

DATED - 01 MARCH ————— 2024

(1) UK LUX ONE SPV 9 LIMITED

-and-

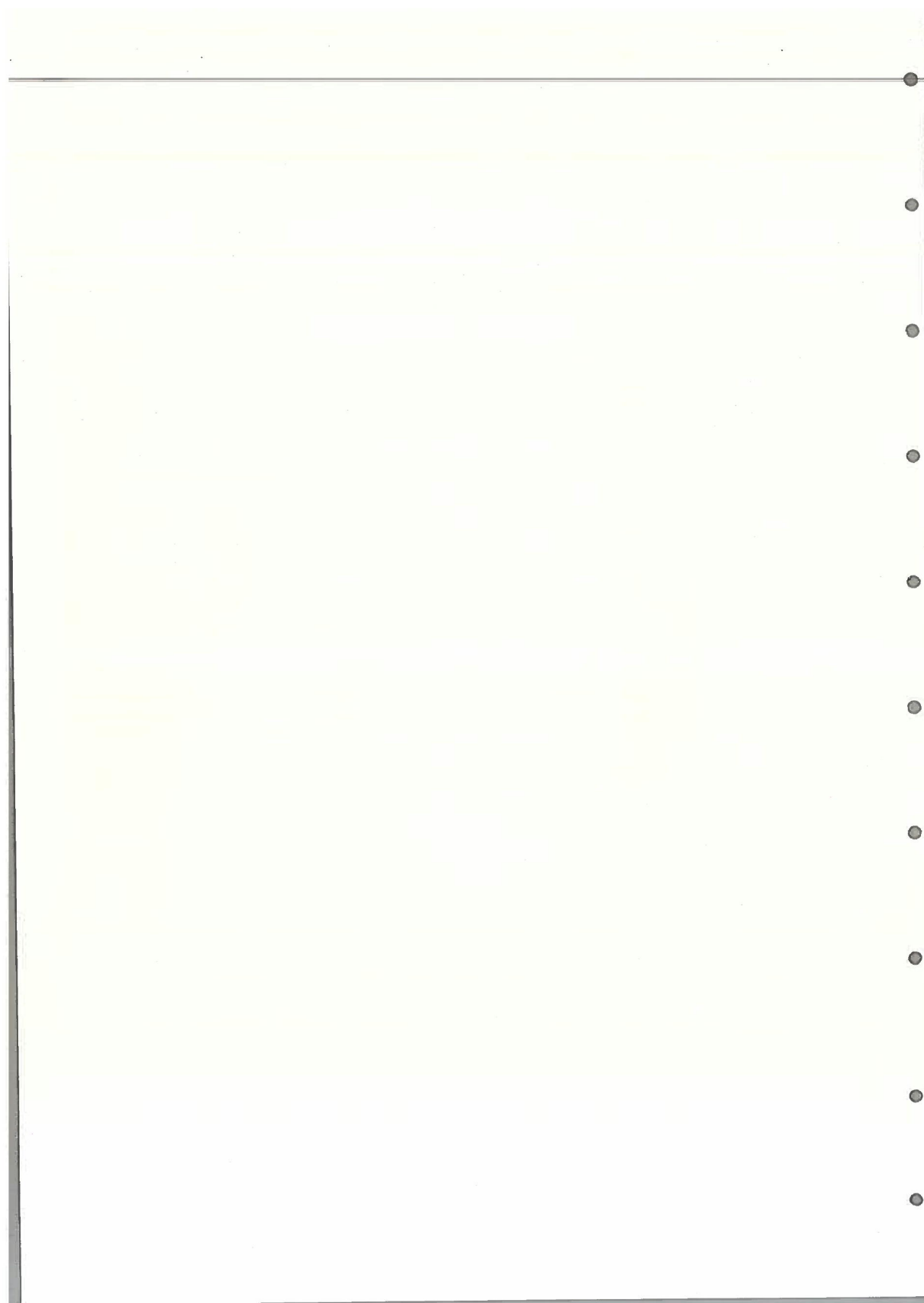
(2) THE MAYOR AND THE BURGESSES OF
THE LONDON BOROUGH OF CAMDEN

DEED OF VARIATION

Relating to the Agreement dated 16 March 2022
Between the Mayor and the Burgesses of the
London Borough of Camden,
UK Lux One Spv 9 Limited and Activtrades Plc
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as
1 AND 3 FERDINAND PLACE, LONDON NW1 8EE

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

Tel: 020 7974 5680
CLS/COM/HM/1800.2268
FINAL DoV



THIS DEED is made on the 01 day of MARCH 2024

BETWEEN

1. **UK LUX ONE SPV 9 LIMITED** (Co. Regn. No. 9948672) whose registered office is at Top Floor, 125 Gloucester Road, London SW7 4TE (hereinafter called "the Owner") of the first part
3. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Council") of the second part

WHEREAS:

- 1.1 The Council, UK Lux One SPV 9 Limited and Activtrades Plc entered into an Agreement dated 16th March 2022 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 NGL957516.
- 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 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.
- 1.5 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 30 March 2022 for which the Council resolved to grant permission conditionally under reference 2022/1363/P subject to the conclusion of this Deed.

1.6 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.

1.7 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 be construed as part of this Agreement 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 It is hereby agreed between the Parties that save for the provisions of clauses 1, 2, 4, 5, 6 7 and 8 hereof all of which shall come into effect on the date hereof the covenants undertakings and obligations contained within this Deed shall become binding upon the Owner upon the Implementation Date.

2.7 References in this Deed to the Owner shall include their successors in title.

2.8 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 16 March 2022 made between the Council and Original Owner and Original Mortgagee

2.8.3 "the Original Planning Permission" means the planning permission granted by the Council on 16 March 2022 referenced 2020/2364/P allowing the demolition of the existing building and the erection of a four storey building with roof level accommodation, terraces and PV panels, comprising office use (Class E) at ground floor level and 9 self-contained residential units (Class C3) on the upper floors, plus associated plant, cycle parking and refuse storage as shown on drawing numbers: Existing plans: 3262-CB-A-DR-0001 rev P2; 3262-CB-A-DR-0010 rev P1; 3262-CB-A-DR-0011 rev P1; 3262-CB-A-DR-0051 rev P1; 3262-CB-A-DR-0052 rev P.

Proposed plans: 3262-CB-A-DR-1002 rev P; 3262-CB-A-DR-1001 rev P2; 3207-CB-A-DR-1010 rev P7; 3207-CB-A-DR-1011 rev P9; 3207-CB-A-DR-1012 rev P5; 3207-CB-A-DR-1013 rev P12; 3207-CB-A-DR-1014 rev P12; 3207-CB-A-DR-1015 rev P5; 3207-CB-A-DR-1051 rev P11; 3207-CB-A-DR-1052 rev P10; 3207-CB-A-DR-1053 rev P8; 3207-CB-A-DR-1054 rev P8; 3207-CB-A-DR-1073 rev P2; 3207-CB-A-DR-1056 rev C.

Supporting documents: Planning Statement prepared by Savills dated May 2020; Transport Statement prepared by Caneparo Associates dated May 2020; Energy and Sustainable statement prepared by JAW Sustainability dated 22/01/2021; Design and Access Statement Addendum prepared by Cove Burgess Architecture dated November 2020; Air Quality Assessment prepared by Air Quality Assessments Ltd dated 01/09/2020; Daylight and Sunlight Report prepared by Schroeders Begg (UK) LLP dated November 2020; M4(2) Category: Ecological Impact Assessment prepared by ECOSA dated May 2020; Arboricultural Planning Statement prepared by Alastair Durkin dated 15/05/2020; Acoustic Report prepared by Auricl Acoustic Consulting dated 13/05/2020; Accessible and adaptable dwellings prepared by Cove Burgess Architecture dated 10/03/2021; Construction / Demolition Management Plan Pro Forma prepared by Caneparo Associates dated 14/05/2020 rev A; Environmental Report Phase 1 prepared by Contaminated Land Solutions dated 25/02/2020; Financial Viability Assessment Report - Draft prepared by Luxgrove Capital Partners dated May 2021; Asbestos refurbishment / demolition survey prepared by Arisien.

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 planning permission dated 16 March 2022 referenced 2020/2364/P to Vary condition 2 (approved plans) and removal of condition 7 (tree protection measures) to remove 2 trees and replace with 2 new trees in relation to planning permission ref 2020/2364/P dated 16/03/2022 for demolition of the existing building and the erection of a four storey building for mixed use scheme (office use on the ground floor and 9 self-contained flats above) as shown on drawing numbers: 3262-CB-A-DR-0001 rev P1; Letter from AD Tree Consulting; Letter from Savills dated 25/03/2022.

3.1.2 "Planning Permission" the planning permission for the Development under reference number 2022/1363/P 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 30 March 2022 by the Owner and given reference number 2022/1363/P

3.2 The following definition shall be added to the Existing Agreement:-

3.2.1 2.28 "the Tree Replacement" two replacement trees in the vicinity of the development

3.2.2 2.29 the Tree Replacement Contribution" the sum of £2,333.36 (two thousand three hundred and thirty three pounds and thirty six pence) to be paid by the Owner to the Council in accordance with the terms of this Agreement to

be applied by the Council in the event of receipt towards the provision of the Tree Replacement within the London Borough of Camden

3.3 The following clause shall be added to the Existing Agreement:-

4.9 the Tree Replacement Contribution

4.9.1 On or prior to the Implementation Date to pay to the Council the Tree Replacement Contribution in full.

4.9.2 Not to Implement or to allow Implementation until such time as the Council has received the Tree Replacement Contribution in full.

3.4 All references in Clause 5 and Clause 6 of the Existing Agreement to "Planning Permission reference 2020/2364/P" shall be replaced with "Planning Permission reference 2022/1363/P".

3.5 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 2022/1363/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

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

EXECUTED AS A DEED BY
UK LUX ONE SPV 9 LIMITED
acting by a director
in the presence of:-

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)
)

.....
Director

JASON HON

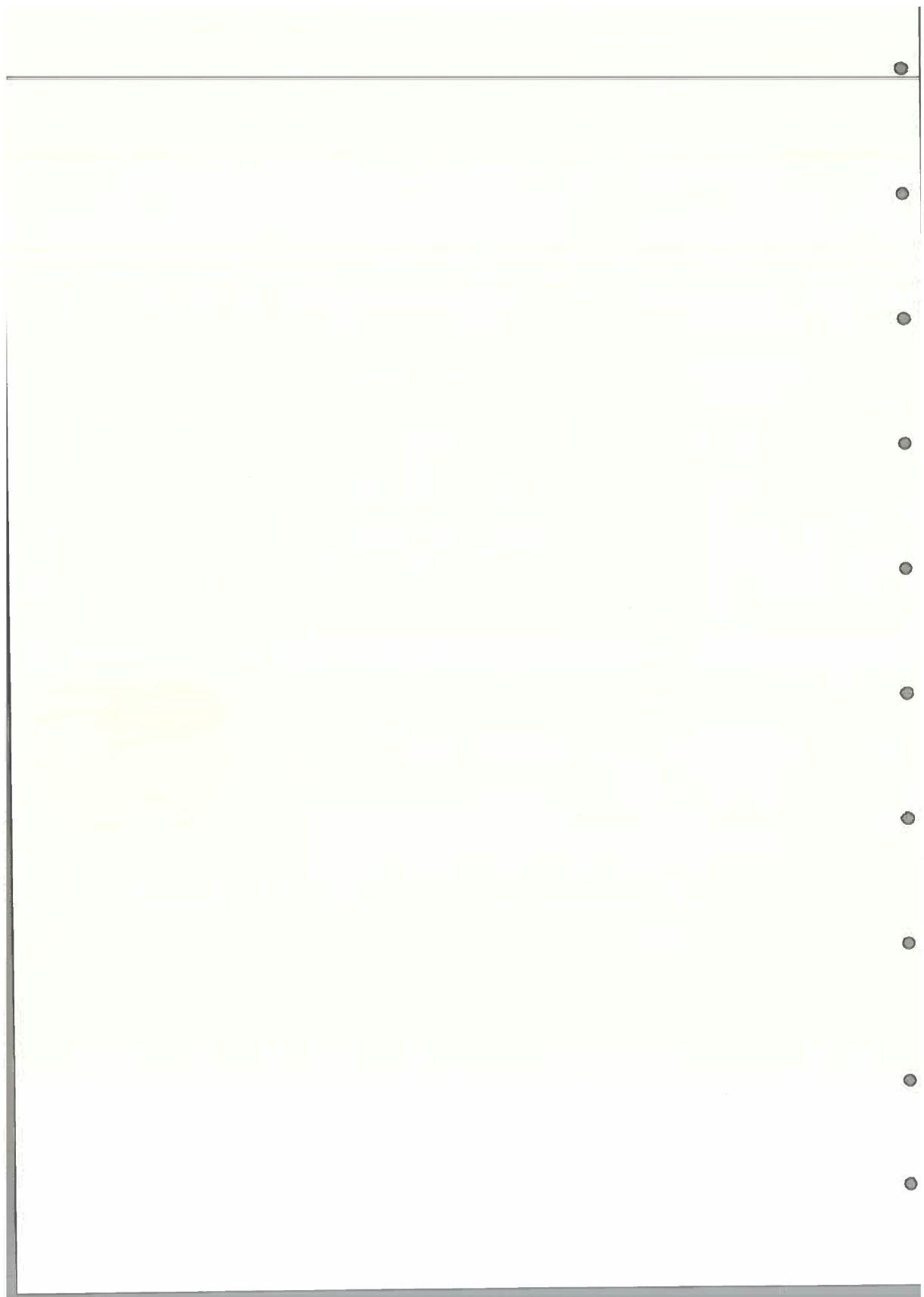
4 MERITAS COURT, 10 SALEM ROAD, LONDON W2 4AE

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

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)
)
)

.....
Duly Authorised Officer





Application ref: 2022/1363/P
Contact: Elaine Quigley
Tel: 020 7974 5101
Date: 9 October 2023

Savills
33 Margaret Street
Marylebone
London
W1G 0JD



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

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:
1-3 Ferdinand Place
London
NW1 8EE

Proposal:

Variation of condition 2 (approved plans) and removal of condition 7 (tree protection measures) to remove 2 trees and replace with 2 new trees in relation to planning permission ref 2020/2364/P dated 16/03/2022 for demolition of the existing building and the erection of a four storey building for mixed use scheme (office use on the ground floor and 9 self-contained flats above).

Drawing Nos: 3262-CB-A-DR-0001 rev P1; Letter from AD Tree Consulting; Letter from Savills dated 25/03/2022.

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 planning permission ref 2020/2364/P dated 16/03/2022.

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-

Existing plans: 3262-CB-A-DR-0001 rev P1; 3262-CB-A-DR-0010 rev P1; 3262-CB-A-DR-0011 rev P1; 3262-CB-A-DR-0051 rev P1; 3262-CB-A-DR-0052 rev P.

Proposed plans: 3262-CB-A-DR-1002 rev P; 3262-CB-A-DR-1001 rev P2; 3207-CB-A-DR-1010 rev P7; 3207-CB-A-DR-1011 rev P9; 3207-CB-A-DR-1012 rev P5; 3207-CB-A-DR-1013 rev P12; 3207-CB-A-DR-1014 rev P12; 3207-CB-A-DR-1015 rev P5; 3207-CB-A-DR-1051 rev P11; 3207-CB-A-DR-1052 rev P10; 3207-CB-A-DR-1053 rev P8; 3207-CB-A-DR-1054 rev P8; 3207-CB-A-DR-1073 rev P2; 3207-CB-A-DR-1056 rev C.

Supporting documents: Planning Statement prepared by Savills dated May 2020; Transport Statement prepared by Caneparo Associates dated May 2020; Energy and Sustainable statement prepared by JAW Sustainability dated 22/01/2021; Design and Access Statement Addendum prepared by Cove Burgess Architecture dated November 2020; Air Quality Assessment prepared by Air Quality Assessments Ltd dated 01/09/2020; Daylight and Sunlight Report prepared by Schroeders Begg (UK) LLP dated November 2020; Ecological Impact Assessment prepared by ECOSA dated May 2020; Acoustic Report prepared by Aurid Acoustic Consulting dated 13/05/2020; Accessible and adaptable dwellings prepared by Cove Burgess Architecture dated 10/03/2021; Construction / Demolition Management Plan Pro Forma prepared by Caneparo Associates dated 14/05/2020 rev A; Environmental Report Phase 1 prepared by Contaminated Land Solutions dated 25/02/2020; Financial Viability Assessment Report - Draft prepared by Luxgrove Capital Partners dated May 2021; Asbestos refurbishment / demolition survey prepared by Arisien; Letter from Savills dated 25/03/2022; Letter from AD Tree Consulting.

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

- 3 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Plan, elevation and section drawings, including fascia, cornice, pilasters and glazing panels of the new shopfronts at a scale of 1:10;

c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus

approved and all approved samples shall be retained on site during the course of the works.

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

- 4 Prior to the commencement of works, a method statement including details of (removal/dismantling of the cobbled setts and granite kerb stones to Ferdinand Place including their protection during construction and any repair) shall be submitted to and approved in writing by the local planning authority. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: In order to safeguard the historic interest of the locally listed highway in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 5 Prior to the commencement of works, excluding site setup and preparation, a strategy for salvage and appropriate reuse of demolished materials for no. 1 Ferdinand Place, mainly the white-painted relief plaques set into the walls, shall be submitted to and approved by the local planning authority.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: In order to safeguard the character and appearance of the local area in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 6 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 of the London Borough of Camden Local Plan 2017.

- 7 Prior to the occupation of the new flats, full details of screening and other measures to reduce overlooking to neighbouring occupiers at 2 Ferdinand Place and 12 Ferdinand Street from the proposed terraces (specifically from the west sides of the two 4th floor roof terraces and associated windows and the south side of the 1st floor rear balcony) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved and permanently maintained thereafter.

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

- 8 The flat roofs of the new development that are not annotated as roof terraces on the plans hereby approved shall be accessed for maintenance purpose only and shall not be used as additional roof terraces.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy A1 of the Camden Local Plan 2017.

- 9 Prior to first occupation of the residential units, the approved refuse and recycling storage areas shall be provided in their entirety and permanently retained and maintained thereafter.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policies A1 and CC5 of the Camden Local Plan 2017.

- 10 Prior to commencement of above-ground development works, full details of the mechanical ventilation system including air-inlet locations shall be submitted to and approved by the local planning authority in writing. Air-inlet locations should be located away from busy roads and the boiler stacks and as close to roof level as possible, to protect internal air quality. The development shall thereafter be constructed and maintained in accordance with the approved details.

Reason: To protect the amenity of residents in accordance with Policy CC4 of the London Borough of Camden Local Plan 2017.

- 11 No development shall take place until:

a) prior to installing monitors, full details of the air quality monitors have been submitted to and approved by the local planning authority in writing. Such details shall include the location, number and specification of the monitors, including evidence of the fact that they have been installed in line with guidance outlined in the GLA's Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance;

b) prior to commencement, evidence has been submitted demonstrating that the monitors have been in place for at least 3 months prior to the proposed implementation date.

The monitors shall be retained and maintained on site for the duration of the development in accordance with the details thus approved unless otherwise agreed with the local planning authority in writing..

Reason: To safeguard the amenity of adjoining premises and the area generally in accordance with the requirements of policies A1 and CC4 of the London Borough of Camden Local Plan 2017.

- 12 Prior to commencement of above-ground works, drawings (floor plans, elevations, and sections) and data sheets showing the location, extent and predicted energy generation of photovoltaic cells and associated equipment to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells shall be installed in full accordance with the details

approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 of the London Borough of Camden Local Plan 2017.

- 13 The gas boilers hereby approved to be fitted in the new residential development shall achieve a NOx emissions of <40 mg/m³ and an energy efficiency rating >90%.

Reason: To safeguard the amenity of adjoining premises and the area generally in accordance with the requirements of policies A1 and CC4 of the London Borough of Camden Local Plan 2017.

- 14 The development hereby approved shall achieve a maximum internal water use of 110 litres 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, CC3 of the London Borough of Camden Local Plan 2017.

- 15 Prior to commencement of development other than site clearance and preparation, a feasibility assessment for a hybrid blue-green roof should be submitted to the local planning authority and approved in writing. If a blue/green roof or green roof are considered feasible, details should be submitted to the local authority and approved in writing. The details shall include the following:

- a) detailed maintenance plan,
- b) details of its construction and the materials used,
- c) a section at a scale of 1:20 showing substrate depth averaging 130mm with added peaks and troughs to provide variations between 80mm and 150mm, and
- d) full planting details including species showing planting of at least 16 plugs per m².

The development shall thereafter be constructed in accordance with the approved details.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies A3, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 16 Secure and covered cycle storage areas for 18 residential long-stay cycle spaces, 4 commercial long stay cycle spaces and 3 combined (residential and commercial) short-stay cycle spaces shall be provided in accordance with the approved plan 3262-CB-A-DR-1010 rev P6. The approved cycle cage within the enclosed courtyard shall include a covered roof. The approved facilities shall be provided in their entirety prior to the first occupation of any of the new units and permanently retained and maintained 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.

- 17 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

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 commencement of use, plant or equipment and ducting 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 ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 19 The noise level in residential rooms at the development hereby approved shall meet the noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration, in accordance with the requirements of Policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 20 The units B1, B2, B4, B5, B6, B7, B8 and B9 as indicated on the plans hereby approved shall be designed and constructed in accordance with Building Regulations Part M4(2).

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of Policy H6 of the Camden Local Plan 2017.

- 21 The unit B3 as indicated on the plans hereby approved shall be designed and constructed in accordance with Building Regulations Part M4(3).

Reason: To ensure that the wheelchair unit would be capable of providing adequate amenity and accessibility for future occupiers in accordance with Policy H6 of the Camden Local Plan 2017.

- 22 Notwithstanding the provisions of Class E of Part A of Schedule 2 of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the ground floor unit marked 'office' on the plans hereby approved shall be only used for purposes within Class E (g) and for no other use.

Reason: To ensure that the future occupation of the building retains employment space and does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion etc in accordance with policies A1, T1 and E2 of the London Borough of Camden Local Plan 2017

- 23 Any asbestos contamination and its removal and mitigation shall be carried out in accordance with the asbestos survey by Arisien (Asbestos refurbishment / demolition survey) hereby approved. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To protect future occupiers of the development from the possible contamination arising in connection with the buildings on the site in accordance with policies A1, C1 and CC5 of the London Borough of Camden Local Plan 2017.

- 24 Prior to first occupation of the development, a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features 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.

- 25 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 IIIB 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.

Informative(s):

- 1 Reasons for granting permission:-

Planning permission was granted for a mixed use commercial and residential development (2020/2364/P) dated 16/03/2022 at 1-3 Ferdinand Place. There are 2 trees within a small piece of land within the Broomfield Estate which is Council owned land adjacent to the site to the north. Following development of the construction methodology for the development it has been found that the retention

of the trees is not possible. Permission is sought for the removal of the 2 trees.

The Council's tree officers and street trees officers have reviewed the information and have advised that the trees can be removed subject to the planting of suitable replacements. The species type, size, and location of the replacement trees as well as the associated costs will be required to be undertaken in discussion with the Council's street tree team. The s106 legal agreement that was secured as part of the original planning permission will be required to be varied through a deed of variation and the new head of term added to secure the planting of two replacement trees.

The full impact of the scheme has already been assessed during the determination of the permitted scheme, and it is considered that the amendments would have a no material effect in terms of impact on character and appearance of the host building or the surrounding streetscene.

No objections were received during the consultation period. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies H1, H4, H6, H7, C5, C6, E1, E2, A1, A2, A3, A4, CC1, CC2, CC3, CC4, CC5, D1, D2, T1 and T2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.

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

