

Application ref: 2018/4426/P  
Contact: Patrick Marfleet  
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Date: 7 November 2018

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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Argent  
4 Stable Street  
London  
N1C 4AB

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Unit 2  
Gas Holder 11  
Kings Cross Central  
York Way  
London  
N1C 4AB**

Proposal: Change of use of ground floor unit from flexible use (Class A1/ A3/ A4/ A5) to yoga studio (Class D2).

Drawing Nos: EX01 P1, P01 P1, KXC-PLAN-PLAP-37-A-P01, Submission Statement dated 12/09/18, Cover letter dated 12/09/18

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 The development hereby permitted shall be carried out in accordance with the following approved plans: EX01 P1, P01 P1, KXC-PLAN-PLAP-37-A-P01, Submission Statement dated 12/09/18, Cover letter dated 12/09/18

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

- 3 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission.

Permission is sought for the change of use of approximately 552sqm (GEA) of existing retail space (Class A1/A2/A3/A4/A5) to a yoga/Pilates studio (Class D2). No new floorspace would be generated as part of the proposal, nor would there be any external changes to the building or surrounding landscaping. As such, the proposed development would not impact the character or appearance of the Regents Canal Conservation Area or the Grade II Listed gasholder. The proposal would include ancillary treatment rooms and a small café in the reception area.

The application seeks a Change Of Use outside of the uses permitted for the Gasholders Building under the original Outline Planning Permission and associated Reserved Matters application (2014/6386/P).

Policy TC3 seeks to retain shops outside of town centres where possible including those on small shopping parades. and buildings that are suitable for continued business use and will resist a change to non-business use, unless such a change can be justified. Whilst the proposal would be contrary to this guidance, officers note that the application site's close proximity to the adjacent Coal Drops Yard development, which provides a significant amount of high quality retail space in the northern part of the Kings Cross Central Site. Therefore, whilst the proposal would result in the loss of retail space (Class A1/A3/A4/A5), this loss is considered acceptable, particularly given the sites proximity to neighbouring retail developments and the cultural and community benefits the proposed yoga/Pilates studio will provide for residents across the site.

The proposed development would have no impact on the amenity of any nearby residents in terms of loss of light, outlook or privacy. The nearest residential use to the premises are the flats on the floors directly above. As the studio is at ground floor level, it is unlikely that any noise generated from the studio would have an impact on the nearest residential occupiers. However, in order to ensure any future use does not cause disturbance to the neighbours a condition will be imposed to ensure no music played on the premises shall be audible from within any adjoining properties.

No objections were received following statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving the setting of the listed building or any features of special architectural or historic interest which it possesses under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act [ERR] 2013.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act [ERR] 2013.

As such, the proposed development is in general accordance with policies C1, C2, C3, D1, D2, TC3 and A1 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework 2018.

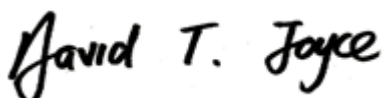
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays 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 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).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

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