

Application ref: 2024/0625/P  
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Date: 1 May 2024

**Development Management**  
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Argent LLP  
4 Stable Street  
London  
N1C 4AB

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:

**Building S4  
King's Cross Central  
York Way  
London**

Proposal:

Variation of condition 4 (hours of opening) of reserved matters 2020/5885/P dated 10/03/2021 (for: Reserved matters relating to Building S4 for the erection of a 13 storey building above ground floor to provide 176 residential homes comprising 120 market and 56 social rented units with associated public realm works, 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 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) namely, to change the hours of opening on Fridays and Saturdays

Drawing Nos:

AAMXXX\_07\_100 P2, Cover Letter (dated 16/02/2024)

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 shall be carried out in accordance with the

following approved plans:

19075\_07\_001 P1, 19075\_07\_002 P1, 19075\_07\_099 P1, 19075\_07\_100 P1, 19075\_07\_101 1st Floor P1, 19075\_07\_102 P1, 19075\_07\_103 P1, 19075\_07\_104 P1, 19075\_07\_105 P1, 19075\_07\_106 P1, 19075\_07\_107 P1, 19075\_07\_108 P1, 19075\_07\_109 P1, 19075\_07\_110 P1, 19075\_07\_111 P1, 19075\_07\_112 P1, 19075\_07\_113 P1, 19075\_07\_114 P1, 19075\_07\_200 P1, 19075\_07\_201 P1, 19075\_07\_202 P1, 19075\_07\_203 P1, 19075\_07\_204 P1, 19075\_07\_300 P1, 19075\_07\_301 P1, 19075\_07\_302 P1, 19075\_21\_500 P1, 19075\_21\_501 P1, 19075\_21\_502 P1, 19075\_21\_503 P1, 19075\_21\_504 P1, 19075\_21\_505 P1, 19075\_21\_506 P1, 19075\_21\_507 P1, 19075\_21\_508 Duplex 3B Elevations - Bay Studies, AAMXXX\_07\_100 P2

All Clear Designs Access and Inclusivity Statement November 2020, Hoare Lea Daylight and Sunlight Report December 2020, Environmental Sustainability Plan December 2020, Ramboll Earthworks and Remediation Plan December 2020, Urban Design Report December 2020, Compliance Report October 2020, Proposed Residential Accommodation December 2020, Written Scheme of Investigation for an Archaeological Watching Brief December 2020, Cover Letter (16/02/2024, prepared by Argent)

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; and

(d) Details of lighting within the public realm, to include location, design, specification, fittings and fixtures;

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 The ground floor commercial units if used for Class A3, A4, or A5 purposes as defined by the Town & Country Planning Use Classes (Amendment) Order 2005 shall not be open for use by visiting members of the public outside the hours of 07:30 - 23:30, except for on Friday and Saturday, when the units shall not be open for use by visiting members of the public outside the hours of 07:30 - 00:00

Reason: To safeguard the amenities of the adjacent residential occupiers of the premises and the area generally in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017

#### Informative(s):

- 1 Reasons for granting:

Application 2020/5885/P granted reserved matters for Building S4 within the Kings Cross Central development. Condition 4 of this permission limits the hours of opening of the commercial units at ground floor to 07:30-23:30 every day. This current variation of condition application seeks to amend the hours of opening condition to enable the commercial units to stay open for half an hour later on Fridays and Saturdays. This is considered to be a minor alteration that would not significantly impact on surrounding neighbouring occupiers, given the increase is only for 30 minutes and would occur on weekends only.

The reason for the condition was to safeguard the amenity of the adjoining premises and the area generally, and it is considered that limited increase in weekend opening hours would not introduce significant amenity concerns or undue disturbance to neighbouring residents.

No other amendments are proposed and there would therefore be no impact on the character and appearance of the building or the streetscene

No objections were received prior to the determination of this application. 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 D1, D2, A1 and A4 of the Camden Local Plan 2017. The proposed development also accords with the Publication London Plan 2021 and the National Planning Policy Framework 2023.

- 2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, and conditions as attached to the previous planning permission.

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 2021.

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