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Our Ref: APP/V5570/A/07/2051902
APP/X5210/A/07/2051898

Your ref: CM1CSF/1754093

Dear Sir,

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEALS BY ARGENT ST GEORGE, LONDON & CONTINENTAL RAILWAYS, AND EXEL PLC – MIXED USE DEVELOPMENT OF PART OF FORMER RAILWAY LANDS – THE TRIANGLE SITE

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, D Lavender MRTPI, who held a public local inquiry between 19 February and 4 April 2008, into your clients' appeals against:

   a. the decision of the London Borough of Islington to refuse outline planning permission (application ref: P041261) (**Appeal A**); and

   b. the failure by the London Borough of Camden to give notice within the prescribed period of a decision on an application for outline planning permission (application ref: 2004/2311/P) (**Appeal B**);

   The development proposed is described in both applications is for:

   mixed use development of part of the former railway lands within the Camden King's Cross Opportunity Area and an Islington Area of Opportunity, as set out in the Revised Development Specification, comprising residential; shopping, food and drink and professional services within the A1, A2, A3 and A4 use classes; a health and fitness centre (use class D2) incorporating medi-centre facilities, a crèche and community facilities (use class D1); amenity and open space; habitat area; recycling and other ancillary uses; parking; highway works to provide access; and other supporting infrastructure works and facilities.

2. On 2 April 2008, the appeals were recovered for the Secretary of State's determination, in pursuance of section 79 of, and paragraph 3 to Schedule 6 to, the Town and Country Planning Act 1990. The appeal was recovered as it

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relates to residential development of 150 or more dwellings which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable mixed and inclusive communities.

Inspector's recommendation and summary of the decision

3. The Inspector recommended that the appeals be allowed and planning permission granted, subject to conditions. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions, and with his recommendations. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.

Procedural Matters

4. The Secretary of State has taken into account the Environmental Statement and the Environmental Statement Supplement, together with the further Environmental Information for the Triangle Site alone she requested on 26 November 2007 (IR1.2), which were submitted under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. She is content that the Environmental Statement complies with the above regulations and that sufficient information has been provided for her to assess the environmental impact of the proposal.

5. The Secretary of State notes that the Revised Development Specification (RDS) includes a considerable amount of further information in amplification of the proposals, and that a range of specific scheme components is also considered in the Environmental Information and in the Statement of Common Ground that accompanies the appeals. She has had regard to the fact that, following exchange of correspondence on the subject during the course of adjournment and discussion with the parties at the Inquiry, it was agreed that the description of the proposed development should mirror that in the RDS (IR1.4), as follows:

   Mixed use development of part of the former railway lands within the Camden King's Cross Opportunity Area and an Islington Area of Opportunity. The development comprises: residential; shopping, food and drink and professional services within the A1, A2, A3 and A4 use classes; a health and fitness centre (use class D2) incorporating medi-centre facilities, a crèche and community facilities (use class D1); amenity and open space; habitat area; recycling and other ancillary uses; parking; highway works to provide access; and other supporting infrastructure works and facilities.

Policy Considerations

6. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the London Plan 2004, incorporating the alterations adopted in 2006, and the further alterations adopted in 2008; the Camden Unitary Development Plan (UDP), adopted in 2006; and the policies in the Islington UDP, adopted in

2002, that have been saved and therefore remain part of the development plan. The Secretary of State has had regard to the fact that the further alterations to the London Plan were adopted during the inquiry into these appeals. She agrees with the Inspector that the proposals now stand to be judged in strategic terms against these new policies rather than those referred to in Islington Council's decision notice and the Statement of Common Ground, although the difference in those of relevance to the appeals affects their numbering rather than their substance (IR3.2). The Secretary of State agrees with the Inspector that the development plan policies most relevant to the appeal are those set out in IR3.3-3.6, and 3.8.

7. The Secretary of State attaches no weight to the draft Camden Core Strategy as it is at consultation stage (IR3.7). She attaches very limited weight to the draft Islington Core Strategy for the reasons set out in IR3.9.

8. In determining these appeals, the Secretary of State has also had regard to the other documents set out in IR3.10-3.14, including the planning and development brief for the King's Cross Opportunity Area brief "the Brief", published in 2004, on which both Camden and Islington Council co-operated (IR3.14).

9. Material considerations which the Secretary of State has taken into account include PPS1 *'Delivering Sustainable Development;* PPS3 *'Housing';* PPG24 '*Planning and Noise';* the November 2006 DCLG document "*Delivering Affordable Housing*"; Practice Guidance on Strategic Housing Market Assessments; Circular 11/95 *Use of Conditions in Planning Permission*; and Circular 5/05 *Planning Obligations*.

Main Issues

10. The Secretary of State agrees with the Inspector that the main considerations in determining these appeals are those set out in IR12.7. The Secretary of State has, like the Inspector, taken the use of the word "subsidy" in the PPS3 Annex B: *Definitions* as intending to cover both (capital) grant or (revenue) subsidy (IR12.8).

<u>Suitability of the affordable housing offer</u>

Number: quantum of housing

11. For the reasons in IR12.9-12.11, the Secretary of State agrees with the Inspector that, both independently and in combination, the Main and Triangle Site proposals exceed the Brief requirements and, to that extent, represent a welcome potential addition to London's housing stock. She also considers that, to the extent that this would result in a commensurate increase in affordable housing provision, such an outcome would be doubly beneficial (IR12.11).

Number: quantum of affordable housing

12. For the reasons in IR12.12-12.20, the Secretary of State agrees with the Inspector's conclusion that the 34% of affordable housing proposed for the

Triangle Site is compliant with the statutory development plan for this part of London, and, in the context of those policies, represents the maximum reasonable level of provision in all the circumstances (IR12.21). She further agrees with the Inspector that this is the more so if the Main Site and the Triangle Site are treated as a single entity, but that this conclusion stands in either case (IR12.21).

Tenure: proportions of social rented and intermediate housing

13. The Secretary of State notes that the main parties advance different ways in which the mix of affordable housing in the scheme proposals might be calculated, and she also agrees that the calculations for the Triangle Site and for the Combined Sites have some relevance (IR12.22).

14. The Secretary of State agrees with the Inspector that the arguments concerning the proportions of social rented and intermediate housing are finely balanced. In the particular circumstances of the case, she agrees with the Inspector that the factors set out in IR12.27 justify a departure from the target mix in Camden UDP policies H2 and KC4(b) even if a higher proportion of social rented accommodation was to be held to be more likely to meet the needs of the present local population (IR12.27).

15. For these reasons, and the reasons in IR12.23-12.26 and 12.28, the Secretary of State agrees with the Inspector, and considers that the mix in favour of intermediate rather than social rented accommodation is appropriate in the circumstances of the case (IR12.28).

Price/affordability

16. For the reasons in IR12.30-12.32, the Secretary of State agrees with the Inspector that the proposed cascade mechanism represents a realistic and sensible approach, given the uncertainties inherently involved at the planning stage. She notes also that none of the Registered Social Landlords involved in housing on the Main Site have found the transfer prices unaffordable, and she agrees with the Inspector that there is no contrary evidence to suggest that circumstances would be different on the Triangle Site (IR12.32).

17. For the reasons in IR12.34-12.35, the Secretary of State agrees with the Inspector that the types of intermediate housing proposed would be both affordable and accessible to some local residents whose needs are not met by market housing or by the social rented sector. She also agrees with the Inspector that, for those eligible households, the products would, in varying measure, be available at a cost low enough for them to afford, determined with regard to local incomes and local house prices (IR12.36).

Arrangements for re-cycling

18. For the reasons in IR12.37-12.38, the Secretary of State, like the Inspector, finds the advantages of Schedule A of the S106 Agreement on affordable housing convincing, and considers that Schedule B should not be triggered (IR12.38). For the reasons in IR12.39, she agrees with the Inspector that, in an

urban regeneration project of the size of that on the Combined Sites, there is potential for housing in many forms at the margins of affordability to fulfil the needs or aspirations of future households, and that the intermediate housing units proposed would, at least, make some contribution to doing so (IR12.39).

Conclusion on suitability of the affordable housing offer

19. For the above reasons, the Secretary of State agrees with the Inspector that the proposals are compliant with the PPS3 definition of affordable housing (IR12.56), and that the 34% of affordable housing proposed is compliant with the development plan, and represents the maximum reasonable level of provision in the circumstances. Given the importance attached in the King's Cross Opportunity Area to planning objectives other than maximising housing delivery, she agrees with the Inspector that the amount of housing, and the proportion of affordable housing, proposed in the appeal schemes are entirely acceptable (IR12.58). She also agrees with the Inspector's view that the appellants have gone to considerable effort to discuss the appropriate housing mix with the Councils and the local communities, and that they have produced a range of provision that, especially with regard to the intermediate housing sector, fully reflects the principles advanced in PPS3 and its daughter document *Delivering Affordable Housing* (IR12.59).

<u>Noise Environment</u>

20. For the reasons in IR12.40-12.45, the Secretary of State agrees with the Inspector that, with mitigation against internal noise to the level required by the suggested planning conditions, and with easy access to quieter open spaces reasonably close to hand, satisfactory living conditions can be assured in the proposed development (IR12.45).

<u>Other matters</u>

21. The Secretary of State notes that paragraph 1.10.5 of Camden's Report (IR12.47) refers to the conclusion in the Environmental Statement that the retail and leisure components on the Combined Sites are likely to have a major beneficial impact on the social capital of the Central Impact Zone and Wider Impact Zone; and that paragraph 1.12.75 of Camden's report notes that reductions in parking provision have been negotiated since the proposals were originally submitted but that the subject is one that will need to be finalised at detailed approval stage. Overall, the Secretary of State, like the Inspector, finds nothing in the representations that are of such significance as to alter her conclusions on the main considerations or, in themselves, to warrant the refusal of planning permission (IR12.47).

Development Plan

22. For the above reasons, the Secretary of State agrees with the Inspector's conclusion that the proposals accord with the statutory development plan for the area when read as a whole, and that there are no material considerations of sufficient importance to warrant a contrary decision (IR12.60).

Conditions and Obligations

23. The Secretary of State agrees with the Inspector's assessment and conclusions on the conditions and the S106 Agreements, as set out in IR12.48-12.55. As noted at paragraph 16 above, the Secretary of State finds the advantages of Schedule A of the S106 Agreement on affordable housing convincing, and considers that there is no need for a condition which would trigger Schedule B. She considers that the proposed conditions and the S106 Agreements comply with the requirements of Circulars 11/95 *Use of Conditions in Planning Permission* and 05/2005 *Planning Obligations* respectively.

Overall conclusions

24. The Secretary of State concludes that the proposals accord with the statutory development plan for the area when read as a whole, and that there are no material considerations of sufficient importance to warrant a contrary decision. She concludes that the affordable housing offer is acceptable, that the noise environment of the site will be satisfactory, and that the scheme would suitably complement the proposals on the Main Site for the regeneration of this nationally significant area of London.

Formal Decision

25. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. She hereby allows both Appeals A and B, and grants outline planning permission for mixed use development of part of the former railway lands within the Camden King's Cross Opportunity Area and an Islington Area of Opportunity, comprising: residential; shopping, food and drink and professional services within the A1, A2, A3 and A4 use classes; a health and fitness centre (use class D2) incorporating medi-centre facilities, a crèche and community facilities (use class D1); amenity and open space; habitat area; recycling and other ancillary uses; parking; highway works to provide access; and other supporting infrastructure works and facilities, in accordance with applications P041261 and 2004/2311/P, both dated 24 May 2004, subject to the conditions set out in Appendix A to this letter.

26. An applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the local planning authority fail to give notice of their decision within the prescribed period.

27. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than that required under section 57 of the Town and Country Planning Act 1990.

Right to challenge the decision

28. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged by making an application to the High Court.

29. A copy of this letter has been sent to the Council for the London Boroughs of Islington and Camden and all parties who appeared at the inquiry and requeted a copy.

Yours faithfully

Richard Watson
Authorised by the Secretary of State to sign in that behalf

APPENDIX A

CONDITIONS

COMMENCEMENT		
1	The development must be begun not later than either 8 years from the date of this permission or two years from the final approval of the first reserved matters application, whichever is the later.	
2	The permission shall lapse unless the first Reserved Matters Application is made within eight years of the date of this permission.	
APPROVAL OF RESERVED MATTERS GENERAL		
3	Approval of the Reserved Matters shall be obtained from the Local Planning Authority in writing prior to the commencement of any development to which those Reserved Matters relate and the development shall be carried out only as so approved.	
4.	No later than 12 years following the date of this permission an application or applications shall have been submitted to the Local Planning Authority for the approval of all Reserved Matters.	
5.	No Reserved Matters approval shall be implemented more than 14 years from the date of this permission or two years from the date of the final approval of any Reserved Matters Application, whichever is the later.	
LANDSCAPING AND TREES		
6.	The details of the landscaping to be submitted as part of the applications for Reserved Matters shall include; a) the design of building foundations and the layout, with the dimensions and levels, of service trenches and other excavations on site in so far as these items will affect any trees adjoining that part of the site b) New tree and other planting, earth works, ground finishes, top soiling, levels, drainage, including falls and	

	drain types; c) The treatment of land within the Habitat Area shown on plan TS004 Rev K. d) The central amenity space with planting as shown on TS006. and all works shall only be carried out in accordance with the details so approved.
7.	Applications for approval of Reserved Matters including landscaping shall include for specific approval a programme for commencing and completing the planting and laying out, and the detailed scheme (s) so approved shall be carried out only in accordance with the approved programme.
8.	Any trees or areas of planting which, within a period of five years from the completion of the relevant phase of landscaping, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and in any case, by no later than the end of the following planting season, with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
9.	Where steps are to be constructed within the landscaping to change level, gentle inclines and ramps (at a gradient of 1:20 or less) and/or lifts shall also be incorporated, to provide an equally commodious alternative for all members of the public.
ENVIRONMENTAL SUSTAINABILITY PLAN	
10.	Relevant applications (or groups of related applications) for Reserved Matters approval in respect of buildings shall be accompanied by an Environmental Sustainability Plan. The Environmental Sustainability Plan shall explain: a. How the proposed building design(s) realise(s) opportunities to include design and technology energy efficiency measures; b. The reduction in carbon emissions achieved through these building design and technology energy efficiency

	measures, compared with the emissions permitted under the national Building Regulations prevailing at the time of the application(s) for approval of reserved matters are submitted; c. The specification for green and/or brown roofs on buildings within Blocks A, B and C; d. How energy shall be supplied to the building(s), highlighting: i. How the building(s) relate(s) to the strategy for district heating and combined heat and power across the King's Cross Central development. ii. The assessment of the cost-effectiveness and the reliability of the supply chain for bio fuels *(referred to in paragraph 12 of page 35 of the "All Parties" S106 Agreement)* iii. Any other measures to incorporate renewables e. How the proposed building(s) have been designed to achieve a BREEAM and/or Eco Homes rating of "very good" (or an equivalent assessment method and rating) or better; f. the incorporation of bird boxes, bat roofs and other wildlife features on buildings.	
EARTHWORKS AND REMEDIATION PLAN		
11.	Relevant applications (or groups of related applications) for approval of the Reserved Matters shall be accompanied by an Earthworks and Remediation Plan to deliver appropriate site levels and ground conditions for that part of the development. All work shall be carried out in accordance with the Earthworks and Remediation Plan as approved.	
ACCESS STATEMENT		
12.	Relevant applications for approval of Reserved Matters pursuant to this permission shall be accompanied by an Access Statement. Each Access Statement shall: a. Address the relevant design principles set out in the Access and Inclusivity Strategy dated September 2005 and	

	update the Access Audit included at Annex C of that strategy; b. Highlight any areas where technical or other constraints have prevented or constrained the application of these design principles; c. Include a project programme for that building or phase, to identify the key stages which important decisions affecting inclusivity and accessibility will be made.	
SERVICING STRATEGY		
13.	Servicing shall take place in accordance with plans TS003, TS004 and TS005 unless otherwise agreed in writing with the Local Planning Authority.	
DETAILS REQUIRED BY CONDITION		
STRUCTURES		
14.	Details of the siting of buildings as shown on plans TS004 revision K to TS007 revision K inclusive shall be submitted to the Local Planning Authority and approved in writing prior to any works taking place in relation to such buildings. All works should be carried out in accordance with the details as approved.	
FLOOR PLANS ETC		
15.	Details and particulars (including floorspace figures, floor plans and layouts of the uses), and the vehicle and other servicing and access arrangements, including provision of parking to be accommodated in built accommodation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved.	
REFUSE STORAGE AND COLLECTION		
16.	Details and arrangements for storage and collection of refuse, including location, design, screening, operation and inclusion of facilities for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved.	

DEVELOPMENT TO BE CARRIED OUT IN ACCORDANCE WITH PERMISSION		
PARAMETER PLANS AND DEVELOPMENT SPECIFICATION		
17.	The development shall be carried out in accordance with the Development Parameters shown on the Revised Parameters Plans and as described in the specified paragraphs of the Revised Development Specification dated August 2005 comprising: a. the access arrangements shown on drawings TS003 revision K together with paragraph 4.10; b. the lower ground level arrangements shown on drawing TS004 revision K together with paragraphs 4.11-4.15; c. the upper ground level arrangements shown on drawings TS005 revision K together with paragraphs 4.16-4.18; d. the garden level arrangements shown on drawing TS006 revision K including the maximum building heights shown, together with paragraphs 4.19-4.22; e. the upper level arrangements shown on drawing TS007 revision K including the maximum building heights shown together with paragraphs 4.23-4.25; f. the section shown on drawings TS008 revision E and TS009 revision E to the extent that they show indicative proposals only for the works and land uses, together with paragraphs 4.26 and 4.27.	
FLOORSPACE PERMITTED		
18.	The total floorspace constructed and used pursuant to this outline planning permission shall not exceed 26,600 sq m (gross external area). This total floorspace excludes: a. Plant, infrastructure and utilities forming part of supporting the development including substations, transformers, waste storage and ancillary recycling facilities b. Service access including a covered loading bay c. Residential balconies d. Car and bicycle parking provided (with lifts and stairs) at lower ground level.	

USES PERMITTED		
19.	Notwithstanding the provisions of the Use Classes Order, permission is hereby granted only for the following uses; a. Residential use within Class C3 b. Shopping, food and drink uses within Classes A1, A2, A3 and A4 c. Crèche, day nursery, day centre and public hall uses within Class D1 d. Health and fitness, indoor sport and leisure uses within Class D2 e. Other miscellaneous uses, including car and bicycle parking, plant, sub-stations, transformers, waste storage and recycling facilities and a covered loading bay. The floorspace constructed and used pursuant to the planning permission shall not, unless otherwise agreed in writing by the Local Planning Authority, exceed in the case of any use or group of uses, the individual maximum floorspace figures as set out in **Appendix B** (floorspace schedule) attached, that table being read together with the notes 1-3 inclusive.	
20.	The residential floorspace constructed and used pursuant to this permission when completed shall include no more than 246 residential units within Class C3 of the Use Classes Order 1997 unless otherwise approved in writing by the Local Planning Authority.	
RESIDENTIAL AMENITY SPACE		
21.	The central amenity space shall be developed before the first occupancy of any dwelling at the same level hereby permitted and shall thereafter be kept available for use only by the residents of the development.	
RESIDENTIAL DAYLIGHT AND SUNLIGHT		
22.	Applications for the approval of Reserved Matters in relation to the residential accommodation shall be accompanied by details of how the proposed design applies the standards recommended in the Building Research Establishment's 'Site Layout	

	Planning for Daylight and Sunlight: A Guide to Good Practice 1991'.	
DRAINAGE INFRASTRUCTURE		
23.	The new drainage infrastructure within the site shall be designed such that the peak stormwater discharge to the existing combined sewers shall not be more than 67 litres per second.	
GREEN AND BROWN ROOFS		
24.	New buildings constructed pursuant to the planning permission within Blocks A, B and C shall incorporate Green and/or Brown Roofs as specified in Paras 3.31 and 3.32 of the Revised Development Specification dated August 2005.	
CAR PARKING STANDARDS		
25.	Unless otherwise agreed in writing by the Local Planning Authority, the development shall be constructed in accordance with the following: (a) Maximum car parking/storage standards; i. Residential: an average of 0.40 spaces per unit across all unit types and tenures, to be provided within the lower ground level shown on drawing TS004 Rev K; ii. Class D1/D2 uses: 1 space per 1:1000 sq m gross floor area; iii. Classes A1-A4 inclusive uses; No provision other than for people with disabilities (to be agreed in writing by the Local Planning Authority at the Reserved Matters stage) (b) 4 visitor parking spaces to be provided to the north of block A as shown in drawing TS003 revision K (c) Any additional parking required by the Local Planning Authority by people with disabilities may be provided in addition to the above standards (d) The standards exclude provision for city car club spaces (such spaces may be provided in addition to the above) and the provision of service bays to be approved as part of the Reserved Matters for the development.	

CYCLE PARKING		
26.	Unless otherwise agreed in writing by the Local Planning Authority, the development shall provide for the use of occupiers of the development cycle parking/storage for 246 bicycles at Lower Ground Level.	
NOISE		
27.	Prior to commencing any construction on the site, a base line noise monitoring survey shall be carried out and made available to the Local Planning Authority.	
28.	Before development commences, details shall be submitted to, and approved by, the Local Planning Authority to demonstrate that the noise impact of any plant or equipment to be installed on the site will meet the following standards: a. Noise levels at a point 1metre external to sensitive facades to be at least 5dB(A) less than the existing measurement (L_{A90}), expressed in dB(A) when all plant/equipment are in operation b. Where it is anticipated that any plant/equipment will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps) special attention to be given to reducing the noise level from that piece of plant/equipment at any sensitive façade at least 10dB(A) below the L_{A90}, expressed in dB(A). The development shall be carried out in accordance with the details, as approved unless otherwise agreed in writing by the Local Planning Authority.	
29.	Before development commences, a scheme shall be submitted to, and approved by, the Local Planning Authority to demonstrate how the proposed dwellings would be insulated to a standard that will ensure that internal groundborne noise levels do not normally exceed 35 dB $L_{Amax(s)}$. The dwellings shall be constructed in accordance with the scheme, as	

	approved, unless otherwise agreed in writing by the Local Planning Authority.
30.	Construction of residential development within Blocks A and B (as shown on drawing TS006 revision K) shall not begin until approval in writing from the Local Planning Authority has been issued for a scheme to protect that development from environmental noise. The scheme shall be designed to ensure that, with windows closed and an alternative ventilation system provided: • external environmental noise within the bedrooms shall not exceed 35 $dB_{LAeq, 8hr}$ between 23:00 and 07:00 hours, and shall not normally exceed 45 $dB_{LAmax(f)}$ at other times; • external environmental noise within other living rooms shall not exceed 40 $dB_{LAeq, 16hr}$ between 07:00 and 23:00 hours.

DEFINITIONS

For the purposes of these conditions the following words and phrases shall have the following meanings:

1. "Blocks" means the blocks labelled A, B and C shown on TS006 Rev K, TS007 Rev K, TS008 Rev E and TS009 Rev E.
2. "Reserved Matters" means details of:
    a. layout except as set out in the Parameter Plans TS003-TS009
    b. scale
    c. appearance
    d. access except as set out in Parameter Plan TS003
    e. landscaping including surface treatments of the site, including the Amenity space at Garden Level shown on TS006 Rev K and the Habitat Area shown on TS004 Rev K0
3. "Annex A" means the table set out in the Development Specification and attached as Appendix B to this letter.

APPENDIX B

King's Cross Triangle Site
Floorspace Schedule referred to in condition 19

Use	Total Floorspace Applied for (sq.m)	Notes
Residential	up to 21,100	To provide up to a maximum of 246 dwellings in Blocks A and B. The total of 21,100 sq m assumes 14,200 sq m within Block A and 6,900 sq m within Block B.
Retail (use classes A1/A2/A3/A4)	up to 2,500	Within Block B and beneath amenity space. All units to have frontage to York Way.
D1/D2 uses	up to 3,000	The application seeks permission for health and fitness/indoor sports facilities, including a swimming pool, within Block C, with the potential to also incorporate crèche/day nursery facilities; and day centre/public hall facilities.
TOTAL	up to 26,600	-

1. All figures are gross external
2. The floorspace figures exclude plant, infrastructure and utility elements which would form part of the development and for which planning permission is sought, for example substations, transformers, waste storage and recycling facilities, service access and a covered loading bay.
3. The floorspace figures exclude car and cycle parking/storage.
4. The floorspace figures exclude residential balconies.