

Application ref: 2019/4428/P  
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Date: 12 December 2019

**Development Management**  
Regeneration and Planning  
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Mishcon de Reya LLP  
Africa House  
70 Kingsway  
London  
WC2B 6AH

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**141 King's Cross Road**  
**London**  
**WC1X 9BJ**

Proposal: Change of use of first and second floors above existing pub from short term let accommodation to 78 bed hostel use (Sui Generis).

Drawing Nos: 3994-01-01 A, 3994-01-03 A, 3994-02-04 A, 3994-02-03 A, 3994-02-02 B, 3994-01-02 A, 3994-02-01 A, 3994-01-04 A, 3994-02-05, The Northumberland Arms Management Plan, Supporting Statement dated 30/08/2019.

The Council has considered your application and decided to grant permission subject to the following conditions:

#### Conditions and Reasons:

- 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: 3994-01-01 A, 3994-01-03 A, 3994-02-04 A, 3994-02-03 A, 3994-02-02 B, 3994-01-02 A, 3994-02-01 A, 3994-01-04 A, 3994-02-05, The Northumberland Arms Management Plan, Supporting Statement dated 30/08/2019.

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

- 3 The hostel must not be operated other than in strict accordance with the approved guest management plan.

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 London Borough of Camden Local Plan 2017.

- 4 Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the commercial part(s) of the premises from the noise sensitive premises above. Details shall demonstrate that the sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within the noise sensitive premises.

The details as approved shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

#### Informatives:

- 1 Reasons for granting permission.

The current application seeks to change the use of the first and second floors from short term let accommodation above the existing pub use, to a backpacker hostel (Sui Generis). No external alterations are proposed.

Policy E3 of the Local Plan states that the Council will guide new tourism development that is likely to attract large numbers of people to Camden's part of Central London and the growth areas of King's Cross, Euston, Holborn and Tottenham Court Road. The proposed hostel would be located in the Central London area, close to the Kings Cross Growth area and is therefore considered appropriate in terms of its location, and in compliance with the requirements of Policy E3.

The upper floors of pubs typically have function rooms and ancillary facilities that often make valuable contributions to the success of the pub and its role within the local community. Policy C4 of the Local Plan therefore seeks to resist applications involving the loss of pub floorspace, including facilities ancillary to the operation of the public house, where this will adversely affect the operation of the public house.

The first and second floors of the application site would originally have been used as ancillary staff accommodation. However, it was clear when visiting the site that the floors were no longer in use for this purpose and were instead being let on a short term basis to non-pub staff, typically builders working in the local area. There are no existing function or community rooms on the upper

floors and the existing kitchen would be re-located to ground floor level as part of the proposals. The first and second floors of the pub therefore have little connection to the main pub use at ground floor and basement level, and the current proposal to change the use of these floors to provide hostel accommodation is not considered to undermine or harm the viability of the pub.

In terms of the proposed use, hostel guests would access the site from the two main entrances on King's Cross Road and Wicklow Street which both lead directly into the main trading area of the pub, before making their way to the dorm rooms located on the upper floors. This arrangement is similar to the existing hostel accommodation provided above the Exmouth Arms near Euston Station, which was granted permission in 2015 (2015/4219/P). The proposal is therefore considered to be an appropriate use of the upper floors and would help to maintain the existing pub use as a viable business.

The application is accompanied by a management plan which states that the building will be staffed 24 hours a day. A night porter would be on site outside of pub opening hours to ensure noise from hostel guests is kept to a minimum and the amenity of neighbouring residents is sufficiently protected. The submitted management plan is therefore considered acceptable and demonstrates the applicant's commitment to ensuring the sensitive management of the hostel use. It is essential that the hostel is well managed in order to minimise the impact on local amenity and the environment and therefore a condition is added to ensure that the management plan remains in force while the hostel is in use.

In addition to this, a pub and a visitor hostel are considered to be a compatible mix of uses in terms of the agent of change principle and the impact on neighbouring amenity. The existing pub will already generate a degree of noise during opening hours and the use of the upper floors as a hostel is unlikely to exacerbate current noise levels in the area, particularly given the site's location on a busy thoroughfare with commercial uses and a Travelodge hotel located nearby. A condition is added to ensure that sufficient sound insulation between the ground and upper floors is added to minimise the potential for amenity complaints from the hostel to harm the operation of the pub.

The absence of any on-site cycle parking is considered acceptable in this instance given the constrained nature of the site. Furthermore, visitors are most likely to use public transport to access the site particularly given its proximity to King's Cross Station and PTAL rating of 6B (excellent).

No objections were received following statutory consultation. The planning history of the site and surrounding area were taken into account when coming to this decision.

As such, the proposal is in general accordance with Policies A1, A4, E3 and C4 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework 2019.

- 2 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).

- 3 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.
- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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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 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', written in a cursive style.

Daniel Pope  
Chief Planning Officer