

F.A.O Jennifer Walsh
Camden Council
Development Management
2nd Floor
5 Pancras Square
N1C 4AG

14 Regent's Wharf
All Saints Street
London N1 9RL

020 7837 4477
london@nlplanning.com

nlplanning.com

Date 28 May 2015
Our ref 14547/SSL/9011408v1
Your ref

Dear Jennifer

LB Camden: Unit 2, Building J (Arthouse), 1 York Way, Kings Cross Central, N1C 4AS

Change of use, at ground floor level, of vacant Unit 2 (Flexible Uses A1-A5, B1 or D1) to a Yoga and Fitness Studio (Use class D2).

Nathaniel Lichfield & Partners (NLP) acts on behalf of King's Cross Central General Partner Ltd (KCCGPL), in respect of its interests at the above site. KCCGPL brings together the project investors who made the original outline planning application for the King's Cross Central development, namely Argent (King's Cross) Ltd, Exel Plc and London and Continental Railways Ltd. On KCCGPL's behalf, we enclose an application for the change of use of Unit 2 of Building J.

The application which comprises the following documents was submitted via the Planning Portal (PP-04200172) on 28 May 2015:

- 1 Planning application forms (signed and dated);
- 2 Completed Certificate A and Agriculture Holdings Certificate;
- 3 CIL Additional Information Requirement Form;
- 4 Site Location Plan (Ref: KXC-LELI-DEPL-05-A-P01.1) prepared by KCCGPL;
- 5 Block Plan (Ref: KXC-LELI-DEPL-05-A-P01) prepared by KCCGPL;
- 6 Existing Floorplan (Ref: COM2) prepared by Weedon Partnership Architects; and,
- 7 Proposed Floorplan (MW_023.2_D_201) prepared by Matheson Whiteley.

A cheque for £385 to cover the application fee will be forwarded on to the Council following the submission of the application via the Planning Portal.



Site Context

The plot for Building J is located within Development Zone J in the north eastern part of the Kings Cross Central development. It is bound to the south by the Regents Canal, its towpath and Wharf Road, a pedestrianised and controlled vehicular route. A Reserved Matters submission for Building J was previously approved by London Borough of Camden (LB Camden) in March 2011 (with reference 2010/6688/P) for:

“...the erection of a part 7, part 8 storey building within Development Zone J to be used for residential purposes from first to seventh floor (total of 143 units including 29 general needs social rented) with 37 car parking spaces, 143 cycle parking spaces, plant and refuse storage at basement level and mixed commercial (Business and Employment - Class B1, Class D1, and shopping/food and drink uses - Classes A1-A5) at ground floor level, together with adjacent public realm and new road junction.”

The officer's report confirmed that the proposals accorded with the parameters set by the Outline Permission in relation to issues such as land use, floorspace, height, mass and levels, landscaping and access and circulation. With particular reference to the Ground Floor units the report notes that:

“The ground floor of the building incorporates four commercial units which are designated for a mix of retail/food and drink uses (Classes A1-A5), offices (Class B1) and/or non-residential institutions (Class D1). The two larger units (units 1 and 2), which face onto York Way also have frontages onto Wharf Road and Goods Street (east) and could be further sub-divided depending on the requirements of individual tenants. The southernmost unit will open out onto a terrace overlooking Wharf Road and the Canal. The remaining two units (units 3 and 4) are smaller and face onto Handyside Park. There are two commercial refuse stores both at ground floor level, one is positioned on the west elevation next to unit 3 and one within unit 1.”

As the committee report notes, the Ground Floor units of Building J were designed to provide a flexible mix of uses in order to incorporate a range of potential tenants.

Proposal

Unit 2 is currently vacant. In order to bring this unit into active use, this application proposes the change of use of Unit 2 from the existing range of flexible uses, as outlined above, to D2 use for the operation of the unit as a Yoga and Fitness Studio.

The unit is intended to become a fitness studio for Yoga, Pilates and fitness classes. The use will include an ancillary smoothie bar and retail offer within the demise. It is understood that the prospective operator will offer 30, 45 and 60 minute classes alongside private training sessions throughout the day from 6.30am to 9.30pm generating up to 200 customers daily.

No external changes are proposed as part of this application.

The change of use of this unit has been the subject of an informal pre-application discussion with Ms J Walsh (LB Camden) who advised that a planning application would be required to enable it.

Assessment of the Scheme

The relevant planning policy framework for the application site comprises the Further Alterations to the London Plan (2015) the LBC Core Strategy (2010), Development Policies (2010), Site Allocations DPD (2013) and Proposals Map (2014).



Change of Use

Whilst not specifically identifying D2 uses for this building, the original reserved matters approval for Building J established a range of flexible uses for the Ground Floor units to enable a variety of future tenants to be able to utilise the spaces. On this basis, it is considered that the change of use of the unit to a Yoga and Fitness Studio (D2) would be in keeping with the purpose of the original allocation of uses – i.e. to allow a range of tenants to utilise the spaces.

Given that Unit 2 has yet to be occupied following the completion of Building J, and as such has not officially “adopted” one of the flexible uses consented for it, there will be no loss of an existing use or facility as a result of the proposals.

Policy CS7 and supporting text confirms that LBC will focus new shopping and other related town centre uses in Camden’s designated Growth Areas and existing centres such as the King’s Cross Opportunity Area. Given that the site is not located within a Central London or Town Centre Frontage the change of use of the Unit to another town centre use – leisure (D2) is considered appropriate and also in keeping with Policy DP12. Further, it is considered that a yoga studio will add to the existing mix of uses and amenity facilities for residents and visitors to the site and wider King’s Cross area.

The change of use of Unit 2 is also supported by Policy CS10 which states that the Council will seek to ensure that a wide range of services and facilities to meet community needs are provided in the borough – making specific reference to the need for leisure facilities. Policy DP15 further supports this and requires that new leisure facilities are located close or accessible to the community they serve and to be accessible by a range of transport modes. The location of the site, both within the existing and future community in the Kings Cross Central development and in close proximity to Kings Cross Station, satisfies these criteria.

Design

No external changes are proposed to the appearance of Unit 2 as a result of this application and, as such, there would be no adverse impact on the surrounding area. The proposals would bring into use a vacant unit and, as such, would enhance the active frontage of Building J onto York Way and create a positive and engaging pedestrian environment in line with Policy DP12 and DP24.

Servicing, Refuse and Recycling

The servicing of the Unit and refuse and recycling arrangements will remain as consented by the reserved matters approval.

Parking

No car parking to serve the unit was approved or is proposed. Cycle parking would be unaltered from the original reserved matters approval, which included the provision of 143 cycle parking spaces within the basement. An additional 30 cycle parking spaces were provided in the public realm on York Way and Goods Street. 15 of these cycle parking spaces are needed to provide for those people visiting the residents on the upper floors. This leaves 15 further spaces to provide for staff and visitors to the commercial units at ground floor level. Irrespective of the ground floor uses there will always be a requirement for 6 cycle parking spaces for staff. In terms of visitors this could range from 2 to 6 spaces.



On the basis of a worst case scenario, there would need to be 12 cycle parking spaces to accommodate staff and visitors to the commercial premises and this requirement is exceeded. The reserved matters proposals were considered to be consistent with the cycle parking standards set out in appendix 2 of the LDF (2010) and this application does not impact that.

Access

Access to Unit 2 would remain as consented by the reserved matters. All entrances to the building have a level threshold with solid entrance matting and will be clearly recognisable as entrances as a result of their form. All glazed doors and screens will include visual manifestations in line with the guidance in Part M of the Building Regulations. Fire exits will also have level access and openings designed in accordance with Part M.

Summary

It is proposed that the currently vacant Unit 2 would be brought into an active use as a Yoga and Fitness Studio which would serve both existing and future residents of the Kings Cross Central development and other people who live and work in Camden. As such, the proposals are considered to be compliant with prevailing planning policy. The change of use proposed offers little in the way of alteration to the reserved matters permission for Building J as the Council regards a D2 use as a suitable town centre use, along with A1-A5.

We trust that you have sufficient information to enable you to determine the applications and we look forward to confirmation of registration in due course. Should you have any questions during the determination period, please do not hesitate to contact either me or my colleague Daniel Di-Lieto at this office.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Simon Slatford'.

SS **Simon Slatford**
Senior Director

Copy