

Application ref: 2020/4235/P  
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Date: 10 November 2020

**Development Management**  
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Mr A Modi  
144-146 King's Cross Road  
London  
WC1X 9DU

Dear Sir/Madam

## **DECISION**

In accordance with section 60 (2B) and (2C) of the Town and Country Planning Act 1990 (as amended by section 4(1) of the Growth and Infrastructure Act 2013)

Process set out by condition O.2 of Schedule 2 Part 3 Class O of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by SI 2008 No. 2362 and SI 2013 No. 1101)

Certificate of Lawfulness (Proposed) Prior Approval refused

The Council, as local planning authority, hereby confirm that their **prior approval is refused** for the proposed development at the address shown below, as described by the description shown below, and in accordance with the information that the developer provided to the local planning authority:

**Address of the proposed development:**

**199 King's Cross Road  
London  
WC1X 9DB**

**Description of the proposed development:**

Prior approval for the change of use of the ground floor and basement from office (class B1 (a)) to residential use (class C3), providing one 3bed flat.

**Information that the developer provided to the local planning authority:**

Drawing Nos: A01-0720, A02-0720, A03-0720, A04-0720, A05-0720, A06-0720, A07-0720, A08-0720, A09-0720,

**Reason for refusal:**

- 1 In the absence of sufficient information relating to noise impacts, site

contamination, flooding and daylight impact assessment the proposal fails to adequately demonstrate that the development would not give rise to adverse impacts. As such, prior approval is required and refused as it fails to comply with condition 0.2 (1) of Class O, Part 3, and Schedule 2 of the GDPO (2015).

Informative(s):

- 1 The applicant is advised that the proposal, in the absence of a Section 106 legal agreement to secure the residential unit as a car free development, would contribute unacceptably to parking stress and traffic congestion in the surrounding area and would not promote the use of sustainable transport.

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 in regard to your rights of appeal at:

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

Yours faithfully



Daniel Pope  
Director of Economy, Regeneration and Investment

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