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Application Ref: **2018/4747/P**  
Please ask for: **Kate Henry**  
Telephone: 020 7974 **3794**

16 October 2018

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Grant of Non-Material Amendments to planning permission**

Address:  
**Unit 4**  
**Western Coal Drop**  
**King's Cross**  
**London**  
**N1C 4DH**

Proposal: Erection of glass balustrade around approved seating area at viaduct level, approved under planning permission 2018/2441/P, dated 30/07/18 (for external seating areas for two restaurants one at viaduct and one yard level)

Drawing Nos:  
Superseded plans: n/a  
Additional plans: BKX 730 PN Rev A

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

For the purposes of this decision, Condition No. 3 of planning permission 2018/2441/P, dated 30/07/2018, shall be replaced with the following condition:

### **REPLACEMENT CONDITION 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; BKX 730 PN Rev A.

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

Informative(s):

1 Reason for granting

This application seeks to make changes to planning permission 2018/2441/P, dated 30/07/18, to allow for the erection of a glass balustrade around the approved seating area for the restaurant, at viaduct level. The Heritage, Design and Access Statement which accompanies the application notes that there was always the intention to provide a glass balustrade but it was not included on some of the earlier plans, in error. The statement notes that the glass balustrade is needed to help define the boundaries of the restaurant and improve the micro-climate for customers dining outside.

It is important that views of the south gable of the Western Coal Drop remain as open as possible and that the approved seating areas appear open to the surrounding public realm, rather than inward looking. The proposed balustrade is approximately 1.3 metres high and would be constructed with glass panels with a 20mm gap between each panel. The lightweight design is considered to be appropriate and it is not considered that the balustrade would impact on the original intentions of the outdoor area remaining visually permeable. Furthermore, it is not considered that the proposed balustrade would detract from the character and appearance of the wider area, including the Regent's Canal Conservation Area, or the setting of the grade II listed Eastern Coal Drops building.

The proposed changes do not conflict with the development plan policies; cause a need for new or altered planning conditions; or exacerbate any concerns which may have been raised by third parties at the original planning application stage.

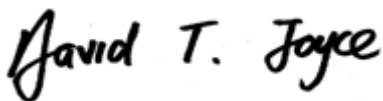
The full impact of the scheme has already been assessed by virtue of the previous approval reference 2018/2441/P, dated 30/07/18. In the context of the permitted scheme, it is considered that the amendments would not have any material effect on the approved development. It is considered that the changes are relatively minor in the context of the approved scheme and can therefore be regarded as a

non-material variation of the approved scheme.

- 2 You are advised that this decision relates only to the changes highlighted on the plans and set out in the description and shall only be read in the context of the substantive permission reference 2018/2441/P, dated 30/07/18, and is bound by all the conditions and obligations attached to that permission.

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.

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive style with a large initial 'D'.

David Joyce  
Director of Regeneration and Planning

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