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Camden Council
Planning – Development Control
Camden Town Hall
London
WC1H 8ND

Our ref: NJB/MCA/U0023777

PP ref: PP-11986484

24 November 2023

Dear Sir or Madam,

Town and Country Planning Act 1990 (as amended)
Application for planning permission at Canal Reach, London, N1C 4BD

On behalf of our client, Urbanest UK Limited (“the Applicant”) we write to submit an application for a change of use at Canal Reach, London, N1C 4BD (“the Site”).

Planning permission is sought for the following:

“change of use from a café / restaurant use (Use Class E) to student amenity space (Sui Generis)”

The Site

The site relates to the development plot which forms part of ‘King’s Cross Central’, the former railway lands located north of King’s Cross Station. King’s Cross Central is bound to the east by King’s Cross Station and York Way. The 14-27 storey building provides student housing (657 bedrooms) and ancillary facilities with a ground floor unit used for retail purposes.

The ground floor unit has been occupied by Cut + Grind restaurant. However they have recently left the unit in April 2023 and it is now vacant.

The Policies map identifies the site as being within the King’s Cross Opportunity Area and Central London Area. The site is allocated as Site 1 in the Camden Site Allocations Plan (2013) for King’s Cross Growth Area. The Opportunity Area covers 54 hectares and is allocated for a comprehensive and phased mixed use development with a number of phases already built and occupied.

The site is not in a conservation area, with the nearest conservation area being Regents Canal conservation area to the south and west of the site.

Planning History

We have undertaken a review of the site's planning history using Camden Council's online planning register.

Outline permission (ref. 2004/2307/P) was granted in December 2006 for redevelopment of the former railway lands north of King's Cross Station to provide a phased mixed-use development including significant retail and office floorspace, 1700 residential units including 750 affordable residential units, and 650 student housing units. The outline permission set parameters for development which controlled matters such as the height, mass, floorspace and use, as well as an overall masterplan for access, layout and principal areas of public realm.

Urbanest's building relates to Development Zone T6 under Reserved Matters Application 2010/4468/P for "Erection of 14-27 storey building (67-105m AOD) with landscaped central courtyard fronting onto Canal Street to provide student housing (657 bedrooms and ancillary facilities) and a flexible Class A1/A3/A4 unit at ground floor level, 3 disabled car parking spaces, 337 cycle parking spaces and infrastructure and public realm works on York Way and Canal Street". This was approved in January 2011.

The ground floor level unit in this permission was granted for a 328sqm flexible retail/food and drink unit under Use Classes A1, A3 and A4.

Proposal

The proposals are to change the use of the unit from a café / restaurant use (Use Class E(b)) to student amenity space (Sui Generis).

As such planning permission is sought for the following:

"Change of use from a café / restaurant use (Use Class E) to student amenity space (Sui Generis)"

The unit with a floorspace of 275sqm is a vacant restaurant use (Use Class E(b)) with the aim to change the use to student amenity space (Sui Generis).

The space will provide a convenient location to provide additional space for students and encourages collaboration and interaction.

The hours will not be limited and as per other the other study/ common rooms in the student building, it will be open for students to use day and night. It will be access controlled with a fob for students and staff will oversee it as they do for all other common rooms in the building. There will be no impact on the surrounding area.

No external alterations are proposed as the proposals are only to change the use of the unit.

Planning Policy Context

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicated otherwise. Accordingly, the Development Plan is comprised of:

- The London Plan (March 2021); and
- Camden Local Plan (July 2017)

Planning Assessment

London Plan Policy H15 (purpose-built student accommodation) advises that purpose-built student accommodation should provide adequate functional living space and layout.

Camden Local Plan Policy G1 (Delivery and location of growth) seeks that development makes the best use of the site and takes into consideration its surroundings and amenity and resists development that makes inefficient use of Camden's limited land.

Local Plan Policy TC1 (Quality and Location of retail development) sets out that shopping and related uses are focused in designated growth areas and existing centres. The site is within the King's Cross Growth Area which seeks that 30,000 sqm net additional retail (A1 to A5 use classes) floorspace is created within the growth area.

Additionally Local Plan Policy TC4 (Town centre uses) advises that other town centre uses such as cafes and restaurants must not harm the character, function, vitality and viability of a centre or local area.

Local Plan Policy C1 (health and wellbeing) sets out that the council will promote vibrant and healthy communities by ensuring services that support health, social and cultural wellbeing.

Local Plan Policy C3 (Cultural and leisure facilities) states that new leisure facilities will be sought in mixed use development and will seek shared use or extended access for the community in appropriate developments. The council expects the site of new facilities to take into account its associated impacts.

Assessment

Although marketing or viability evidence is only required for applications involving the loss of community facilities, cultural and leisure facilities, pubs, shops and employment uses, the proposals are supported by a Marketing Report prepared by Etch.

Use Classes A1, A2 and A3 are now replaced with Use Class E and specifically the unit falls under Class E(b) for the sale of food and drink for consumption on premises. Although Local Plan Policy TC1 seeks additional retail floorspace in the King's Cross Growth Area, in which the site falls in, the Marketing Report highlights the difficulty in find a Class E(b) tenant for the unit, following the closure of Cut and Grind in April 2023. This report highlights the lack of interest for a restaurant or café use for the unit and concerns by potential tenants were made on the lack of footfall with a number of buildings in close proximity in construction and competition from businesses with the masterplan estate area. The report therefore illustrates that a retail use in this location of the growth area is not in demand.

The proposals for an alternative use as amenity space for students is considered appropriate and makes the best of use of the unit which has been vacant for a number of months and therefore complying with Local Plan Policy G1 in making the best use of the site.

The proposals will provide additional living space for the students within the building and is considered to significantly enhance the quality of life for the students residing in the accommodation, whilst also promoting student wellbeing. The unit is a convenient location to provide additional space for students and encourages collaboration and interaction.

The change of use would provide social collaboration for students and provides another common room for students to use. With University College London (UCL) students occupying the student bedrooms, dialogue with UCL have confirmed that the students would value additional amenity space on site and the corner unit at Canal Reach offers a perfect location to make use of a underutilised space.

The flexibility of an additional space helps to form a sense of community for students and has benefits in not only convenience in location but also in social interaction, lifestyle and wellbeing.

The proposed change of use is therefore supported by policy, with London Plan Policy H15 seeking purpose built student accommodation provides adequate functional living space and Local Plan policies C1 and C3 supporting services that promote health and wellbeing and cultural and leisure facilities.

Overall it is considered that the proposals are supported by the policies in both the London Plan and Camden Local Plan.

Application Documents

In support of this application, we enclose the following supporting documents:

- Completed Application Form and certificates, prepared by Gerald Eve LLP;
- Covering Letter prepared by Gerald Eve LLP;
- Site Location Plan, prepared by Glenn Howells Architects;
- Existing Floorplan, prepared by Glenn Howells Architects; and
- Marketing Report, prepared by Etch.

An application fee of £462 (and an additional £64 service charge) has been paid separately.

We trust that we have provided all of the material required for the purposed of validation and therefore await confirmation of the registration and validation of this application shortly. Should you have any queries or require further information, please contact either Nick Brindley [REDACTED] or Max Cartwright [REDACTED]

Yours faithfully,

Gerald Eve LLP.

Gerald Eve LLP
[REDACTED]