

Mr P Marfleet
Development Management
London Borough of Camden
5 Pancras Square,
London,
N1C 4AG

Date: 1 September 2017
Our ref: 15924/SSL/SWk/14500959v12
Your ref: PP -06246692

Dear Patrick,

Units 2-4, 4 Pancras Square (Building B5), Goods Way (west), King's Cross Central, London N1C 4AG: Application for proposed use of Units 2-4 (A3/A4/D2 Use) and minor external alterations to access doors.

Lichfields act on behalf of King's Cross Central General Partner Limited (KCCGPL), a project investor in the original outline planning application for the King's Cross Central (KXC) development. On behalf of KCCGPL, we enclose an application for use of existing retail space (Class A1- A5) as composite A3/A4/D2 use, and alterations to the location of doors, at Units 2-4, 4 Pancras Square on Goods Way, located within Development Zone B, KXC.

This application submission comprises the following:

- 1 Completed Application Form and Certificates, duly signed and dated;
- 2 CIL Additional Questions Form;
- 3 Site Location Plan; and
- 4 Architectural Drawings – Existing and Proposed Floorplans and Elevations (see appendix 1 for full list)

A cheque for the application fee of £385 made payable to London Borough of Camden, has been submitted under separate cover.

Please also accept this letter in support of the application.

Background to the Proposals

Outline planning permission (reference 2004/2307/P) for a comprehensive mixed-use development at KXC was granted in December 2006.

A Reserved Matters application was approved for Building B5 (also known as 4 Pancras Square) in Development Zone B, for the erection of an 11-storey (plus lower ground and basement levels) office building, with flexible A1-A5 Use at ground floor and lower floor levels, and landscaping (ref. 2014/6968/P).

Minor amendments were approved in November 2015 (ref: 2015/5234/P). These amendments included a reduction in the amount of retail at lower ground floor by 42sqm (GEA), increase in B1 on first floor by 87sqm (GEA), and the change of use of south western and central eastern units from A1-A5 to flexible B1/A1-A5.

In March 2017, a full planning application (ref.2017/0591/P) was approved for the creation of additional retail space (Use Classes A1-A5) within the north-eastern corner of the existing upper basement and the creation of ancillary storage space at upper basement level in the B5/B6 Finger, for use in association with the north-eastern ground floor unit; the creation of the new fire escape corridor in the B5/B6 Finger at lower and upper basement levels; and the creation of new landlord storage space within the B5/B6 finger at lower basement level.

The B5 basement connects to and is serviced by a large, shared basement beneath Development Zone B, with access off Pancras Road. At Upper and Lower Basement Levels there is an area between building B5 and the adjacent B6, known as the 'B5/B6 finger', which was included as Enabling Works in the Reserved Matters approval for Building B6 (ref: 2014/4125/P). A planning application for the creation of additional retail space and ancillary storage space within the existing basement of Building B6, as well as provision for a fire escape corridor connecting from B5 was approved in January 2017 (ref: 2016/6537/P).

Building B5 has been constructed but is currently unoccupied. The office element on upper floors has been let to Universal Music.

This planning application only relates to retail units 2-4 and the associated area of floorspace on the Ground Floor, Upper Basement & Lower Ground Floor and Lower Basement level of Building B5. Please refer to the Site Location Plan for the extent of the redline boundary for this application (Site Location Plan plan ref: 1718_PL_001_D).

The Proposals

This application seeks permission for the composite use of Units 2-4 as a bar/restaurant and live music venue (Use Classes A3, A4 and D2). Use Classes A3 and A4 are already permitted within Building B5 by the KXC Outline Planning Permission, however it is now proposed to introduce 538sqm (GEA) of D2 use on the Upper Basement (Plan ref: 1718_PL_113_G) (*note: this will result in a reduction of 538sqm of approved A1-A5 use*).

The internal works proposed by the occupier include the insertion of a mezzanine floor at the Upper Basement Level which will be used for seating and dining (A3 /A4 use), as well as mezzanine space for storage of plant, services and goods. The total of the mezzanine floorspace in Building B5 will be 527sqm (GEA). However, these are internal works that do not require planning permission. Nevertheless, they are detailed on the proposed plans for completeness.

The proposed removal of the two external doors (one on the north elevation and one of the east elevation) has been informed by how the occupier will use the unit. Proposed Ground Floor Plan 1718_PL_111_F, Proposed North Elevation 1718_PL_210_C, and Proposed East Elevation 1718-PL_211_C show the proposed changes to the doors, which will maintain the approved design and materiality. No other proposed alterations will impact on the external appearance of the building as they will not be visible.

Aside from the alterations to the two access doors on the ground floor (as described above), access would remain as existing, with a new fire escape exit route to run through the existing Landlord Storage Area (see Existing Lower Basement Plan 1718-PL_012_D and Proposed Lower Basement Plan 1718_PL_114A). The new fire escape route, as detailed on the submitted plans, has been created to conform with fire regulations. Approval for the connection with Building B6 was granted January 2017 (Ref: 2016/6537/P).

The plans also note a number of internal alterations within the Lower Basement and Upper Basement levels. At Lower Basement Level (see plans Existing Lower Basement Plan 1718-PL_012_D and Proposed Lower Basement Plan 1718_PL_114A) the existing landlord storage area will be altered to accommodate the fire escape route (68 sqm), and split the landlord storage space into a Mechanical Equipment Room (MER)

(95sqm GEA) and landlord storage /plant room (64sqm (GEA)). The latter two spaces will remain within Class B8, so the landlord storage space (class B8) would only decrease by 68sqm. In addition, the retail storage area to the north-east corner of the Upper Basement Level is proposed to change from retail storage to plant, to service the units 2-4.

Servicing to Units 2-4 will remain via the basement, with no additional servicing required at ground level, or via the public realm. The proposed development will not result in a change to the external levels, or external landscaping.

The intention of the above proposal is to accommodate a high quality prospective tenant, which would make a strong contribution to the character of King's Cross Central, by creating an attractive and high quality food/drink and live music venue. The application also details internal alterations and minor external alterations to access doors, in order to accommodate the proposed occupier.

The principle and quantum of use is addressed in the 'policy considerations' section below.

Pre-Application

Pre-application advice was sought from Camden Officers on 24 July 2017. Officers confirmed the proposed use and amendments to Building B5 would need to be sought via a full planning application. Officers confirmed that the live music use in the basement area would fall under Use Class D2. It was agreed that the quantum of change of use to D2 would fall within the parameters and principles as set by the KXC Outline Planning Permission. It was discussed that the use of the site for live music would be in keeping with the surrounding uses and the envisaged use of St Pancras Square, subject to the submission of a planning application and all required information.

Policy considerations

The proposals are consistent with the relevant planning policies in LB Camden's Core Strategy (November 2010), in particular:

- CS1 (Distribution of Growth);
- CS2 (Growth Areas);
- CS7 (Promoting Camden's Centres and Shops);
- CS8 (Promoting a Successful and Inclusive Camden Economy); and
- CS9 (Achieving a Successful Central London).

The proposals also accord with the following relevant policies of LB Camden's Development Policies Document (November 2010):

- DP1 (Mixed Use Development).;
- DP12 (Supporting Strong Centres and Managing the Impact of Food, Drink and Entertainment Uses); and
- DO13 (Employment Premises and Sites)

Principle of use

The application is for a full planning permission which sits outside the KXC Outline Planning Permission. However, the uses and floorspace envisaged under the Outline Planning Permission are a relevant planning consideration.

The principle of Use Class D2 floorspace within Zone B has been accepted through the KXC Outline Planning Permission (ref: 2004/2307/P). Annex B of the Outline Planning Permission details the quantum of D2 floorspace that can be applied for South of the Regents Canal is 4,455sqm GEA, while the maximum amount of D2 floorspace within Zone B is 3,750sqm. To date 2,906sqm of D2 use has been approved South of Regents Canal, all of which falls within Zone B. This application proposes an additional 538sqm of D2 floorspace within Building B5, units 2-4. This would make the total floorspace within Zone B and South of Regents Canal 3,471sqm which falls within the maximum permitted by the Outline Planning Permission as set out above. The proposed uses (A3/A4 and D2) fall within the uses permitted for the development zone and therefore within the principles for use within the outline planning permission.

The principle of creating up to 5,350sqm of Class A1-A5 floorspace within Zone B has already been accepted in the KXC Outline Planning Permission (ref: 2004/2307/P). The principle of creating 1,340sqm of Class A1-A5 floorspace within Building B5 has been approved through the Reserved Matters Application (ref.2014/6968/P), as amended (ref: 2015/5234/P). This application proposes a composite use of Units 2-4 for A3/A4/D2 Use consisting of 802 sqm GEA of A3/A4 Use and 538sqm GEA of D2 Use.

The aspiration for the ground floor units facing Pancras Square within Development Zone B continues to be for predominant retail, and food and drink uses. Accordingly, the offer put forward by the proposed tenant, would bring vitality and a unique dining offer to this area of King's Cross Central and is in keeping with the already thriving and successful emerging atmosphere around the King's Cross Central estate in line with Policies CS1 and CS2 of the Core Strategy which seek growth towards King's Cross as part of an extensive regeneration of this area. The basement area will be sound insulated to mitigate against the potential of sound leakage (covered in summary below and in detail within the submitted Acoustics Report)

In view of the above, we consider the proposal for the composite A3-A4 and addition of D2 use to be acceptable in principle.

Potential Cumulative Effect

In respect of Development Zone B, three previous applications for Class A1-A5 floorspace within basement areas in addition to the Outline Planning Permission have been granted to date. This application does not seek to increase the basement floorspace. This application looks to realign 538sqm of basement floorspace from A1-A5 use to D2 use (538sqm), and realign some of the internal storage/plant area, as discussed in detail above. Accordingly the overall use of Building B5 will be as follows:

Approved per RM (2014/6968/P) and ma. (2015/5234/P)

Approved per FPP (2017/0591/P)

This application

Overall

	A1-A5 (Retail)	D2 (Assembly and Leisure)	B1 (Office)	Flexible B1/A1-A5	Shared Circulation Space	B8 Storage	Total Planning GEA
Approved per RM (2014/6968/P) and ma. (2015/5234/P)	892		20,267	448	289	0	21,896
Approved per FPP (2017/0591/P)	192		0	0	0	223	415
This application	-538	+538	-	-	68	-68	0
Overall	546	538	20,267	448	357	155	22,311

Effect on Local Amenity

Policy DP26 of Camden's development polices seeks to manage the impact of development on occupiers and neighbours. Since there are no residential uses within the Development Zone B or the surrounding area, and the proposed extension is below ground level, the proposal would have no impact on local residential amenity.

Policy DP12 of the Development policies document and Camden Planning Guidance 5 both seek to manage the impact of town centre use, particularly in relation to food and entertainment establishments. The proposed use of the site will not impact on pedestrian movement.

In addition the submitted Noise and Vibration Report demonstrates that adequate sound and vibration proofing will be provided. The basement of Building B5 will be acoustically insulated from the existing shell and the ventilation plant has been selected for quiet operation. As such, the proposed design should enable compliance with all of Camden's noise guidelines relevant to development (Statement of Licensing Policy 2011).

Opening times are proposed to be 8am to 1pm Monday to Thursday, 8am to 3am Friday, 9am to 3am Saturday, and 9am to 1pm on Sunday. In view of the above, it is considered the proposed alterations to the site, including the introduction of the D2 use, would be acceptable and any potential impacts resulting from noise leakage will be adequately mitigated.

Cycle Parking

Building B5 provides a total of 186 cycle spaces (at upper basement level) for staff and visitors to the offices, and a further 24 spaces are provided within the public realm for staff and visitors to the B5 retail units.

When considered against the total floorspace approved for B5, the number of staff and visitor spaces far exceed the 100 spaces required by the Unitary Development Plan standards referred to in Condition 51 of the KXC Outline Planning Permission.

The proposed 538sqm (GEA) of D2 floorspace equates to an extra requirement of 2 cycle spaces (i.e. 1 space for staff and 1 space for customers per 500sqm for D2 uses). The staff and visitor parking provided therefore still exceeds the overall requirement of 102 spaces.

Camden Development Policies outlines parking standards in Appendix 2. This requires a maximum of one disabled space per 500sqm, or part thereof, for D2 use classes for people with disabilities. It is not considered necessary to provide any additional parking spaces above and beyond the approved quantum as the site is located in a highly accessible area with easy access to the Tube, buses and trains.

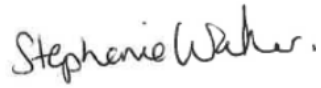
Conclusion

This application seeks approval for the composite use of Building B5 (Units 2-4), as indicated on the location plan, for the approved A3-A4 Use Class, as well as a D2 Use Class (live music); the application also includes the removal of two access doors (on the north elevation and one on the east elevation). Internal alterations are proposed through the addition of mezzanine floors and relocation of internal space/internal wall partitions, which do not require planning permission, and consequently do not form part of this application.

The proposed composite use of the retail unit within the building (A3/A4/D2) and minor external alterations to access doors would make a valuable contribution to the on-going regeneration of King's Cross by accommodating a live music and bar/restaurant venue, introducing a unique dining experience in this part of the King's Cross development. Through controlled hours of use and sound insulation, it is considered that the proposed use would not cause harm to surrounding uses.

We trust that you have sufficient information to validate and determine the application and shall contact you shortly to confirm this. If you have any queries in the meantime please do not hesitate to contact me or my colleague Marie-Claire Marsh at this office.

Yours sincerely

A handwritten signature in black ink that reads "Stephanie Walker." The signature is written in a cursive, flowing style.

Stephanie Walker

Planner

Appendix 1 – submitted documentation

The following documentation is submitted on behalf of the developer to support this application:

Document title	Plan Number	Prepared by
Site Location Plan	1718_PL_001_D	DGA Architects
Existing Ground Floor	1718_PL_011_D	DGA Architects
Existing Upper Basement	1718_PL_013_B	DGA Architects
Existing Lower Basement	1718_PL_012_D	DGA Architects
Existing North Elevation	1718_PL_200_C	DGA Architects
Existing East Elevation	1718_PL_201_B	DGA Architects
Proposed Ground Floor Plan	1718_PL_111_F	DGA Architects
Proposed Upper Basement	1718_PL_113_G	DGA Architects
Proposed Lower Basement Plan	1718_PL_114_A	DGA Architects
Proposed North Elevation	1718_PL_210_B	DGA Architects
Proposed East Elevation	1718_PL_211_C	DGA Architects
Acoustic Report	-	Anderson Acoustics