

DATED

29th November

2023

(1) JAGA DEVELOPMENTS (LONDON) LTD

-and-

(2) TOPLAND VINTAGE FINANCE LTD

-and-

(3) PROSPECT CAPITAL SECURITY TRUSTEES LIMITED

-and-

**(4) THE MAYOR AND THE BURGESSES OF
THE LONDON BOROUGH OF CAMDEN**

DEED OF VARIATION

Relating to the Agreement dated 29th September 2021
Between the Mayor and the Burgesses of the
London Borough of Camden,
17 Lyndhurst Gardens
London
NW3 5NW
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as

Andrew Maughan
Borough Solicitor
London Borough of Camden
Town Hall
Judd Street
London WC1H 9LP

G:\case files\culture & env\planning\JO\s106 Agreements\17 Lyndhurst (DoV)
CLS/COM/JO/1800.2570
DoV FINAL

THIS DEED is made on the 29th day of November 2023

BETWEEN

1. **JAGA DEVELOPMENTS (LONDON) LTD** (Co. Regn. No. 11855342) whose registered office is at Venture House Evans Road Liverpool Merseyside United Kingdom L24 9PB (hereinafter called "the Owner") of the first part
2. **TOPLAND VINTAGE FINANCE LIMITED** (Co. Regn. No. 13331085) whose registered office is at 105 Wigmore Street, 7th Floor, London, England, W1U 1QY (hereinafter called "the First Mortgagee") of the second part
3. **PROSPECT CAPITAL SECURITY TRUSTEES LIMITED**, a company incorporated in England and Wales (Registered number 12709076) whose registered office is at 16 Great Queen Street Covent Garden London WC2B 5AH as security trustee for Prospect Capital Limited incorporated and registered in Jersey (company number: 122126) whose registered office is at One Liberty Place, Liberty Wharf, La Route de la Liberation, St. Helier, Jersey, JE2 3NY (hereinafter called "the Second Mortgagee") of the third part
4. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Council") of the fourth part

WHEREAS:

- 1.1 The Council and Jaga Developments (London) Ltd and Together Commercial Finance Limited entered into an Agreement dated 29th September 2021 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended).
- 1.2 The Owner is registered at the Land Registry as the freehold proprietor with Title Absolute under title number NGL287426 subject to a charge to the First Mortgagee and the Second Mortgagee.
- 1.3 The Owner is the freehold owner of and is interested in the Property for the purposes of Section 106(9) of the Act.

- 1.4 The First Mortgagee has the benefit of a charge dated 17 March 2023 which is currently pending registration at the Land Registry against title number NGL287426 and is willing to enter into this Deed to give its consent to the same.
- 1.5 The Second Mortgagee has the benefit of a charge dated 17 March 2023 which is currently pending registration at the Land Registry against title number NGL287426 and is willing to enter into this Deed to give its consent to the same.
- 1.6 The Council is the local planning authority for the purposes of the Act and considers it expedient in the interests of the proper planning of its area that the Development of the Property should be restricted or regulated in accordance with this Deed.
- 1.7 A new Planning Application in respect of the Property and to amend the Original Planning Permission was submitted to the Council by the Owner and validated on 4th April 2023 for which the Council resolved to grant permission conditionally under reference 2023/1434/P subject to the conclusion of this Deed.
- 1.8 This Deed of Variation is made by virtue of the Town and Country Planning Act 1990 Section 106A (as amended) and is a planning obligation for the purposes of that section.
- 1.9 Without prejudice to the terms of the other covenants contained in the Existing Agreement the parties hereto have agreed to vary the terms of the Existing Agreement as hereinafter provided.

2. INTERPRETATION

- 2.1 All words and phrases defined in the Existing Agreement shall have the same meaning in this Deed save where the context otherwise dictates and for the avoidance of any doubt the Existing Agreement shall remain in full force and effect save as varied by this Deed.
- 2.2 All reference in this Deed to clauses in the Existing Agreement are to clauses within the Existing Agreement.

2.3 Where in this Deed reference is made to a clause schedule or recital such reference (unless the context otherwise requires) is a reference to a clause schedule or recital of this Agreement.

2.4 Headings are for ease of reference only and are not intended to be construed as part of this Deed and shall not effect the construction of this Deed.

2.5 Unless the context otherwise requires references to the singular shall include the plural and vice versa.

2.6 References in this Deed to the Owner the First Mortgagee and the Second Mortgagee shall include their successors in title.

2.7 In this Deed the following expression shall unless the context otherwise states have the following meaning now allocated to it.

2.8.1 "Deed" this Deed of Variation made pursuant to Section 106A of the Act

2.8.2 "Existing Agreement" the Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) dated 29th September 2021 made between the Council and Jaga Developments (London) Ltd and Together Commercial Finance Limited

2.8.3 "the Mortgagee" means "the First Mortgage" and the "Second Mortgagee"

2.8.4 "the Original Planning Permission" means the planning permission granted by the Council on 29th September 2021 referenced 2019/6151/P allowing the change of use from Class D1 use (non-residential institution) to Class C3 Use (residential) as 1 x 5 bedroom unit, 1 x 5 bedroom unit and 1 x 4 bedroom unit, internal alterations, external alterations including a new glass link element and lowering of

basement level, hard and soft landscaping including the removal of 10 trees, a summer house with internal cycling parking, a bin store, a cycle store and other associated works. as shown on drawing numbers: Existing drawings 1000 rev A, 1010 rev A, 1020 rev C, 1021 rev C, 1022 rev C, 1023 rev C, 1024 rev C, 1040 rev C, 1041 rev C, 1050 rev C, 1051 rev C. Proposed drawings 1120 rev C, 1121 rev C, 1122 rev C, 1123 rev C, 1124 rev C, 1140 rev C, 1141 rev C, 1150 rev C, 1151 rev C, 3601 rev C, 3602 rev C, 3605 rev C, 3607 rev C, Landscape masterplan ref: 2568-11-P01C, 8000 L102 rev A, 8000 L008 rev A, 8000 L003 rev A, 8000 L002 rev A, 3011 rev B, 3012 rev B, 3013 rev B, 3014 rev B, 4500 rev B, 4501 rev B, 4502 rev B, 4503 rev B. Supporting Documents Design and Access Statement revision B; Heritage Impact Assessment dated August 2020 and Addendum dated 1 February 2021; Condition Report dated November 2019; Planning Statement dated September 2020; 5000 - Window Schedule rev E, 5010 Door Schedule rev C; Sustainability and Energy Statement Rev 2 dated December 2019; Arboricultural Impact Assessment Report ref: JDL/17LDG/AIA/01c dated 10 September 2020, Indicative Species List ref: 2658-11-P02B, Landscape report for planning dated 20210115, Landscape proposals Area comparisons for planning dated 20210115; James Brown Viability Report dated June 2020 and James Brown letters dated 16/08/2020 and 23/09/2020; GEA Desk Study & Ground Investigation Report dated September 2020 and December 2020

3. VARIATION TO THE EXISTING AGREEMENT

3.1 The following definitions contained in the Existing Agreement shall be varied as follows:

- | | |
|-------------------------------------|---|
| 3.1.1 "Development" | Variation of condition two (approved plans) of planning permission reference 2019/6151/P dated 29 th September 2021 for the change of use from Class D1 use (non-residential institution) to Class C3 Use (residential) as 1 x 5 bedroom unit, 1 x 5 bedroom unit and 1 x 4 bedroom unit, internal alterations, external alterations including a new glass link element and lowering of basement level, hard and soft landscaping including the removal of 10 trees, a summer house with internal cycling parking, a bin store, a cycle store and other associated works; namely, addition of two dormers to roof of Annexe building as shown on drawing numbers 1000 rev A, 1062, 1120 rev F, 1121 rev G, 1122 rev F1, 1123 rev F1, 1124 rev F1, 1140 rev F, 1141 rev F1, 1150 rev F1, 1151 rev F1, Noise Impact Assessment revision 02 dated 09/02/2022, and Design and Access Statement revision A. |
| 3.1.2 "Planning Permission" | the planning permission for the Development under reference number 2023/1434/P to be granted by the Council in the form of the draft annexed hereto |
| 3.1.3 "Planning Application" | the application for Planning Permission in respect of the Property submitted on 4 th April 2023 by the Owner and given reference number 2023/1434/P. |

3.2 All references in Clause 5 and Clause 6 of the Existing Agreement to "Planning Permission reference 2019/6151/P" shall be replaced with "Planning Permission reference 2023/1434/P".

3.3 In all other respects the Existing Agreement (as varied by this Deed) shall continue in full force and effect.

4. COMMENCEMENT

4.1 Without prejudice to the effect of Clause 3.5 in the Existing Agreement the provisions in this Deed shall take effect on the Implementation of the Planning Permission referenced 2023/1434/P.

5 PAYMENT OF THE COUNCIL'S LEGAL COSTS

5.1 The Owner agrees to pay the Council (on or prior to completion of this Deed) its reasonable legal costs incurred in preparing this Deed

6. REGISTRATION AS LOCAL LAND CHARGE

6.1 This Deed shall be registered as a Local Land Charge

7 MORTGAGEES' CONSENT

7.1 The Mortgagee hereby consents to the completion of this Deed and agrees to be bound by it and the Existing Agreement and for the avoidance of doubt agrees to be bound by the said obligations only in the event that it becomes a mortgagee in possession of the Property in which case it will be bound by the obligations as a person deriving title from the Owner.

8 THIRD PARTY RIGHTS

8.1 A person who is not a party to the Deed shall not have any rights under, or in connection with, it by virtue of Contracts (Rights of Third Parties Act) 1999.

9 GOVERNING LAW

9.1 The Deed and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England.

IN WITNESS WHEREOF the Council has caused its Common Seal to be hereunto affixed and the Owner First Mortgagee and Second Mortgagee have executed this instrument as a Deed the day and year first before written.

EXECUTED AS A DEED BY
JAGA DEVELOPMENTS (LONDON) LTD
acting by a Director and its Secretary
or by two Directors

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)

.....
Director

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.....
Director/Secretary

LI PING CHAN

CONTINUATION OF DEED OF VARIATION RELATING TO 17 LYNTHURST GARDENS

EXECUTED AS A DEED BY

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CONTINUATION OF DEED OF VARIATION RELATING TO 17 LYNTHURST GARDENS

EXECUTED AS A DEED BY)
TOPLAND VINTAGE FINANCE LIMITED)
acting by a Director and its Secretary)
or by two Directors)

.....
Director

.....
Director/Secretary

CONTINUATION OF DEED OF VARIATION RELATING TO 17 LYNTHURST GARDENS

EXECUTED AS A DEED by A DIRECTOR)
for and on behalf of)
PROSPECT CAPITAL SECURITY TRUSTEES LIMITED)

.....
Authorised Signatory

..... STEPHANUS DU TOIT
Full Name

EXECUTED AS A DEED by A DIRECTOR)
for and on behalf of)
PROSPECT CAPITAL LIMITED)

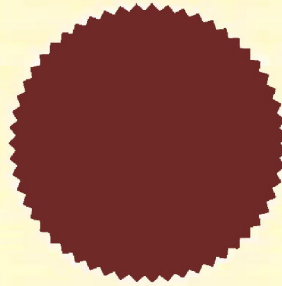
.....
Authorised Signatory

..... STEPHANUS DU TOIT
Full Name

CONTINUATION OF DEED OF VARIATION RELATING TO 17 LYNTHURST GARDENS

**THE COMMON SEAL OF THE MAYOR
AND BURGESSSES OF THE LONDON
BOROUGH OF CAMDEN
was hereunto affixed by Order:-**

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Duly Authorised Officer

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Application ref: 2023/1434/P
Contact: Laura Dorbeck
Tel: 020 7974 1017
Date: 27 July 2023

Lichfields
The Minster Building
21 Mincing Lane
London
EC3R 7AG

Dear Sir/Madam,

FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
17 Lyndhurst Gardens
London
NW3 5NU

Proposal:

Variation of condition 2 (approved drawings) of 2019/6151/P granted 29/09/2021 for the change of use from Class D1 use (non-residential institution) to Class C3 Use (residential) as 1 x 5 bedroom unit, 1 x 5 bedroom unit and 1 x 4 bedroom unit, internal alterations, external alterations including a new glass link element and lowering of basement level, hard and soft landscaping including the removal of 10 trees, a summer house with internal cycling parking, a bin store, a cycle store and other associated works; namely, addition of two dormers to roof of Annexe building.

Drawing Nos: 1000 rev A, 1062, 1120 rev F, 1121 rev G, 1122 rev F1, 1123 rev F1, 1124 rev F1, 1140 rev F, 1141 rev F1, 1150 rev F1, 1151 rev F1, Noise Impact Assessment revision 02 dated 09/02/2022, and Design and Access Statement revision A.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 the original permission reference 2019/6151/P granted 29/09/202.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 Approved drawings

The development hereby permitted shall be carried out in accordance with the following approved plans:

1120 rev F, 1121 rev G, 1122 rev F1, 1123 rev F1, 1124 rev F1, 1140 rev F, 1141 rev F1, 1150 rev F1, 1151 rev F1, 3601 rev C, 3602 rev C, 3605 rev C, 3607 rev C, Landscape masterplan ref: 2568-11-P01C, 8000 L102 rev A, 8000 L008 rev A, 8000 L003 rev A, 8000 L002 rev A, 3011 rev B, 3012 rev B, 3013 rev B, 3014 rev B, 4500 rev B, 4501 rev B, 4502 rev B, 4503 rev B.

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

- 3 External fixtures

No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings.

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

4 Brickwork sample

Before the boundary wall brickwork is commenced, a sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

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.

5 Details of basement engineer

Price & Myers LLP shall inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body in accordance with the details approved under reference 2022/5472/P granted on 11/01/2023.

Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of Policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

6 Basement development

The basement development shall be constructed in accordance with the method and recommendations set out in the following documents: Basement Impact Assessment (including Desk Study & Ground Investigation Report) (ref: J20088), rev 6 dated December 2020, by GEA Ltd; Basement Impact Assessment (including Desk Study & Ground Investigation Report) (ref.:J20088), dated September 2020, by GEA Ltd; and the recommendations set out in Campbell Reith's audit report revision F1 dated January 2021.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017

7 Cycle parking

Prior to the occupation of the development, the cycle storage areas (including 3 spaces for the lodge, 4 spaces for the annex, and 6 spaces for the main house) shall be provided in their entirety prior to the first occupation of the development, and permanently retained thereafter.

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

8 Breeding bird protection

The proposed demolition or any site clearance should be undertaken outside the breeding bird season (i.e. it should be undertaken in the period September to January inclusive). Should it prove necessary to undertake demolition or clearance works during the bird nesting season, then a pre-works check for nesting birds should be undertaken by a qualified ecologist. If any active nests are found, works should cease and an appropriate buffer zone should be established (the qualified ecologist would advise). This buffer zone should be left intact until it has been confirmed that the young have fledged and the nest is no longer in use.

Reason: In order to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of Policies A3 and CC2 of the London Borough of Camden Local Plan 2017

9 Landscaping details

Prior to commencement of above-ground development (excluding demolition and any site preparation works), full details of hard and soft landscaping and means of enclosure of all un-built, open areas shall be submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels, and details of number, species and location of replacement trees including details of planting method and maintenance. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

10 Landscaping works

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 or prior to the occupation for the permitted use of the development, whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) 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 A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

11 Green Roof details

Prior to commencement of above-ground development (excluding demolition and any site preparation works), full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved in writing by the local planning authority. Details of the green roof provided shall include: species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, as well as details of the maintenance programme for green roof. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3, CC2 and CC3 of the London Borough of Camden Local Plan.

12 Water use

The development hereby approved shall achieve a maximum internal water use of 105litres/person/day. The dwellings shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the Camden Local Plan 2017.

13 Energy and Sustainability

Prior to occupation of the development, the applicant will have constructed and implemented the measures contained in the Sustainability and Energy Statement by Scotch Partners dated December 2019 and such measures shall be permanently retained and maintained thereafter.

Reason: In order to secure the appropriate energy and resource efficiency measures in accordance with Policies CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017.

14 Obscure glazing

The obscured film shall be installed to the south facing windows of The Lodge as shown on the approved drawings prior to occupation of this unit.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

15 Approval from Thames Water

Prior to occupation, details of approval from Thames Water for the capacity into the combined sewer and evidence of their agreement to the final drainage design shall be submitted to and approved in writing by the local planning authority.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of Policy CC3 of the London Borough of Camden Local Plan 2017.

16 Air quality - off road vehicles

All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the [demolition and/construction] phase of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the [demolition and/construction] phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies G1, A1, CC1 and CC4 of the London Borough of Camden Local Plan 2017.

17 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the typical existing background noise level by at least 10dBA, or by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

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.

18 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration-isolated from the casing and adequately silenced and maintained as such.

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.

Informative(s):

1 Reasons for granting permission

Planning permission was previously granted for the change of use from Class D1 use (non-residential institution) to Class C3 Use (residential) as 2 x 5 bedroom dwellings and 1 x 4 bedroom dwelling, internal alterations, external alterations including a new glass link element and lowering of the basement level, hard and soft landscaping including the removal of 10 trees, a summer house with internal cycling parking, a bin store, a cycle store and other associated works.

Permission is now sought for a minor material amendment to the approved scheme in the form of two dormer windows to the roof of the annexe building. The proposed amendment is considered a minor change that would have limited impact on the overall design of the approved scheme and would not impact the significance of the building.

The annexe building is a modern 80s addition which, as noted in the original committee report, is a poorly executed and detailed interpretation of the original building that detracts from its significance. The proposals included the re-cladding of the building, changes to the façade to provide a more contemporary, modern design that is clearly differentiated from the materiality and design of the original historic building and the addition of rooflights. The new dormers would be constructed of materials that match the approved design.

The annex is located to the far west of the site where it is shielded from views from Lyndhurst Gardens and neighbouring properties. Given the dual pitched roof of the annexe, the dormers also would not be visible from the garden of the property which sit to the south of the house, and the appearance of the principal southern façade of the annexe would remain as approved. As such, the proposals would not compromise the overall design of the approved building or impact on the character and appearance of the Conservation Area or the significance of the listed building. The Council's Conservation Officer has reviewed these amendments and carried out a site visit and confirmed they are minor changes that would not impact the significance of the building.

The dormers would serve what was originally approved to be a plant room. The proposed plant is entirely internal and as such does not require planning permission, however, due to changes to the specifications of the proposed plant, additional space and head height to the plant room is required. A noise impact assessment has been submitted which demonstrates that the plant would comply with Camden's noise standards, and there would therefore be no additional impact on neighbouring amenity compared to the approved scheme. Additional conditions will be secured to ensure compliance with these standards. In addition, the proposed dormers would not result in any other impacts to neighbouring amenity in terms of daylight/sunlight, outlook or privacy due to their size and location.

The proposed drawings include a number of additional non-material amendments which have recently been approved under references 2023/0625/P and 2023/0605/L on 21/06/2023 and as such, they are not re-considered here.

No objections were received prior to the determination of this application and the planning history of the site has been taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, and to preserving or enhancing the character or appearance of the conservation area, under s.66 and 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 D1, D2, A1 and A4 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the NPPF 2021.

- 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 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 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)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 6 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 7 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

- 8 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.

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 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Supporting Communities Directorate