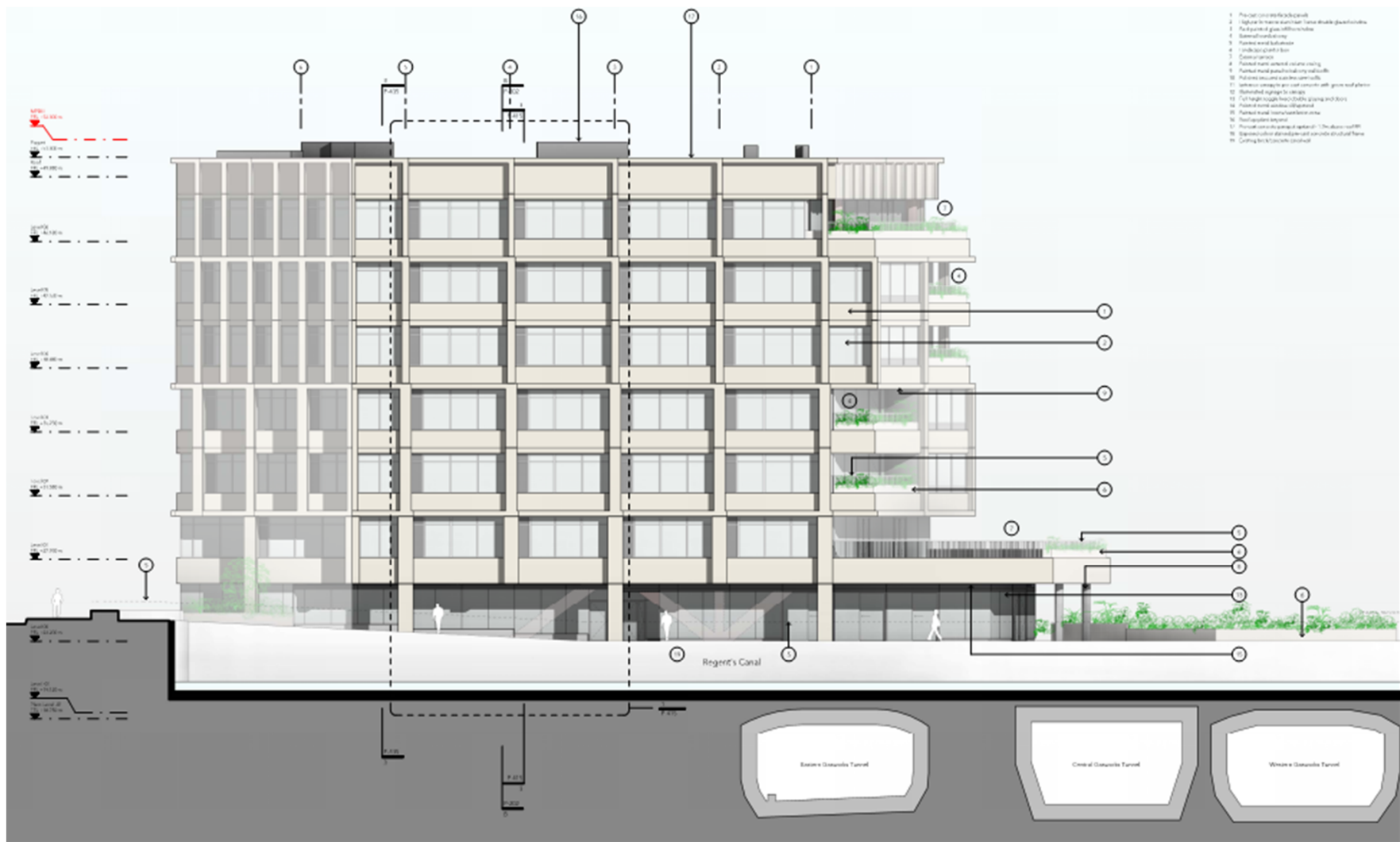












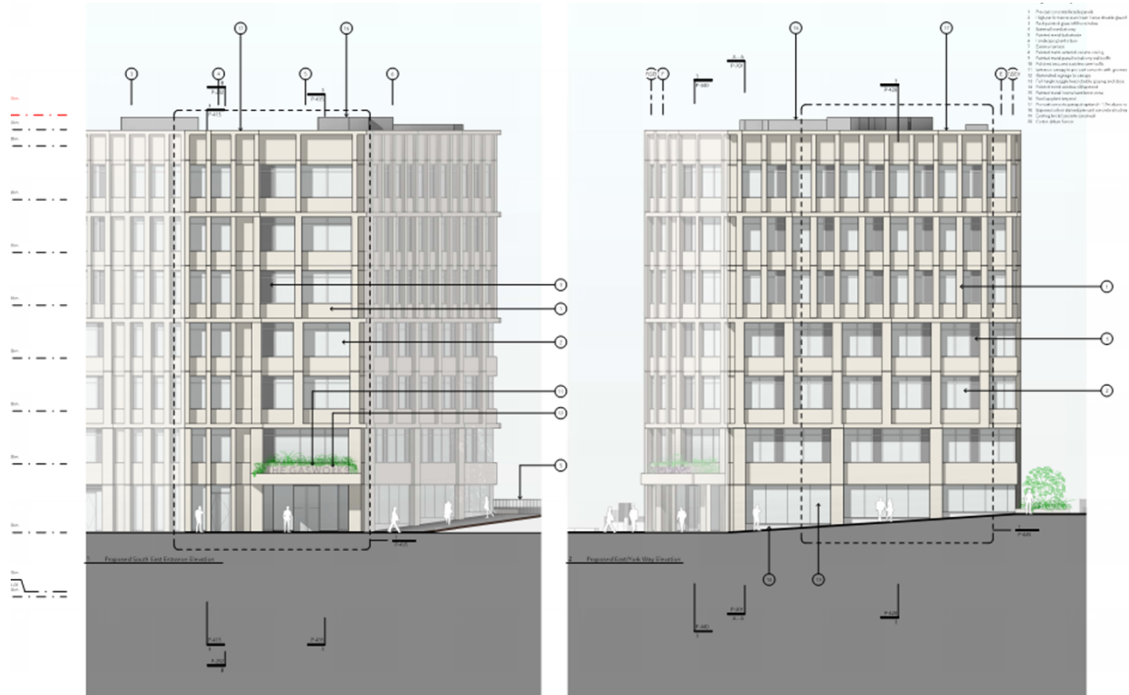




Figure 91: Townscape analysis diagram from bridge at Granary Square - proposed massing in white with Parameter Plans massing shown in blue.



Figure 92: Townscape analysis diagram from Cinan Street/York Way - proposed massing in white with Parameter Plans massing shown in blue.



Figure 93: Townscape analysis diagram from York Way - proposed massing in white with Parameter Plans massing shown in blue.



Figure 94: Townscape analysis diagram from Whatf Road Gardens - proposed massing in white with Parameter Plans massing shown in blue.









END