

Seonaid Carr
Regeneration and Planning
London Borough of Camden
5, Pancras Square
N1C 4AG
London

28 June 2018

Dear Seonaid,

Application for the amendment of Condition 1 of the Outline Planning Permission 2016/0996/P for Unit 2, Building P1, Handyside Street, King's Cross Central, N1C 4UR

On behalf of King's Cross Central General Partner Limited (hereafter referred to as the 'Applicant') please find enclosed an application under s.73 of the Town and country Planning Act 1990, for a Minor Material Amendment to planning permission 2016/0996/P, dated 20th April 2016.

This application seeks consent for the variation of Condition 1.

Application background

Consent was granted in April 2016 (2016/0996/P) for the following development:

"Temporary change of use for two years from flexible A1-A3, A5 to D2 for use as a cinema"

This permission sought to temporarily change the use of the premises for a period of two years from a flexible Class A1-A3 and A5 to a Class D2 for use as a cinema (Everyman Cinema), for a period of two years.

The site to which this application relates is located within the King's Cross Central ('KXC') development area which received Outline Planning Permission in December 2006 (2004/2307/P). Reserved Matters Approval was granted for the development of Building P1 for a mixed-use building; usages included offices, a school, retail and residential units. A temporary unit was considered to be an appropriate use of space to facilitate the delivery of the wider development, and to ensure the generation of activity ahead of the completion of works.

Following the completion of Building P1, the north west of KXC has not been sufficiently developed for the applicant to be content with the underlying A1-A3 and A5 use of Unit 2. It is therefore proposed to keep the temporary use for an additional three years, requiring an extension to the current temporary planning permission (2016/0996/P). An extension to this planning permission was discussed with London Borough of Camden ('LBC') planning officers, the method agreed being a s.73 (Town and Country Planning Act 1990) application.

Proposed Amendment to Condition 1

This application seeks to vary the wording of Condition 1 to extend the period of time for which these units can be used. Condition 1 currently states:

"The use hereby permitted is for a temporary period only and shall cease on or before 30 November 2018 or 2 years following first occupation of the unit, whichever is sooner, at which time the premises shall revert to their former lawful use of flexible A1-A3 and A5."

We would request that the wording of Condition 1 be varied to state the following:

"The use hereby permitted is for a temporary period only and shall cease on or before 31 December 2021, at which time the premises shall revert to their former lawful use of flexible A1-A3 and A5."

The long term aspiration for the unit is the delivery of the appropriate retail use; hence we are requesting a further extension in the time period the unit can be used for D2 Cinema Use, until the use is more certain.

We have considered the proposal against LBC's Local Plan (2017), which superseded the previous policy documents; the Core Strategy and the Development Plan.

Firstly, it is considered that the continued activation of the temporary use of Unit 2 as a class D2 cinema will fulfil Policy TC2 (Camden's Centres and Other Shopping Centres). In particular, paragraph 9.16 of the supporting text for TC2 supports "change from A1 retail or A2 financial services to D2 assembly and leisure uses". Essentially, this means that the policy will be achieved through the change of usage from a retail unit to a D2 leisure facility. Principally, the continued use of Unit 2 as a temporary D2 cinema will ensure that it is contributing to the delivery of an appropriate and interesting Central Activity Area.

The temporary use of this unit for class D2 cinema use also supports the aspirations of Policy C3 (Cultural and Leisure Facilities) which outlines the Council's vision for more cultural and characterful places. It is considered that the continued temporary use of Unit 2 will continue to deliver culture and leisure within KXC.

The proposals do not include changes to the layout, floorspace or access arrangements.

Summary

We consider that the proposed amendments are minor in nature and would not hinder the overall development and delivery of the King's Cross Central development, rather the continued use of the unit would continue to activate and support this delivery by providing high quality class D2 cinema in the interim. The proposed extension of time does not require any amendments to the layout, access or use of the unit.

Please find enclosed the following, to be considered alongside this letter:

- Completed Application Form and Certificate B;
- Community Infrastructure Levy Form;

[REDACTED]

We trust you have all the necessary information to register this application but if you have any queries or require anything further please contact me or my colleague [REDACTED] as soon as possible.

Yours faithfully,

[REDACTED]

Matthew Pickering

[REDACTED]
