

Application ref: 2018/4837/P
Contact: Kate Henry
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Date: 30 November 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
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planning@camden.gov.uk
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Argent (King's Cross) Ltd
4 Stable Street
London
N1C 4AB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Gasholder Marketing Suite
Development Zone F
Goods Way
King's Cross Central
London

Proposal:

Change of use of existing marketing suite and associated terrace (Class A2) to a restaurant/bar use (Class A3/A4) including retention of, and alterations to, the existing building and landscaping and erection of a single storey ancillary kitchen structure to the rear, all for a temporary 5 year period.

Drawing Nos: 18.49 100.01; 18.49 100.02; 18.49 100.023; 18.49 100.04; 18.49 100.05; 18.49 210.01; 18.49 210.02; 18.49 210.03; 18.49 710.00; 18.49 710.01; 18.49 980.00; 44302_5501_006 Rev. B; Kitchen Pod Slab calculations dated 06/11/2018; KP18220-LD; 669931 Rev C02; KP18220-GA Rev 2; KP18220-SA; Design & Access Statement, dated October 2018.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The use hereby permitted is for a temporary period only and shall cease on or before 5 years from the date of this permission.

Reason: In order that the long term use of the application site may be properly considered in light of the original permission for the wider site and in accordance with Policies G1 and A1 of the Camden Local Plan 2017.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 18.49 100.01; 18.49 100.02; 18.49 100.023; 18.49 100.04; 18.49 100.05; 18.49 210.01; 18.49 210.02; 18.49 210.03; 18.49 710.00; 18.49 710.01; 18.49 980.00; 44302_5501_006 Rev. B; Design & Access Statement, dated October 2018.

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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

- 4 No sounds/music from the use hereby permitted shall be played on the premises in such a way as to be audible at or within any residential/ noise sensitive premises.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policies A1 and A4 of the Camden Local Plan 2017.

- 5 The use hereby permitted shall not be carried out outside the following times: 0700 to 2330 Sunday to Thursday and Bank Holidays and 0700 to 0000 on Fridays and Saturdays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policies A1 and A4 of the Camden Local Plan 2017.

- 6 The approved cycle storage facilities shall be provided in their entirety prior to the first use of the building, and permanently retained thereafter throughout the approved use of the building.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the Camden Local Plan 2017.

- 7 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of Policies D1 and D2 the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting

The application site is within Zone F of the wider Kings Cross Central development site, which has approval for a mixed use development, granted outline permission under planning reference 2004/2307/P (dated 22/12/2006). Permanent proposals for Zone F have not come forward yet for reserved matters approval. This application seeks a temporary change of use of the existing building at the site from a marketing suite (in association with the Gasholders) to a restaurant/bar use, as well as alterations to the building and landscaping, and the erection of a single storey ancillary kitchen structure to the rear (north), all for a period of 5 years.

The use of the building as a restaurant/bar is considered to be appropriate to the wider area (the site has previously had a restaurant known as The Filling Station on it) and it is not considered that the proposed change of use would cause undue harm to the residential amenities of neighbouring and nearby occupiers.

The proposed alterations to the existing building are largely considered to be in keeping with the character and appearance of the building. An objection has been received from the Canal & River Trust on the basis that the proposed kitchen pod, by virtue of its design and appearance, would harm the setting of the canal. They also suggested a condition (in case the Council is minded to approve the application) relating to the design of the staff cycle shelter. Whilst the kitchen pod (which would be constructed of black timber cladding) is not in keeping with the character and appearance of the host building, and it may be prominent when viewed from the canal, on balance this is considered to be acceptable because it is a temporary structure and the proposed change of use allows the site to be brought into active use until a permanent proposal is brought forward. Furthermore, whilst the kitchen pod may detract from views of the site, it is considered that the outdoor eating/drinking area would contribute positively to the character and appearance of the wider area. The proposed landscaping at the site would also make a positive contribution to the character and appearance of the wider area. The same can be said of the cycle shelter, which is likely to be largely screened by vegetation.

The Canal & River Trust also requested details of the proposed foundations of the new kitchen pod (if the Council is minded to approve the application). The details have been provided upfront and the Canal & River Trust have reviewed the details and provided confirmation that they are satisfied with them.

Levels of deliveries are expected to be low and servicing will be conducted from the service yard to the west of the building where there is adequate space

on site to ensure that vehicles can enter and leave the site in a forward gear. This means delivery vehicles will have a clear view of oncoming cyclists. Construction works can all be conducted on site and the number of construction vehicles is expected to be low.

Eighteen cycle parking spaces will be provided. The long stay spaces will be located in a staff-only area and will be secured and covered; and the short stay spaces will be easily accessible for visitors. The level of provision and design are policy compliant and will offer excellent facilities for people working at and visiting the site. Two existing disabled car parking spaces will be removed from the site to facilitate the servicing bay. For disabled users accessing the site, there is fully step free facilities available at Kings Cross and St Pancras Station and a step free route to the site.

- 2 One objection, from the Canal & River Trust, has been received prior to making this decision which has been duly taken into account prior to making this decision. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

The proposed development is in general accordance with Policies G1, C3, C4, C5, C6, A1, A4, D1, D2, D4, T1, T2 and T4 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016; and the provisions of the National Planning Policy Framework 2012.

- 3 The applicant/developer is advised to review the Canal & River Trust's "Code of Practice for Works affecting the Canal & River Trust and contact the Trust's Works Engineer (Mansoor.Omar@canalrivertrust.org.uk) in order to ensure that any necessary consents are obtained and that the works are compliant. (<https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-propertyandour-code-ofpractice>)"

The applicant/developer is advised that any oversail, encroachment or access to the waterway requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust (Bernadette.McNicholas@canalrivertrust.org.uk) regarding the required access agreement.

- 4 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).
- 5 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.

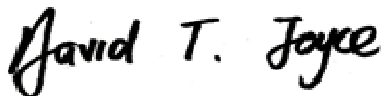
- 6 Under Regulation (EC) No 852/2004 Article 6 Para 1 and 2, every food business operator shall cooperate with and notify the appropriate competent authority by completion of a food establishment registration form for each establishment under its control that carries out any of the stages of production, processing and distribution of food, with a view to the registration of each establishment. Food business operators shall also ensure that the competent authority always has up to date information on establishments, including by notification any significant change in activities and any closure of an existing establishment. For further information, the applicant is advised to email foodregistration@camden.gov.uk.
- 7 You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5. or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en>.
- 8 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.

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