

Application ref: 2023/3315/P  
Contact: Edward Hodgson  
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Date: 6 February 2024

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Gerald Eve LLP  
One Fitzroy  
6 Mortimer Street  
W1T 3JJ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Urbanest House**  
**Canal Reach**  
**London**  
**N1C 4BD**

Proposal:

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

Drawing Nos:

Site Location A-L-013, A-L-170\_01, A-L-170\_02, Covering Letter (Gerald Eve dated 24/11/2023), Market/planning Report (Etch, dated 25/07/2023), Marketing Statement (Belcor, dated 18/01/2024)

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location A-L-013, A-L-170\_01, A-L-170\_02, Covering Letter (Gerald Eve dated 24/11/2023), Market/planning Report (Etch, dated 25/07/2023), Marketing Statement (Belcor, dated 18/01/2024)

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

- 3 The ground floor space hereby approved shall be used in a way so as to maintain an active frontage along the street, and allow visibility into the premises from the street.

Reason: To safeguard the appearance and character of the immediate area in accordance with the requirements of Policy D1 of the London Borough of Camden Local Plan 2017

#### Informative(s):

- 1 Reasons for granting permission:

The proposal involves the change of use of the ground floor unit from a restaurant/café (Class E) to ancillary student space (Sui Generis). The upper levels of the building are in use as student accommodation.

Since building completion in 2013, the unit has had a number of different occupiers, many of which have struggled to operate viably even when rents have been significantly reduced. The unit has been vacant since April 2023, and marketing has been undertaken since then; however, no new occupiers could be found. Although there was some initial interest, there was no follow up from potential occupiers given the siting of the unit away from transport connections and the commercial centre of Kings Cross to the south.

Policy E2 of the Local Plan states that the loss of business premises is only acceptable when the site is no longer suitable for its existing business use, and the possibility of retaining, reusing or redeveloping the site has been explored. Given the unit has had a number of occupiers over a 10-year period and has been vacant for nearly a year with no follow up interest even with reduced rents, it is considered that the unit would not be suitable for continued business use. The submitted marketing evidence is considered sufficient to demonstrate that retaining or reusing the site would not be possible and thus the loss of Class E is considered acceptable in this specific instance and location.

Policy C2 of the Local Plan supports the investment of educational bodies to expand and enhance their operations. The space would be used as a gym and general amenity space for students thereby offering greater benefits to the students occupying the rest of the building.

No external alterations are proposed, and the unit would continue to be used in an active way which is supported. A condition is attached to ensure that the active use of the space is maintained in perpetuity.

The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1, E2 and C2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope  
Chief Planning Officer