

PLANNING SERVICES

**TOWN & COUNTRY PLANNING (DETERMINATION BY INSPECTORS)
(INQUIRIES) RULES 2000**

SUBJECT OF APPEAL

Appeal against non-determination of planning permission for [a mixed use development of part of the former railway lands within the King's Cross Opportunity Area and Islington Area of Opportunity, comprising residential (use class C3), retail, food and drink and financial and professional services (within use classes A1, A2, A3 and A4), a health and fitness centre (use class D2) to incorporate a medi-centre facilities with the potential to incorporate a crèche and community facilities (use class D1), other ancillary uses, the provision of communal open space and a habitat area, recycling facilities, car and cycle parking and highway works to allow access to the site and other supporting infrastructure works and facilities

Planning Inspectorate Reference	Council Reference
APP/V5570/A/07/2051902/NWF	2004/2311/P

Site at King's Cross Central, Triangle Site, land between York Way, The Thameslink 2000 Rail Line and The East Coast Main Line, London

Appellant: Argent (King's Cross) Limited

RESPONSE TO ADJOURNMENT NOTE

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Triangle Appeal

London Borough of Camden

Response to the Inspector's Pre-Inquiry Briefing Note
Response to the Inspector's Adjournment Note

This note sets out Camden's response to the Inspector's Pre-Inquiry Briefing Note and Adjournment Note. It is set out as follows:

- 1) Housing Market Assessment (Pre-Inquiry Briefing Note)
- 2) 70/30 social rent/intermediate "split" (Adjournment Note point 2.1).
- 3) Informal agreement between Camden and Islington on economic appraisal (Adjournment Note point 2.2).
- 4) Concrete batching plants (Adjournment Note 3).
- 5) A note on "Right to Buy HomeBuy".

1. Housing Market Assessment (Pre-Inquiry Briefing Note 1.2)

1.2 (a): The Extent of the Local Housing Market Area

- 1.1 Camden is part of a sub-region comprising the London Boroughs of Camden, Westminster, Islington, Haringey, Barnet and Enfield.

1.2 (b): The Status/Progress of any Strategic Housing Market Assessments

- 1.2 Housing need is now assessed on a sub-regional basis. A protocol was agreed in 2007 between the GLA and GOL. This agreed that the GLA should pursue a London-wide strategic housing market assessment that fully addresses regional and local needs
- 1.3 However, it was also accepted that the existing London-wide Housing Requirements Study 2004 would not satisfy all Borough needs for local information on housing need, and that local supplementary information, such as Housing Needs Studies, could still have a part to play in providing an evidence base.
- 1.4 The protocol is currently under review, and the possibility of sub-regional studies has been raised, using the London Plan sub-regions. This review has not been finalised.

1.5 The documents available are:

- (1) The Camden Housing Needs Survey 2004
- (2) The GLA Housing Requirements Study 2004

These are being reviewed by Camden and the GLA respectively - Camden's is in progress, the GLA have yet to commission theirs.

1.2 (c): The Outcomes of Such Analysis

1.6 The Camden Housing Needs Survey supports the split in the London Plan 2004 and the Camden Replacement UDP 2006. It shows affordable housing need (backlog and newly arising need) exceeds total housing supply for the Borough.

1.10 In relation to identifying housing need in the immediate King's Cross Area a formal survey has not been carried out. However, as part of the King's Cross project an affordable housing sub group was established, and this group informed the project. The group comprised housing officers from RSLs, the two Boroughs, and occasionally the GLA and the Housing Corporation. Initially the group was concerned with drawing up a housing brief for the site but this expanded into looking at building sustainable balance communities, sensitive lettings, how to design family housing in high density schemes, and local housing need. A special seminar was organised at which housing experts from the public and private sector spoke. Issues around local housing need was the recognition that there was a mismatch between unit and family size in the King's Cross Area, that is the high number of units that are either under occupied or over crowded. Housing officers wanted a high proportion of larger family units for social rent to reflect the perceived local need (in the immediate KX wards). This need for family accommodation needed to be tempered to limit child density as part of a sensitive letting policy.

Housing Capacity

1.11 The 2006 Alterations to the London Plan were prepared following completion of the 2004 London Housing Capacity Study. The 2004 Study had recognised Camden's limited capacity for large sites along with certain other Boroughs -Enfield, Kensington and Chelsea and Bromley.

1.12 The revised housing capacity figure has consequently been reduced, with the Camden target now being 597 dwellings per annum between 2007/08 and 2017/18 –a reduction of 30%.

1.13 Camden has a very limited supply of sites that would be able to yield dwellings to meet the housing target, including sites identified in the

UDP. The 2004 London Housing Capacity Study calculated large site capacity to yield only 24% of Camden's total dwellings until 2017. A far larger proportion is expected to come from small sites not yet identified. These windfall sites are expected to make up almost half (49%) of all housing supply in Camden over the projection period 2007/08-2016/17 (source - Camden Annual Monitoring Report 2006/07 paragraph 4.7 attached).

- 1.14 The King's Cross Opportunity Area will make a major contribution to the affordable housing need identified for LB Camden, but the entire housing supply across all sectors will not meet the need identified in the Housing Needs Survey for affordable housing.
- 1.15 In common with most inner London Boroughs, Camden has therefore concluded that windfalls have to be taken into account in identifying its housing land supply. This is reinforced by robust evidence from the previous five years of data in which non-identified sites provided the bulk of housing built in the borough.
- 1.16 The London Borough of Camden Annual monitoring Report 2006/07 has sought to predict its 5-year housing supply as advised by PPS3. Taking into account five prior years of planning data, mainly from unidentified windfall sites, to calculate a reasonable proxy for future windfall totals, Camden has calculated that its five-year supply of deliverable sites for housing amounts to 2925 units (Camden AMR report, table 4c). This equates to 585 units per annum, which is broadly in line with the target of 597 units per annum as set by the Mayor.
- 1.17 Over the 10 year period, housing completions are projected to rise overall (This is due mainly to the expected delivery of the strategic sites, Kings Cross Central and West Hampstead Interchange). The 10-year projection is that Camden will have exceeded the Mayor's target by the equivalent of 88 dwellings per annum.

1.2 (d): Arrangements for the Allocation of Affordable Housing within Respective Boroughs

- 1.18 Within the sub-region there are various agreements on nomination rights.
- 1.19 Generally, affordable housing - whether part of a S106, or developed by an RSL - is provided by an RSL in partnership with LB Camden, such that LB Camden has nomination rights to social rented housing.
- 1.20 Where a non-partner RSL develops affordable housing in the Borough, LB Camden usually enjoys a proportion of nomination rights, typically 50%.
- 1.21 Nomination to intermediate housing is generally via Metropolitan Home Ownership, although there may be arrangements for access by existing

Council tenants as with the Right to Buy Homebuy which is expected to be available for Islington and Camden Council tenants only.

1.22 It is generally understood that there will be a special nomination rights arrangement for the Triangle site agreed between Camden and Islington.

2. 70/30 social rent/intermediate “split” (Adjournment Note point 2.1).

2.1 As a matter of fact, the split between social rented and intermediate housing across King’s Cross Central would be 64:36 on a unit basis, distributed:

- 67:33 on the Main Site; and
- 43:57 on the Triangle Site

2.2 I note Ms Dickinson’s evidence (paras 7.16 & 7.17 & Appendix 6), in which the social rent/ intermediate split is calculated on the basis of habitable rooms, the scheme-wide split is 74:26, distributed:

- 77:23 on the Main Site
- 53:47 on the Triangle Site

The difference between the split on a unit basis and the split on a habitable room basis, for the Triangle Site, arises because 10 of the 13 proposed 3-bed units would be social rented affordable housing units (see Ms Dickinson Table 1).

2.3 Ms Dickinson’s analysis is consistent with guidance in the Mayor’s Housing SPG, but it is important to recognise that Camden’s officers and Committee were satisfied with the tenure split even when assessed on a unit basis.

2.4 Camden and Islington officers’ consideration and assessment of the proposed tenure split is set out in CD4.5 and CD5.15. For Camden, CD4.5 para 1.9.17 addresses the approach to unit sizes and the implications for affordable provision and paras 1.9.62 – 1.9.64 deal with the social rented/intermediate split within that provision, stating that:

“It is considered that the constraints of the site, in terms of size and location is not entirely consistent with the provision of family sized units. Officers from both Councils are satisfied that high quality smaller sized units (which includes larger 2 bed units) are achievable on the site, and that the larger units, with access to private amenity spaces, are appropriate for the affordable housing element of the scheme. The proposed mix is considered to be acceptable and comply with policy overall.” (para 1.9.17)

“Whilst the proposed mix does not meet the 70%/30% split as part of the wider package of housing provision it is felt that a great number of intermediate homes would assist in establishing a longer term

community with a reduced turnover of residents. It is essential that the new neighbourhoods are anchored with a broad range of new residents and that this would be reflected in the more general mix of affordable tenure types. The proposal is considered to meet the wider regeneration aims of both Councils.” (para 1.9.64)

- 2.5 Islington officers gave the same advice to Islington Members in CD5.15 – see pages 42 (second para) and 43 (under “Tenure Mix”). Officers’ assessment of the affordable housing issues starts on page 42 and this assessment starts with a clear recognition that:

“Because of the borough boundary different affordable housing planning policy applies to different parts of the Triangle. For example KC4 applies only to that land which falls within Camden. The London Plan and the Brief apply to the whole. Islington’s UDP and SPG apply to their part of the site. As such a pragmatic and sensible approach has to be taken with regard to housing.”

- 2.6 Both CD4.5 (para 1.8.3) and CD5.15 (page 39) explain that what constitutes successful regeneration is described in the Joint Brief (CD6.1). It includes community safety, employment, housing need and choice, health, education and childcare, social inclusion, environmental sustainability, connectivity with the surrounding area and the need to protect communities against construction impacts. The reports state Camden and Islington officers’ view that the proposal for the Triangle Site is considered to address several components of successful regeneration as set out in the Brief.

- 2.7 As discussed at the Inquiry already, CD6.1 recognised that any Triangle Scheme was likely to be predicated on one- and two bedroom homes, with the Triangle Site “well suited to keyworker homes”. Keyworker homes is a form of intermediate provision and the Brief therefore indicated an emphasis on intermediate provision housing, albeit within a range of market and affordable housing:

“Subject to satisfactory designs and residential amenity being achieved this close to railway lines, the Triangle could accommodate about 200 one- and two-bed homes in contributing towards to the overall housing provision in the Area. The site is considered well suited to keyworker homes as part of the range of market and affordable housing;” (CD 6.1, Box on page 69)

- 2.8 The Brief comments further on social cohesion and tenure integration as important components of the Councils’ aims for successful regeneration:

“The current inhospitable character of the Area and the Triangle divides local communities and produces a poor environment, so that creating good links to the new development will be central to a sustainable regeneration and extend the benefits of new investment into the wider

communities thereby encouraging social cohesion. These physical, social and economic connections are identified throughout this Brief.”
(CD 6.1, para 2.2.8)

“Housing of different types and tenures should be well-integrated with other uses, as part of a vibrant new quarter for London. There is scope to create contemporary housing that is characterised by high quality design incorporating sustainability in both construction and use. It is intended that housing, including affordable housing, be included in each major phase of the development. Proposals for affordable housing should avoid excessive concentrations, and should not create accommodation that is immediately identifiable as affordable housing.”
(para 2.9.1)

“Sustainable and successful high-density housing depends on a complex range of factors including location, management, mix, tenure, and the provision of community and public services and facilities.”
(para 2.9.8)

“High-density housing needs to be supported by a comprehensive range of supporting social amenities close by. These are discussed in other sections of the Brief. They may be provided within the Area and the Triangle or accessible to it” (para 2.9.11)

2.9 Officers of both Councils have had regard to these considerations. The Triangle Site is suitable for high density housing, as part of a comprehensive approach to the Opportunity Area and the submitted proposals include some D1 space. But the reality is that the bulk of the new provision for the Opportunity Area, for example the primary school and Children’s Centre, new leisure centre, sports hall and new PCT health facilities, would be within the Main Site. Officers’ sensible and pragmatic view, both in framing the Brief and then subsequently recommending in favour of the submitted proposals, was that such considerations should inform the housing contribution made by the Triangle Site.

2.10 Officers have also had regard to information and evidence submitted by the Appellants. The Appellants’ Regeneration Strategy (May 2004; CD1.15), submitted in support of the Main Site and Triangle Site applications, made a general case for a different balance between social housing and intermediate housing at section 5.4, starting on page 63:

“The scale of development, its unique location and its potential to make significant impacts across London make King’s Cross Central a dramatic opportunity to demonstrate the economic and social advantages of establishing a wide range of housing choice using an innovative mix of tenures and low cost options alongside new market housing. For this reason the applicants see significant regeneration advantages in a different ratio between social renting ‘intermediate’ and

key worker housing in the affordable housing contribution than the 15:35 targeted in Camden Council's adopted Unitary Development Plan. To put it simply, more intermediate housing and less social rented housing would strike a better balance between competing objectives, particularly at the higher levels of housing provision (beyond the initial 1,000 net identified in Camden Council's adopted Chapter 13 of the UDP)."

- 2.11 This argument was set out in more detail in the pages that followed (64-66). It notes that the housing market in the King's Cross area is bi-polar with a large proportion of low cost social housing interspersed with pockets of very high cost rented or owner occupied market housing. There is little housing available in between these two ends of the housing spectrum. This is a London wide issue, which results in polarised communities. Whilst there is a need for social housing in Kings Cross, the redevelopment presents an opportunity to address the problems associated with this polarised community by introducing intermediate housing. I share the view of the Regeneration Strategy which states:

"There is a danger that in significant quantities simply concentrating more social housing in an area already dominated by it, further disadvantage and polarisation could be brought to new and existing communities and further pressure added to services (a danger raised by the Association of London Government in its response to the EIP for the London Plan). The opportunity to maximise local and London-wide regeneration effects may therefore be lost, with the prospect of further negative socioeconomic issues being added."

- 2.12 The provision of intermediate housing at King's Cross, as part of such provision on the wider site will facilitate a number of important positive economic and social changes. It will create local 'ladder' of housing choice, offering a mix of affordable tenures, allowing residents in social housing stock to chose to move locally. It will encourage low and middle-income workers to move to jobs in Camden and Islington and other Central London locations. It will help public services to attract and retain staff. It will help stabilise transience in the local population by providing choice in the housing market, encouraging movement from inappropriate housing stock/tenure (freeing it up for others in need) and resulting in greater consistency in education, health care and other services. It will introduce a new fluidity that could stimulate the local (and wider) housing market as a whole.

- 2.12 This is the position of the Barker review, which points out that:

"the retention of more affluent households may help prevent further polarisation of the [social sector]" (Barker Review Interim Report – Analysis, HM Treasury 2004).

- 2.13 In addition, research for the Joseph Rowntree Foundation (Martin & Watkinson, Rebalancing communities by mixing tenures on social housing estates, JRF, 2003) found that initiatives that extended the mix of tenures and incomes on social housing estates have led to higher levels of tenant satisfaction and a better reputation for previously stigmatised neighbourhoods among outsiders. Where a greater proportion of affordable homes in mixed housing developments are in shared ownership the chances of successful open market housing and the prospects for sustainable communities developing have also been improved.
- 2.14 The Appellants' Environmental Statement, Part 12 (CD1.18) presented a related analysis at paras 12.4.25 – 12.4.26, 12.7.73 – 12.7.79 and 12.7.84 – 12.7.87. The key points are:
- Current housing choice in King's Cross tends to be bi-polar; a large proportion of low cost social housing, interspersed with pockets of high cost owner occupied and private rented accommodation;
 - The Central Impact Zone is currently dominated by social rented housing;
 - The final tenure balance in the proposed development is likely to influence the demographic, cultural and economic profile of the new residents;
 - There is a need for a greater mix of tenures and more affordable housing in the King's Cross area to provide greater choice for local residents, reduce pressure on local services and improve local socio-economic conditions;
 - Depending upon the tenure profile, the development could act as a catalyst for the creation of an intermediate market in its own right and help stabilise transience in the local population; and
 - This would also have benefits in rebalancing local communities – more intermediate housing would increase the chances of successful market housing and the prospects for sustainable communities.
- 2.15 The Mayor's Housing SPG, adopted in November 2005 (CD3.8), explained how a number of these issues – unit mix, density, the location of community facilities and existing socio-economic characteristics, in particular the existing proportion of social rented housing – could influence tenure mix on individual schemes. The SPG is a material consideration and it states that (paras 18.8 and 18.9):

“In determining the appropriate balance between social rented provision and intermediate provision on a specific site relative to the overall London-wide objective of achieving a ratio of 70% social rent to 30% intermediate, a borough should have regard to:

- Housing needs that could be met through the proposed development, taking into account the different priority given to different client groups.*
- The unit mix requirements for different affordable housing tenures. While for higher density schemes, a higher than norm proportion of intermediate provision, primarily comprising smaller dwellings, targeted at households without children, may be appropriate, social housing provision for households without children should also be considered. Higher density developments in town centre locations may not always be appropriate for households with children. Lower density schemes provide an opportunity to provide higher proportions of both social housing and intermediate family provision. However, housing requirements should generally determine mix, built form and density, not vice versa.*
- The site location in terms of community facilities. Sites with limited access to existing or planned schools will generally not be appropriate for significant proportions of family sized housing. On larger sites, new community facilities will need to be planned in accordance with London Plan Policies 3A.5 and 3A.15.*
- Access to centres of employment, including key worker employment locations may justify higher than norm proportions of intermediate provision. However access to employment is also important for households in social housing and good public transport access is not a justification for not providing any social housing within a scheme.*

Sites in areas with significantly above the London average proportion of existing social rented provision (25% as at 2005) may be appropriate for proportions of intermediate housing higher than the norm. This analysis should be undertaken at a neighbourhood level, not across the borough as a whole. Conversely, sites that are in areas of predominantly owner occupied housing may be appropriate for higher than norm proportions of social rented provision. New developments of 1,000 homes or more should be sufficiently large to achieve the norm social: intermediate balance irrespective of the existing tenure/affordability mix in neighbouring areas.”

2.16 The Mayor’s Housing SPG (CD3.8) advises that:

“The calculation is sometimes undertaken in terms of dwellings. However, there is generally a differential mix requirement for different types of provision – social housing, intermediate provision and market provision. Where the affordable housing categories involve dwellings with more habitable rooms per dwelling than market provision, or

different sizes of habitable rooms within different tenures, it is more appropriate for the calculation of the affordable housing proportion to be in terms of habitable rooms or floorspace. The affordable housing proportion should be calculated in relation to gross rather than net provision, except in relation to estate regeneration as set out in Section 9 below. In calculating the proportion of provision, which is affordable, live/work units should be treated as housing provision to which an affordable housing requirement should be applied.” (My emphasis) (para 18.10, CD 3.8)

- 2.17 Taken together, the Main Site and Triangle Site would deliver over 1,000 homes, with an overall tenure split of 74:26 on the basis of habitable rooms.
- 2.18 Officers from both Councils have consistently approached the housing issues on a scheme wide (Main Site plus Triangle Site) basis. The assessment has been based on the underlying fact that the development of the Triangle Site will not go ahead without the development of the Main Site. This is to ensure the necessary cross-site commitments, in particular the public transport infrastructure, are in place (CD4.5 para 1.7.2 and CD5.15 page 38). Accordingly, Camden’s position has been that ‘Triangle only’ figures are of limited significance: the key figure relates to affordable housing for the combined sites (CD4.5 para 1.9.60). Islington Officers have concurred (CD5.15, last para on page 42).
- 2.19 The GLA has similarly considered housing and regeneration across the King’s Cross scheme as a whole (CD3.5, CD3.6 and CD3.20).
- 2.20 The letter dated 9 March 2006 from Graham Loveland, Islington’s Assistant Director of Planning, submitted during the course of the Inquiry was written in the full knowledge of the overall tenure mix proposed, across King’s Cross Central, and how this would vary between the Main Site and the Triangle Site. If Islington Council considered then that the overall 74:26 (in favour of social rented) should be distributed differently, contrary to the discussions and negotiations that took place, then Mr Loveland would no doubt have mentioned this. Instead he stated, on behalf of the Council (the letter is copied to Executive Members):

“Islington is eager that the reserve(d) matters applications will fully realise the housing mix as identified....”

3. Informal agreement between Camden and Islington on economic appraisal (Adjournment Note point 2.2).

- 3.1 The Inspector has asked “whether there was ever any informal agreement between Camden and Islington to the effect that Camden would undertake economic appraisal for the two Authorities, or whether

Camden was expecting Islington to provide a “second opinion” of its own.”

3.2 Additionally, in the course of the Inquiry, there has been considerable discussion of the level of detail at which the DTZ report was carried out.

3.3 I address these two point as follows.

DTZ

3.4 In anticipation of the Argent planning application Camden decided to employ financial consultants for King's Cross Central in 2000. The Council was seeking advice on the overall viability of Argent's proposals to inform negotiations on the S106. Housing was just one element of a complex potential package of benefits that we expected to flow from the scheme. The selection process was on the basis of a competitive tender. A number of companies submitted tenders and DTZ were selected from a short list of three. Council valuers were involved in the selection process and worked with the King's Cross Team planners in the supervision of DTZ work.

3.5 Independently of this process Camden employed Stephen Joseph of HACAS (later Tribal Treasury Services) to assist and advise on negotiations on affordable housing. Stephen Joseph is an acknowledged expert in this field.

3.6 DTZ devised a discounted cash flow financial model. This is particularly appropriate with complex schemes carried out in phases over a long period. The Three Dragons Toolkit has been criticised because it is not a discounted cash flow and does not lend itself to such developments.

3.7 DTZ suggested that HACAS should model the housing inputs. They also suggested Scott Wilson provide inputs on construction costs.

3.8 The first versions of the model treated the Main Site and the Triangle as one. It was only when it became apparent that they were unlikely to be determined together that Camden asked DTZ to change the model to deal with the Main Site only.

3.7 The cost to the Council was considerable (in excess of £70,000 compared to the “toolkit” cd which is £220) and was partly justified on the basis that the model could be adapted for use on other sites in the area. Camden will continue to use the model to inform future discussions with Argent as the King's Cross development proceeds. For this reason DTZ recommended that the circulation of financial details in the model be restricted to key officers and members in the Council. Islington colleagues were aware of this and although they

attended general briefings and presentations they were not privy to the financial information or assumptions in the model.

- 3.8 DTZ are acknowledged experts in this field and were able to draw on their experience of the London and international property market. They employed other specialists to inform the work. The model was developed over a number of months, tested and revised as necessary. They produced a complex discounted cash flow model that could respond to changes in the market. The approach was rigorous and fit for purpose. Islington officers did not question this approach at any time and referred to this viability study in their written and oral reports to their committees.

Was the Appraisal Undertaken on Behalf of both Authorities

- 3.9 I have already explained that the DTZ model was funded by Camden, and that circulation of the financial details in the model was restricted to key officers and members in Camden. Nonetheless, the commissioning of the DTZ report needs to be understood against the background of joint working between the boroughs. From the outset there has always been close cooperative working between Camden and Islington at officer and political level on this project,
- 3.10 As indicated in my main proof, there was close joint working throughout, which included the sharing of information and resources, and joint decision making where possible. A desk was allocated to an Islington planning officer in Camden's Town Hall. The Leaders of both Authorities endorsed this approach at the beginning of the project. A tangible example of this joint working is the Planning and Development Brief adopted by the Councils in 2004. The March/April 2006 Triangle Committee report was drafted by planning officers from both boroughs as it was originally intended as a joint report, the common authorship is apparent from there being identical text (including typographical errors) in the two reports
- 3.11 Islington acknowledged that close co-operation within its letter to Camden of 9th March 2006 (letter from Graham Loveland, Assistant Director of Planning, submitted during the course of the Inquiry)

"...we look forward to continuing our close co-operation with Camden in the ongoing regeneration of King's Cross".

As late as June 2007 the senior managers were exchanging views about how a common planning permission could be issued. Regeneration and Housing officers from each borough continue to work together in this way.

- 3.12 Against this backdrop, there was always an understanding that Camden would undertake the economic appraisal for both Boroughs. As explained above DTZ were first appointed to carry out a financial appraisal of the combined Main and Triangle site. This approach was agreed and understood by officers in both boroughs. Camden had a much bigger King's Cross budget than Islington (not surprising considering that most of the Opportunity Area falls within Camden) and funded the greater part of all consultancy work. As I have already said, although Islington colleagues were not privy to the financial information in the model, they attended general briefings and presentations by DTZ. They accepted DTZ 's conclusions and incorporated these into their overall assessment. They were clearly satisfied with the arrangement.

4. Concrete Batching Plants:

The Inspector's note refers to "the existing concrete batching plants". It is assumed that this is a reference to:

- (1) The concrete batching plants at King's Cross Goods Yard, York Way, London N, which lies within Camden;
- (2) The CEMEX sited referred to by Mr Perrin. This lies within Islington.

Camden:

- 4.1 In 2004 separate permissions were granted for (1) the erection of a batching plant and aggregate storage building together with ancillary facilities and accommodation (Planning Ref: 2004/1304/P) and (2) for the erection of a modern concrete batching plant and associated ancillary facilities. (Planning Ref: 2004/0843/P). This plant was subject to the CTRL Act. Full planning permission was granted for both of the schemes and it is envisaged that they will remain in situ for the long-term. The plant is considered to be "state of the art" and its design took into account the proximity of existing and proposed residential development. Conditions were attached to both of the decision letters in order to mitigate against potential impacts.

Islington:

- 4.4 It should be noted that concrete batching plant (Cemex) is located in the borough of Islington. I understand that permission was granted via an appeal on 15th June 1961. It is therefore a longstanding permission. Camden and Islington environmental health officers took the existence of the plant into account when assessing the proposed residential use

of the Triangle site. Camden considers that the residential development proposed is of an appropriate distance away as not to experience any adverse impact and it is my understanding that Islington shares this view. The more significant source in relation to the Triangle development would be the ECML (East Coast Railway Corridor) that lies in between, which was definitely considered in the ES Volume 4, part 17 and Volume 6 part 26. Mitigation is proposed through consideration of the siting and orientation of accommodation, the provision of high standard acoustic glazing, vibration isolation at the foundations of buildings and the stiffening of floor spans, and an attenuated ventilation system for the residential accommodation, which will all be thoroughly considered at the detail design stage.

- 4.5 The Inspector may recall William Perrin's evidence relating to the Cemex plant and noise issue. I attach an extract from the Mr Perrin that was posted on the King's Cross Railway Land website in December 2006, which is relevant to the appeal (See Appendix 1). This is the most up to date information that I have been able to find. Islington Officers may be able to furnish you with details of the latest position.

5. A note on "Right to Buy HomeBuy".

- 5.1 Right to Buy Homebuy is a variant of the Government sponsored Homebuy scheme which the appellants devised at Camden request and supported by Islington. An issue that had arisen out of a series of public meetings with tenants in existing Camden housing estates was that a number of people aspired to right to buy their flats. There were however a number of concerns, their flat was the wrong size (generally too big), was in a run down block where there was a prospect of future high repair bills or they were concerned about the social mix in their estate (typically older couples who felt that child density was too great). Council officers believe that Right to Buy Homebuy offers an attractive option for such tenants with the added advantage to the Council that their existing social rented unit remains in the pool of Council housing stock.

APPENDIX 1

Noisy CEMEX concrete plant Rufford Street

CEMEX more progress



There has been a lot of work going on with CEMEX over the past couple of months to improve [their noisy behaviour](#) on Rufford Street. The Council noise officers convened a meeting between the CEMEX plant manager Paul Betts, Joanne Wilson of CEMEX environmental compliance, Rufford Street resident Stuart Cottis and I yesterday. CEMEX have already:

- replaced rollers on the squeaky conveyor
- replaced valves on the cement silo to deal with the [dust problem](#)
- stopped the [incredibly noisy tipping of aggregate](#) before 0830
- reduced [Saturday deliveries](#)
- stopped tipping lorries' engines from running when stationary
- handed over a contact number for the manager for local residents

They have also undertaken to do (amongst others)

- stop tipping lorries arriving before 0830 (hurrah)
- lag the inside of the aggregate silos to reduce the noise from aggregate tipping
- replace the broken curved acoustic shield to contain noise from waiting concrete mixers
- install a new acoustic shield next to the aggregate silos
- move the tipping lorry fleet over time to use white noise reversing beepers (the ones that sound like a croaky frog rather than a loud beeper)
- examine how to use [banksmen](#) to back the lorries up safely on the street
- tidy up the external appearance of the plant including a proper sign
- invest in community activities to help local youth
- notify us as they improve things so we can help judge what difference is made
- undertaken to preserve the horse chestnut trees that shield the plant
- buy rubber shovels to reduce the noise of clearing up spilt gravel (not a joke)

Overall we are pleased at what seems to be a substantial and well funded intent to improve the performance of the plant. Many of the problems are being blamed upon poor managment and low investment when RMC ran the plant. It has been a long haul over about six months to get to this point, but it is promising. Many of the things [on my list](#) are being done. However the community has to remain vigilant to ensure that this work is carried out. The Council noise officers have been exceptionally helpful throughout. Will continue to keep this up to date.

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