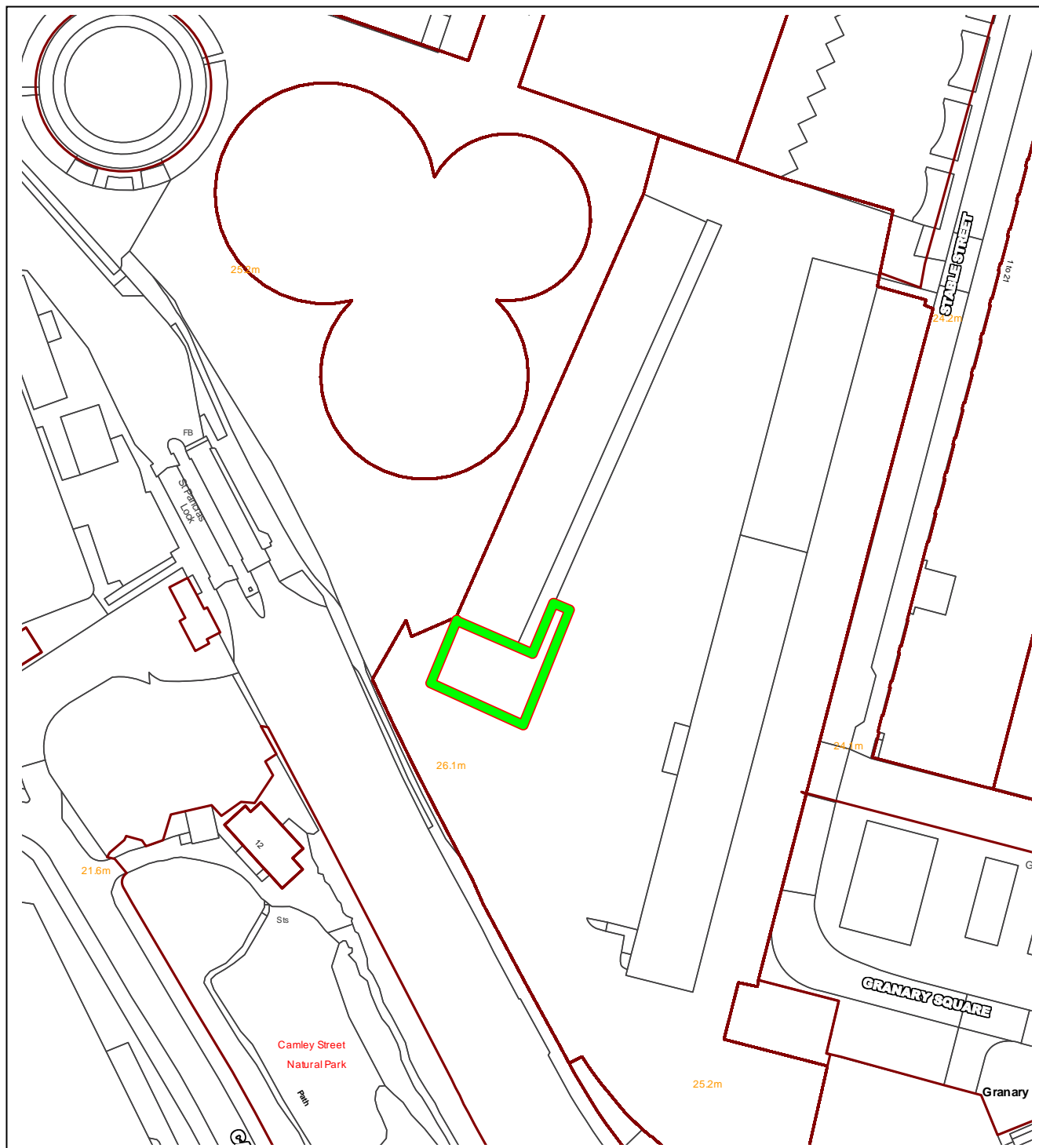


Unit 4, Coal Drops Yard Ref: 2018/2441/P



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**2018/2441/P - Unit 4, Coal Drops Yard
Photos – CGIs**

1. CGI -Canopy at viaduct level



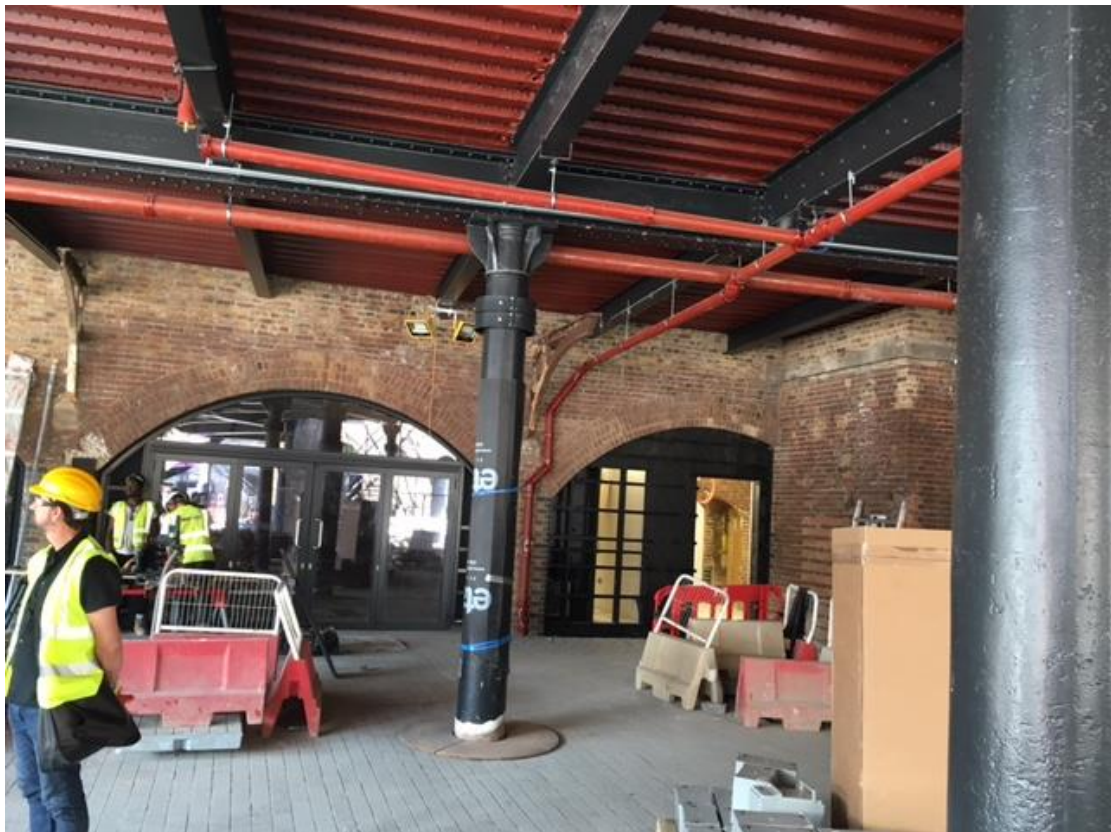
2. CGI - View from Fish and Coal



3. CGI – View from Yard level



4. Photo – Yard level existing servicing under viaduct



5. Photo – Under the Viaduct (duct location in orange –not to scale)



6. Photo from yard level (approximate duct location in orange – it would be set in from the soffit and the size shown here is not to scale)



Delegated Report (Members' Briefing)		Analysis sheet		Expiry Date:	19/07/2018
		N/A		Consultation Expiry Date:	28/06/2018
Officer			Application Number(s)		
Jenna Litherland			2018/2441/P		
Application Address			Drawing Numbers		
Unit 4 Coal Drops Yard (Western Coal Drop) King's Cross London			Refer to draft decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
External seating areas for two restaurants, one at viaduct and one yard level including: a canopy structure at viaduct level, an external bar structure at yard level include kitchen extract plant and ducting, and at both levels planters; tables and chairs; lighting; heat lamps and other ancillary restaurant facilities.					
Recommendation(s):		Grant conditional permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	01
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed from 06/06/2018 until 27/06/2018. A press notice was placed in the Ham and High 07/06/2018 (expired 28/06/2018).</p> <p>No representations have been received from neighbouring occupiers.</p>					
CAAC / Local groups comments:	<p>Kings Cross CAAC: No response to date.</p> <p>Regents Canal CAAC: No response to date.</p> <p>Kings Cross Development Forum: No response to date.</p> <p>Greater London Industrial Archaeology Society: Objection -</p> <p><i>'The prominent southern gable end of the former Western Coal Drops is one of the very distinctive features remaining of the former Goods Yard and an essential element within the Regent's Canal Conservation Area.</i></p> <p><i>This proposal for a roof structure over a restaurant bar to be built in front of the gable end would be very intrusive and would interfere with appreciation of the distinctive shape of the Coal Drop building. Such a construction was not a part of the planning permission for the conversion of the coal drops or envisioned in that scheme. It matters not that the construction will be relatively light and will not completely hide the gable - it will still intrude severely on the view and should not be permitted. The visualisations have tried hard to play down its effect from their choices of view and are misleading.</i></p> <p><i>Although a temporary consent is sought, once established it is unlikely that continued consent would be withheld.'</i></p> <p><u>Officer's response:</u></p> <p><i>Please refer to paragraphs 3.1-3.5 of the main report. It is noted that reference is made to this being an application for temporary consent. This is incorrect, the application is for full planning permission with no time restriction.</i></p>					

Site Description

The application site relates to the external area at the southern end of the Eastern Coal Drop at both yard level and viaduct level. This southernmost unit is known as Unit 4. The Coal Drops Yard is undergoing extensive alterations and extensions to create a retail destination as part of the redevelopment of the wider Kings Cross Central site.

The site is located north of the Regent's Canal in Development Zones I of the Kings Cross Central Masterplan. The site immediately adjoins Regent's Canal to the south and south-west, the Gas Holder Triplets (residential) to the east, Lewis Cubitt Square to the north and the Eastern Coal Drop to the east.

The Grade II listed Eastern Coal Drop (ECD) was one of the first buildings on site alongside the Granary building next door which is also Grade II listed. The ECD was originally constructed in 1851 to speed up the process of unloading coal from railway wagons. The Western Coal Drop (WCD) was constructed in 1860 for the same purpose. The Wharf Road Viaduct (WRV) was built around the same time as the Coal Drops buildings providing a road link to the former Canal Basin to the west of the site, and the arches below originally provided stables for horses until at least 1921.

Most of the Coal Drop buildings were converted into warehousing in the late 19th century. In the 1980's a serious fire in the northern part of the ECD gutted the northern part of the building which has lain derelict ever since. The remainder of the existing buildings have more recently housed warehousing, light industrial and nightclub uses.

The site is located in Regent's Canal Conservation Area The WCD is a positive contributor to the character and appearance of the conservation and the ECD is Grade II listed. The site is located within the Kings Cross Opportunity Area.

Relevant History

Relevant history relating to Coal Drops Yard:

2015/6015/P: Internal and external alterations associated with the refurbishment of the Western Coal Drops and the northern 20 bays of the Eastern Coal Drops with their adjacent viaducts and the erection of a new roof level extension spanning between the Eastern and Western Coal Drops and new single storey shop units along Lower Stable Street, together with works to create means of access and circulation, hard landscaping, servicing, cycle parking and cycle facilities, for retail uses within Use Classes A1, A2, A3 and/or A4. **Granted conditional planning permission subject to a S106 legal agreement 19/01/2016**

2015/6018/P: Reserved matters in connection with the refurbishment of the 16 Western Wharf Road Arches and the southern 5 bays of the Eastern Coal Drops and its adjacent viaduct within Development Zones I and M for retail uses within Use Classes A1, A2, A3 and/or A4 together with hard landscaping within the Coal Drops Yard. Matters addressed by this submission entail associated details in compliance with condition nos. 3, 9, 10, 14, 16-24, 27-28, 31, 33-39, 42-43, 45-46, 48-49, 51, 56, 57, 60, 62, and 64-67 of the outline planning permission for a comprehensive, phased, mixed-use development of former railway lands within the Kings Cross Opportunity Area (2004/2307/P) granted subject to section 106 legal agreement on 22 December 2006). **Granted conditional permission 19/01/2016**

2015/6016/L: Refurbishment of the Eastern Coal Drops together with its adjacent viaduct (including, refurbishment of the fire damaged northern section of the Eastern Coal Drops) to facilitate retail uses (Use Classes A1, A2, A3 and/or A4). Development comprises the demolition of the single storey office building at the southern end, works to facilitate formation of a new roof-level extension linking the Eastern and Western Coal Drops, alteration of some internal levels, removal of infills to some arches to allow the formation of shopfronts and entrances, installation of new stairs and lifts, works to allow for the addition of two bridge connections from the viaduct to the Western Coal Drops viaduct, works to allow a bridge connection at the southern end of the viaduct to the Wharf Road Arches at viaduct level and three bridge connections to Stable Street, cutting back of the northern 12 bays of the

viaduct and the removal of the modern timber porches on the viaduct. **Granted conditional listed building consent 19/01/2016.**

2004/2307/P: A comprehensive, phased, mixed-use development of former railway lands within the King's Cross Opportunity Area, as set out in the Revised Development Specification. The development comprises business and employment uses within the B1 use class; residential uses (including student accommodation), serviced apartments and hotels; shopping, food and drink and financial and professional services within the A1, A2, A3, A4 and A5 use classes; the full range of community, health, education, cultural, assembly and leisure facilities, within the D1 and D2 use classes; night clubs; multi storey and other car parking; re-erection of the linked triplet of gas holder guide frames to enclose new residential and other development, on the site of the Western Goods Shed; re-erection of the guide frame for gas holder no 8, alongside the re-erected triplet, to enclose new play facilities and open space; relocation of an existing district gas governor; works of alteration to other existing buildings and structures, to facilitate their refurbishment for specified uses; new streets and other means of access and circulation; landscaping including open space; new bridge crossings and other works along the Regent's Canal; the re-profiling of site levels; and other supporting infrastructure works and facilities. **Outline planning permission was granted on 22/12/06 and this permission is now known as 'King's Cross Central'**

Relevant policies

National Planning Policy Framework 2012

The London Plan 2016

Camden Local Plan 2017

G1: Delivery and location of growth
A1: Managing the impact of development
A4: Noise and Vibration
D1: Design
D2: Heritage
CC1: Climate change mitigation
TC1: Quantity and location of retail development
TC4: Town Centre uses

Camden Planning Guidance

CPG 1 Design (2018)
CPG Amenity (2018)

Regent's Canal Conservation Area Appraisal and Management Strategy 2008

Assessment

1. Proposal

1.1. The applicant seeks planning permission for the following works:

- Creation of ancillary outdoor seating areas for the restaurants at yard level and viaduct level within Unit 4. One seating area would be at viaduct level immediately south of the Western Coal Drop (WCD) building. The other seating area would be at yard level immediately south of the WCD below the viaduct. The seating area at viaduct level would have an area of c.250 sqm and the seating area at yard level would have an area of 240sqm.
- A canopy structure at viaduct level. The canopy would have a maximum width of 14.3 metres and a length of 12.1 metres. The width reduces as it steps away from the Eastern Coal Drop (ECD) in three steps. These steps also reduce in height from 3.8 metres closest to the ECD to 2.8 metres at its furthest point. The canopy would have a black metal frame with a glazed roof with a timber batten screen below to provide shade.
- An external low level bar below the canopy at viaduct level. The bar would have a height of 1.2 m.
- A structure at yard level which would contain a bar and cooking facilities. The structure would be located south of the ECD under the viaduct. The structure would have a length of 5.7 m, a width of 6.8 metres and a height of 3.55 metres. It would be finished in black steel cladding.
- Kitchen extraction plant within the roof of the yard level bar structure and an extract duct which would be concealed below the viaduct structure.
- Planters; tables and chairs; lighting; heat lamps at both yard and viaduct level.

1.2 Listed Building Consent is not required for the works as they relate to the non-listed coal drop.

Revisions

1.3 During the course of the application the material finish of the bar at viaduct level was altered from brick to timber. This is to ensure the structure would appear clearly separate and not compete with the historic brick building structures. The proposed routing and design of the extract duct at yard level has been altered to reduce its visual prominence.

2. Assessment

2.1. The planning considerations material to the determination of this application are as follows:

- Design and Heritage
- Amenity of neighbouring occupiers

3. Design and Heritage

Viaduct level

3.1 The proposed canopy has been sensitively designed to appear subordinate to the WCD. It forms three elements which step down in height away from the WCD. The frame of the canopy would be minimal to ensure it does not disrupt kinetic views of the Coal Drops including key views of the south elevation of the WCD when entering the site from Camley Street Natural Park or Bagley Walk. The frame would be exposed steel and the roof would have fixed glazing with timber battens beneath. Steel is considered to be an appropriate and contextual material for its setting and the timber would soften the appearance of the structure.

3.2 The canopy ceiling would include spotlights and heat lamps. They have been designed to be set in from the main canopy edges to ensure they would not appear dominant or detract from the lightweight appearance of the structure.

- 3.3 Below the canopy structure would be a bar structure finished in timber. This was originally proposed to be finished in brick; however, this has been amended during the course of the application as the use of brick in this location is focused on the historic buildings on the site. Timber is considered an appropriate lightweight finish and would ensure the proposal appears clearly secondary to the Coal Drops.
- 3.4 The proposal includes fixed and free-standing seating. The fix seating would be finished in stained teak. Free-standing furniture would be aluminium. Planters are also proposed to create a perimeter around the seating area and would be finished in the same colour as the canopy.
- 3.5 It is considered that the canopy structure and facilities at viaduct level would appear as light weight additions which do not detract from the appearance of the Coal Drops and would preserve the character and appearance of the Regents Canal Conservation Area.

Yard Level

- 3.6 The bar structure at yard level would be finished in blackened steel. It would include a roller shutter which would be finished in the same material. The bar structure is set in from the viaduct edge by 16 metres such that it would not appear dominant. The proposed materials are appropriate for its industrial setting.
- 3.7 The bar structure includes kitchen extract plant which would be largely concealed within a plant room above the structure. However, there would be an extract duct which extends from the plant room to the viaduct edge in order to extract. The route of the ducting has been amended during the course of the application to reduce its prominence. The ducting would be concealed below the viaduct structure and routed at the southern end of the viaduct ceiling where other services are located. It would run adjacent to southernmost main steel beam then turn at a right angle beyond a perpendicular beam set well below the viaduct structure to where it would adjoin the bar structure. The discharge point is located below the viaduct structure set in from the soffit by 0.3m. The duct louvre would be finished in a black paint to match the steel beams of the viaduct. The structure would be visible from yard level; however, it would be largely concealed by the soffit. The location of the duct ensures that the main part of the viaduct structure, beams and columns are left unobstructed. It is considered that the best possible solution has been reached and the proposal would conserve the character and appearance of the building and the conservation area.
- 3.8 The proposed yard level seating with built in screening would be set below the viaduct structure such that it would not intrude on the open character of the yard space. The proposal includes fixed perimeter seating with an adjoining screen and planters. The seating and planter edge would be finished in slatted oak. The screen would be formed of crittall framed glazing. Largely the glass panes would be clear; however, some would be coloured. The screen would have a height of 1.8 metres to ensure it does not impact on views of the viaduct structure or the southern ECD elevation from the central part of the yard. The screen also includes integral lighting which would overhang the seating. The design and materials are considered to be both contextual and high quality.
- 3.9 It is considered that the yard level bar structure with its associated plant and seating area would be concealed below the viaduct structure; therefore, it would not impact on short or long views of the Coal Drops. The detailed design and materials ensure the proposal would preserve the character and appearance of the Coal Drops and the wider conservation area. The proposal would not impact on the setting of the Grade II listed ECD.
- 3.10 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area and special regard has been attached to the desirability of preserving the setting of the listed building, under s.66 (LB's) and s.72 (CA's) of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013

4. Amenity of neighbouring occupiers

- 4.1 The closest residential use is within the Gas Holders which are located circa 30 metres from the application site to the north west. The proposed structures are low in height and given the distance from its residential neighbours would have no significant impacts in terms of light, outlook or privacy.
- 4.2 The proposal includes extraction plant at yard level to serve the external bar structure which would be used for cooking. The application is accompanied by full details of the plant, an acoustic report and odour control information. The acoustic report has been reviewed by the Council's Environmental Health Officer who has confirmed that the plant would operate at 10dBA below background noise level in accordance with Policy A1. A condition would be attached to any planning permission to ensure this.
- 4.3 CPG 1 Design states that in order to protect residential amenity where mechanical or passive ventilation is required to remove odour emissions, the release point for odours must be located above the roofline of the building and, where possible, adjacent buildings. The proposal does not accord with guidance in this respect. However, the Council does allow low level extracts in exceptional circumstances where it has been demonstrated that appropriate filtration systems are in place along with appropriate maintenance agreements. In this instance the plant would be fitted with a carbon filtration system which would adequately remove odour. It is essential that the filtration system is regularly maintained in accordance with the manufactures specification to ensure that it continues to work effective. Therefore, a maintenance strategy would be secured by condition.
- 4.4. The outdoor seating areas are considered to be sufficient distance from neighbouring properties to ensure no adverse impact on neighbouring properties from the use of these areas.
- 4.5 It is considered that the proposed seating areas, structures and associated plant would not result in harm to residential amenity in respect of daylight, sunlight, privacy, noise or odour.

5. Recommendation: Grant conditional planning permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 30 July 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2018/2441/P
Contact: Jenna Litherland
Tel: 020 7974 3070
Date: 26 July 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE
Phone: 020 7974 4444
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planning@camden.gov.uk
www.camden.gov.uk

Benchmark Development Planning Ltd
Benchmark House
3 Harnwood Road
Salisbury
SP1 3YD

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Unit 4
Coal Drops Yard
(Western Coal Drop)
King's Cross
London**

DECISION

Proposal: External seating areas for two restaurants, one at viaduct and one yard level including: a canopy structure at viaduct level, and at both levels planters; tables and chairs; lighting; heat lamps and other ancillary restaurant facilities.

Drawing Nos: BEN 1; BEN 2; BEN 001; BEN 002; (BKX) P01 SK A, P02 SK A, P03 SK A, P04 SK B, P05 SK A, P06 SK A, P07 SK B, P08 SK A; (17007) 002 P, 020 P, 021P, 022 P, 100 P, 103 P, 104 P, 132 P, 210 P, 211 P rev P2, 212 P, 305 P rev P2, 306 P, 307 P, 322 P, 323 P, 324 P, 345 P, 344 P, 710 P Rev P3, 11584-M18; Bundle 1 rev B i; Bundle 1 rev B ii; Statement by Hart Bros Restaurants Ltd dated May 2018; Cover letter by Benchmark dated May 2018; Heritage, Design and Access Statement by Benchmark dated May 2018; List of Documents for Approval by Benchmark dated 26/07/18.

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 All new external work shall be carried out in the materials specified in the approved application or other such materials to be submitted to and approved in writing by the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

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

BEN 1; BEN 2; BEN 001; BEN 002; (BKX) P01 SK A, P02 SK A, P03 SK A, P04 SK B, P05 SK A, P06 SK A, P07 SK B, P08 SK A; (17007) 002 P, 020 P, 021P, 022 P, 100 P, 103 P, 104 P, 132 P, 210 P, 211 P rev P2, 212 P, 305 P rev P2, 306 P, 307 P, 322 P, 323 P, 324 P, 345 P, 344 P, 710 P Rev P3, 11584-M18; Bundle 1 rev B i; Bundle 1 rev B ii; Statement by Hart Bros Restaurants Ltd dated May 2018; Cover letter by Benchmark dated May 2018; Heritage, Design and Access Statement by Benchmark dated May 2018; List of Documents for Approval by Benchmark dated 26/07/18.

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

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the neighbouring premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 5 Prior to the first use of the premises at yard level, the ventilation and filtration equipment to suppress and disperse fumes and/or smells created from cooking activities on the premises, shall be installed and be in full working order in accordance with the approved scheme. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations and maintenance contract hereby approved. In the event of no satisfactory ventilation plant and / or machinery being provided, no primary cooking shall take place on the premises.

Reason: To safeguard the amenities of the premises and the area generally in accordance with the requirements of policies G1, A1, A4, D1, CC1, TC1, and TC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 You are advised that the signage shown on the submitted drawings may require advertisement consent.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

David Joyce
Director of Regeneration and Planning