

SR



Development Control
Planning Services
London Borough of Camden
Town Hall
Argyle Street
London WC1H 8ND

Tel 020 7278 4444
Fax 020 7974 1680
Textlink 020 7974 6866

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

Iain Collie
Christian Garnett Partners LLP
Holborn Hall
195 High Holborn
London
WC1V 7BD

Application Ref: **2007/5975/P**
Please ask for: **Charles Thuaire**
Telephone: **020 7974 5867**

15 January 2009

Dear Sir/Madam

DECISION

Town and Country Planning Acts 1990 (as amended)
Town and Country Planning (General Development Procedure) Order 1995
Town and Country Planning (Applications) Regulations 1988

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
**7 Northington Street
and 14-17 Kings Mews
London
WC1N 2JF**

Proposal:

Alterations and extensions to provide 3 new selfcontained dwellinghouses, including creation of new basement floors under whole building, erection of 2 new mansard roof extensions on Kings Mews elevation and replacement of garage door openings by new windows and doors, replacement of part of building fronting Northington Street by a new basement and 4 storey building with roof terrace over.

Drawing Nos: 668 (01)000 rev A; 101 rev E; 102 rev E; 103 rev E; 200 rev C; 201 rev D; 202 rev B; 203 rev B; 301 rev B; 302 rev B; 303 rev B; 600 rev G; 601 rev K; 602 rev I; 603 rev I; 604 rev I; 605 rev G; 700 rev B; 701 rev L; 702 rev L; 703 rev C; 801 rev C; 802 rev C; 803 rev C; 804 rev C; Stannah stairlift specification.

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

Condition(s) and Reason(s):



INVESTOR IN PEOPLE

- 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 details of the new doors, windows and timber boarding (including details of the treatment to timber on the ground floor Kings Mews elevation) to be used on the building shall not be otherwise than as those submitted to and approved by the Council before any work is commenced on the relevant part of the development. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies S1/ S2 and B1 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 3 Sample panels of the roofing slate and facing brickwork, demonstrating the proposed colour, texture, face-bond and pointing, shall be provided on site and approved by the Council before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The sample 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 S1/ S2 and B1 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006

- 4 Notwithstanding the details shown on the plans hereby approved, a glazed privacy screen, details of which shall have been submitted to and approved by the Council, shall be erected on the east side of the roof terrace at 7 Northington Street prior to commencement of use of the roof terrace and shall be permanently retained and maintained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies S1/ S2 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006

- 5 No work shall take place on site until a detailed design and method statement for the excavation and construction of the proposed basements, including retaining walls, has been submitted to and approved by the Council. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

Reason: In order to protect the structural integrity of the adjoining public highway and thus minimise danger to users of the highway, in accordance with the requirements of policy T12 of the London Borough of Camden Replacement

Unitary Development Plan 2006.

- 6 No work shall take place on site until a detailed design and method statement for the protection and stabilisation of the external walls during works of demolition and construction has been submitted to and approved by the Council. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition

Reason: To safeguard the retention of the principal elements of the existing building and thus safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies S1/ S2 and B1 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 7 Before the development commences, details of the location, design and method of waste storage and removal (including recycled materials) shall be submitted to and approved by the Council and the approved facility shall therefore be provided prior to the first occupation of any of the new units and permanently maintained and retained thereafter.

Reason: To safeguard the amenities of the area generally in accordance with the requirements of policies SD6 and SD12 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 8 Before the development commences, details of the proposed cycle storage area for three cycles shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 9 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development Order) 1995 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A, C and H) of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the Council.

Reason: To safeguard the visual amenities of the area by controlling proposed alterations in order to ensure compliance with the requirements of policies S1/ S2, B1 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Informative(s):

- 1 In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Highways Management

Team (tel: 020-7974 6956) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.

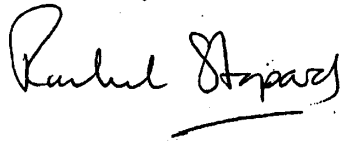
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).
- 3 You are advised that policy H7 of the Replacement Unitary Development Plan 2006 encourages all new housing developments to be accessible to all and meet "Lifetime Homes" standards, and the Council welcomes any measures that can be introduced to facilitate this. You are advised to consult the Access Officer, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 2310) to ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time.
- 4 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 Environmental Health Service, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 2090 or by email env.health@camden.gov.uk or on the website www.camden.gov.uk/pollution) 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.
- 5 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 Council's Records and Information Team, Culture and Environment Directorate, Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ (tel: 020-7974 5613).
- 6 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 Sites Team, Urban Design and Regeneration.
- 7 Reasons for granting permission.

The proposed development is in general accordance with the policy requirements of the London Borough of Camden Replacement Unitary Development Plan 2006, with particular regard to policies SD1,2,4,6,9,12; H1,3,7,8; B1,3,7; T3,7,8,9,12. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

- 8 You are advised that the Council will expect all new buildings and structures to be as energy efficient and sustainable as is reasonably practicable and welcomes the measures that have been indicated to date.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard
Director of Culture & Environment

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.

DATED

15 JANUARY

⁹
2006

(1) CAPITOL CITY LIMITED

and

(2) DUNBAR BANK PLC

and

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

A G R E E M E N T

relating to land known as

7 NORTHINGTON STREET and 14-17 KINGS MEWS

LONDON, WC1N 2JF

pursuant to Section 106 of the Town and Country Planning

Act 1990 (as amended) and

Section 278 of the Highways Act 1980

Andrew Maughan
Head of Legal Services
London Borough of Camden
Town Hall
Judd Street
London WC1H 9LP

Tel: 020 7974 5826

Fax: 020 7974 2962

CLS/COM/KVR/1431.1315

V1

THIS AGREEMENT is made the 15 day of JANUARY 2008⁹

BETWEEN:

1. **CAPITAL CITY LIMITED** (Co. Regn. No. 06191458) whose registered office is at 33 West Street, Godmanchester, Cambridgeshire PE29 2HH (hereinafter called "the Owner") of the first part
2. **DUNBAR BANK PLC** (Co. Regn. No. 9667130 of 33 Jermyn Street, London SW1Y 6AD (hereinafter called "the Mortgage") of the second 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 third part

WHEREAS

- 1.1 The Owner is registered at the Land Registry as the freehold proprietor with Title absolute of the Property under Title Number LN223481 subject to a charge to the Mortgagee.
- 1.2 The Owner is the freehold proprietor of and is interested in the Property for the purposes of Section 106 of the Act.
- 1.3 A planning application for the development of the Property was submitted to the Council and validated on 6 December 2007 and the Council resolved to grant permission conditionally under reference number 2007/5975/P subject to conclusion of this legal Agreement.
- 1.4 The Council 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 Agreement.
- 1.5 As local highway authority the Council considers the Highways Works to be carried out pursuant to this section 278 Agreement to be in the public benefit.

- 1.6 For that purpose the Owner is willing to enter into this Agreement pursuant to the provisions of Section 106 of the Act.
- 1.7 Dunbar Bank PLC as Mortgagee under a legal charge registered under Title Number LN223481 and dated 23 May 2007 (hereinafter called "the Legal Charge") is willing to enter into this Agreement to give its consent to the same.

2. **DEFINITIONS**

In this Agreement the following expressions (arranged in alphabetical order) shall unless the context otherwise requires have the following meanings:-

- | | | |
|-----|---|--|
| 2.1 | "the Act" | the Town and Country Planning Act 1990 (as amended) |
| 2.2 | "the Agreement" | this Planning Obligation made pursuant to Section 106 of the Act |
| 2.3 | "the Application" | a planning application in respect of the development of the Property submitted to the Council and validated on 6 December 2007 for which a resolution to grant permission has been passed conditionally under reference number 2007/5975/P subject to conclusion of this Agreement |
| 2.4 | "the Certificate of Practical Completion" | the final certificate issued by the Council certifying that the Development has been completed to its reasonable satisfaction |
| 2.5 | "The Construction Management Plan" | a plan setting out how the Owner will undertake construction of the Development using good site |

practices in accordance with the Council's Considerate Contractor Manual to ensure the Construction Phase of the Development has minimal impact on the surrounding environment including (but not limited to):

- (i) effects on the health and amenity of local residents site construction workers and local businesses adjoining developments undergoing construction
- (ii) effects on other Conservation Area ; features
- (iii) amelioration and monitoring measures over construction traffic including procedures for notifying the owners and or occupiers of the residents and businesses in the locality in advance of major operations delivery schedules and amendments to normal traffic arrangements;
- (iv) proposed routes of vehicles to and from the Development and the access arrangements for vehicles;
- (v) sizes of all vehicles and the schedule of when they will need to access the site;
- (vi) swept path drawing for the vehicle routes for all vehicle sizes;

- (vii) parking and loading arrangement of vehicles and delivery of materials and plant to the Development;
- (viii) details of proposed parking bays suspensions and temporary traffic management orders;
- (ix) the proposed working hours;
- (x) the inclusion of a waste management strategy for handling and disposing of construction waste, and
- (xi) identifying means of ensuring the provision of information to the Council and provision of a mechanism for monitoring and reviewing as required from time to time

2.6 "The Construction Phase"

the whole period between

- (i) the Implementation Date and
- (ii) the date of issue of the Certificate of Practical Completion.

2.7 "the Council's Considerate Contractor Manual"

the document produced by the Council from time to time entitled "Considerate Contractor Manual" relating to the good practice for

developers engaged in building activities in the London Borough of Camden

2.8 "the Development"

Alterations and extensions to provide 3 new self-contained dwellinghouses, including creation of new basement floors under whole building, erection of 2 new mansard roof extensions on Kings Mews elevation and replacement of garage door openings by new windows and doors, replacement of part of building fronting Northington Street by a new basement and 4 storey building with roof terrace over as shown on drawing numbers: 668 (01)000 rev A; 101 rev E; 102 rev E; 103 rev E; 200 rev C; 201 rev D; 202 rev B; 203 rev B; 301 rev B; 302 rev B; 303 rev B; 600 rev G; 601 rev K; 602 rev I; 603 rev I; 604 rev I; 605 rev G; 700 rev B; 701 rev L; 702 rev L; 703 rev C; 801 rev C; 802 rev C; 803 rev C; 804 rev C; Stannah stairlift specification.

2.9 "the Highways Contribution"

the sum of £5,500 (Five thousand five hundred pounds) to be paid by the Owner to the Council in accordance with the terms of the Agreement and to be applied by the Council in the event of receipt for the carrying out of works to the public highway and associated measures in order to improve the pedestrian environment in the vicinity of the Property such works to include the following ("the Highways Works"):-

- (a) Repaving perimeter of the site, and
- (b) Boulevard footway

and all works will be subject to final measure and for the avoidance of doubt the Council in

accepting this sum does not undertake any responsibility in connection with any required statutory undertakes

2.10 "the Implementation Date"

the date of implementation of the Development by the carrying out of a material operation as defined in Section 56 of the Act and references to "Implementation" and "Implement" shall be construed accordingly

2.11 "Occupation Date"

the first date when any part of the Development is occupied and the phrases "Occupy", "Occupied" and "Occupation" shall be construed accordingly

2.12 "the Parties"

mean the Council the Owner and the Mortgagee

2.13 "Planning Obligations Monitoring Officer"

a planning officer of the Council from time to time allocated to deal with all planning obligations pursuant to S106 of the Act to whom all notices, correspondence, approvals etc must be sent in the manner prescribed at clause 6.1 hereof

2.14 "the Planning Permission"

a planning permission granted for the Development substantially in the draft form annexed hereto

2.15 "the Property"

the land known as 7 Northington Street and 14-17 King's Mews, London WC1N 2JF the same as shown edged in red on the plan

- 2.16 "Residents Parking Bay" a parking place designated by the Council by an order under the Road Traffic Regulation Act 1984 or other relevant legislation for use by residents of the locality in which the Development is situated
- 2.17 "Residents Parking Permit" A parking permit issued by the Council under section 45(2) of the Road Traffic Regulation Act 1984 allowing a vehicle to park in Residents Parking Bays

NOW THIS DEED WITNESSETH as follows:-

- 3.1 This Agreement is made in pursuance of Section 106 of the Act, and is a planning obligation for the purposes of Section 106 as aforesaid, and shall be enforceable by the Council against the Owner as provided herein and against any person deriving title to any part of the Property from the Owner and insofar as it is not a planning obligation its provisions may be enforceable by the Council under any relevant statutory powers.
- 3.2 Words importing the singular shall include the plural and vice versa and any words denoting actual persons shall include companies corporations and other artificial persons.
- 3.3 Any reference to a specific statute or statutes include any statutory extension or modification amendment or re-enactment of such statute and any regulation or orders made under such statute.
- 3.4 The clause and paragraph headings do not form part of this Agreement and shall not be taken into account in its construction of interpretation.
- 3.5 It is hereby agreed between the Parties that save for the provisions of clauses 1, 2, 3, 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 Agreement shall become binding upon the Owner upon the Implementation Date.

- 3.6 The Council hereby agrees to grant the Planning Permission on the date hereof.
- 3.7 The Parties save where the context states otherwise shall include their successors in title.

4. OBLIGATIONS OF THE OWNER

The Owner hereby covenants with the Council as follows:-

4.1 Car Free

- 4.1.1 The Owner hereby covenants with the Council to ensure that prior to occupying any residential unit forming part of the Development each new resident of the Development is informed by the Owner of the Council's policy that they shall not be entitled (unless they are the holder of a disabled persons badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970) to be granted a Residents Parking Permit to park a vehicle in a Residents Parking Bay and will not be able to buy a contract to park within any car park owned, controlled or licensed by the Council.
- 4.1.2 The Owner for itself and its successors in title to the Property hereby acknowledges that the provision in Clause 4.1 above will remain permanently.
- 4.1.3 On or prior to the Occupation Date the Owner shall inform the Council's Planning Obligations Monitoring Officer of the official unit numbers of the residential units forming part of the Development (as issued and agreed by the Council's Street Name and Numbering Department), identifying those residential units that in the Owner's opinion are affected by the Owner's obligation in Clause 4.1 of this Agreement.

4.2 Construction Management Agreement

- 4.2.1 On or prior to Implementation to submit to the Council for approval the Construction Management Plan.
- 4.2.2 Not to Implement or permit Implementation of the Development until such time as the Council has approved the Construction Management Plan in writing.
- 4.2.3 After Implementation, the Owner shall not carry out or permit to be carried out any works of construction at any time other than in strict accordance with the Construction Management Plan as approved by the Council.

4.3 Highways Contribution

- 4.3.1 On or prior to the Implementation Date to pay to the Council the Highways Contribution.
- 4.3.2 Not to implement or to permit implementation until such time as the Council has received the Highway Contribution.
- 4.3.3 On completion of the Highways Works the Council shall provide to the Owner a certificate specifying the sum ("the Certified Sum") expended by the Council in carrying out the Highway Works.
- 4.3.4 If the Certified Sum exceeds the Highways Contribution then the Owner shall within fourteen days of the issuing of the said certificate pay to the Council the amount of the excess.

5. NOTICE TO THE COUNCIL/OTHER MATTERS

- 5.1 The Owner shall give written notice to the Council on or prior to the Implementation Date specifying that Implementation of the Development has taken or is about to take place.

- 5.2 Within 7 days following completion of the Development the Owner shall certify in writing to the Planning Obligations Monitoring Officer in the manner outlined at clause 6.1 hereof quoting planning reference 2007/5975/P the date upon which the Development are ready for occupation.
- 5.3 The Owner shall act in good faith and shall co-operate with the Council to facilitate the discharge and performance of all obligations contained herein and the Owner shall comply with any reasonable requests of the Council to have access to any part of the Property or any requests to provide documentation within the Owner's possession (at the Owner's expense) for the purposes of monitoring compliance with the obligations contained herein.
- 5.4 The Owner agrees declares and covenants with the Council that it shall observe and perform the conditions restrictions and other matters mentioned herein and shall not make any claim for compensation in respect of any condition restriction or provision imposed by this Agreement and further shall jointly and severally indemnify the Council for any expenses or liability arising to the Council in respect of breach by the Owner of any obligations contained herein save to the extent that any act or omission of the Council its employees or agents has caused or contributed to such expenses or liability.
- 5.5 Payment of the Contribution pursuant to Clause 4.3 of this Agreement shall be made by the Owner to the Planning Obligations Monitoring Officer referring to the names dates and Parties to this Agreement and citing the specific clause of this Agreement to which such Contribution relates.
- 5.6 All consideration given in accordance with the terms of this Agreement shall be exclusive of any value added tax properly payable in respect thereof and all parties other than the Council shall pay and indemnify the Council against any such value added tax properly payable on any sums paid to the Council under this Agreement upon presentation of an appropriate value added tax invoice addressed to the Owner.
- 5.7 Any sums referred to in this Agreement as payable or to be applied by any party other than the Council under this Agreement shall be paid or applied TOGETHER WITH if such payment or application is made more than three months from the date

of this Agreement a further sum ("A") being equal to the original sum payable ("B") multiplied by a figure being a fraction of which the All Items of Retail Prices ("the AIIRP") figure last published by the Central Statistical Office at the date hereof is the denominator ("X") and the last AIIRP figure published before the date such payment or application is made ("Y") less the last published AIIRP figure at the date hereof ("X") is the numerator so that

$$A = \frac{B \times (Y-X)}{X}$$

- 5.8 All costs and expenses payable to the Council under this Agreement shall bear interest at the rate of 4% above the Base Rate of the National Westminster Bank plc from time to time being charged from the date such payment is due until payment is made.

6. **IT IS HEREBY AGREED AND DECLARED** by the Parties hereto that:-

- 6.1 The provisions of Section 196 of the Law of Property Act 1925 (as amended) shall apply to any notice or approval or agreement to be served under or in connection with this Agreement and any such notice or approval shall be in writing and shall specifically refer to the name, date and Parties to the Agreement and shall cite the clause of the Agreement to which it relates and in the case of notice to the Council shall be addressed to the London Borough of Camden, Planning Obligations Officer, Forward Planning and Projects Team, Planning Division Environment Department, Town Hall Annex, Argyle Street, London WC1H 9LP quoting the planning reference number 2007/5975/P and in the case of any notice or approval or agreement from the Council this shall be signed by a representative of the Council's Environment Department.
- 6.2 This Agreement shall be registered as a Local Land Charge.
- 6.3 The Owner agrees to pay the Council its proper and reasonable legal costs (to the sum of £2000) incurred in preparing this Agreement on or prior to the date of completion of the Agreement.
- 6.4 The Owner hereby covenants with the Council that it will within 28 days from the date hereof apply to the Chief Land Registrar of the Land Registry to register this

Agreement in the Charges Register of the title to the Property and will furnish the Council forthwith on written demand with official copies of such title to show the entry of this Agreement in the Charges Register of the title to the Property.

- 6.5 Nothing contained or implied in this Agreement shall prejudice or affect the Council's powers to enforce any specific obligation term or condition nor shall anything contained or implied herein prejudice or affect any provisions, rights, powers, duties and obligations of the Council in the exercise of its functions as Local Planning Authority for the purposes of the Act or as a local authority generally and its rights, powers, duties and obligations under all public and private statutes, bye laws and regulations may be as fully and effectually exercised as if the Council were not a party to this Agreement.
- 6.6 Neither the Owner or the Mortgagee nor their successors in title nor any person deriving title from them shall be bound by the obligations in this Agreement in respect of any period during which it no longer has an interest in the Property but without prejudice to liability for any breach committed prior to the time it disposed of its interest.
- 6.7 For the avoidance of doubt the provisions of this Agreement (other than those contained in this sub-clause) shall not have any effect until this Agreement has been dated.
- 6.8 If the Planning Permission is quashed or revoked or otherwise withdrawn or expires before effluxion of time for the commencement of development or is modified (other than by agreement with or at the request of the Owner) this Agreement shall forthwith determine and cease to have effect and the Council will effect cancellation of all entries made in the Register of Local Land Charges in respect of this Agreement.

7. **MORTGAGEE EXEMPTION**

- 7.1 The Mortgagee hereby consents to the completion of this Agreement and agrees to be bound by it and to the same being registered at the Land Registry as provided in Clause 6.4 hereof 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.

8. **RIGHTS OF THIRD PARTIES**

8.1 The Contracts (Rights of Third Parties) Act 1999 shall not apply to this Agreement

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

THE COMMON SEAL OF/
EXECUTED AS A DEED BY
CAPITOL CITY LIMITED
was hereunto affixed
in the presence of:-
acting by a Director and its Secretary
or by two Directors

.....
Director

.....
Director/Secretary

EXECUTED as a Deed
By DUNBAR BANK PLC
In the presence of:-

.....

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

.....
Authorised Signatory

7 NORTHINGTON STREET/14-17 KING'S MEWS



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Muddy *Jan*

Christian Garnett Partners LLP
Holborn Hall
195 High Holborn
London
WC1V 7BD

Application Ref: 2007/5975/P

02 June 2008

Dear Sir/Madam

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

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
7 Northington Street
and 14-17 Kings Mews
London
WC1N 2JF

DECISION
Proposal:

Alterations and extensions to the existing 3 storey building containing dwellinghouses, including creation of new basement floors under whole building, erection of 2 new mansard roof extensions on Kings Mews elevation and replacement of garage door openings by new windows and doors, replacement of part of building fronting Northington Street by a new basement and 4 storey building with roof terrace over.

Drawing Nos: 668 (01)000 rev A; 101 rev E; 102 rev E; 103 rev E; 200 rev C; 201 rev D; 202 rev B; 203 rev B; 301 rev B; 302 rev B; 303 rev B; 600 rev G; 601 rev K; 602 rev I; 603 rev I; 604 rev I; 605 rev G; 700 rev B; 701 rev L; 702 rev L; 703 rev C; 801 rev C; 802 rev C; 803 rev C; 804 rev C; Stannah stairlift specification.

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 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 details of the new doors, windows and timber boarding (including details of the treatment to timber on the ground floor Kings Mews elevation) to be used on the building shall not be otherwise than as those submitted to and approved by the Council before any work is commenced on the relevant part of the development. The relevant part of the work shall be retained or otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies S1/ S2 and B1 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 3 Sample panels of the roofing slate and facing brickwork, demonstrating the proposed colour, texture, face-bond and pointing, shall be provided on site and approved by the Council before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The sample 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 S1/ S2 and B1 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006

- 4 Notwithstanding the details shown on the plans hereby approved, a glazed privacy screen, details of which shall have been submitted to and approved by the Council, shall be erected on the east side of the roof terrace at 7 Northington Street prior to commencement of use of the roof terrace and shall be permanently retained and maintained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies S1/ S2 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006

- 5 No work shall take place on site until a detailed design and method statement for the excavation and construction of the proposed basements, including retaining walls, has been submitted to and approved by the Council. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

Reason: In order to protect the structural integrity of the adjoining public highway and thus minimise danger to users of the highway, in accordance with the requirements of policy T12 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 6 No work shall take place on site until a detailed design and method statement for the protection and stabilisation of the external walls during works of demolition and construction has been submitted to and approved by the Council. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition

Reason: To safeguard the retention of the principal elements of the existing building and thus safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies S1/ S2 and B1 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 7 Before the development commences, details of the location, design and method of waste storage and removal (including recycled materials) shall be submitted to and approved by the Council and the approved facility shall therefore be provided prior to the first occupation of any of the new units and permanently maintained and retained thereafter.

Reason: To safeguard the amenities of the area generally in accordance with the requirements of policies SD6 and SD12 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 8 Before the development commences details of the proposed cycle storage area for three cycles shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 9 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development Order) 1995 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A, C and H) of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the Council.

Reason: To safeguard the visual amenities of the area by controlling proposed alterations in order to ensure compliance with the requirements of policies S1/ S2, B1 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Informative(s):

- 1 In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Highways Management Team (tel: 020-7974 6956) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).
- 3 You are advised that the London Plan Unitary Development Plan 2006 encourages all new housing developments to be accessible to all and meet "Lifetime Homes" standards and the Council will consider any measures that can be introduced to facilitate this. You are advised to consult the Access Officer, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 2310) to ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time.
- 4 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 12.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to contact the Council's Environmental Health Service, Camden Town Hall, Argyle Street, WC1H 8EQ (tel: 020-7974 2090 or by email environment@camden.gov.uk or the website www.camden.gov.uk/pollution/ 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.
- 5 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 Council's Records and Information Team, Culture and Environment Directorate, Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ (tel: 020-7974 5613).
- 6 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 Sites Team, Urban Design and Regeneration.
- 7 Reasons for granting permission.

The proposed development is in general accordance with the policy requirements

of the London Borough of Camden Replacement Unitary Development Plan 2006, with particular regard to policies SD1,2,4,6,9,12; H1,3,7,8; B1,3,7; T3,7,8,9,12. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

- 8 You are advised that the Council will expect all new buildings and structures to be as energy efficient and sustainable as is reasonably practicable and welcomes the measures that have been indicated to date.

Yours faithfully

Culture and Environment Directorate

DRAFT

DECISION

DATED 15 JANUARY 9 2008

(1) CAPITOL CITY LIMITED

and

(2) DUNBAR BANK PLC

and

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

A G R E E M E N T
relating to land known as
7 NORTHINGTON STREET and 14-17 KINGS MEWS
LONDON, WC1N 2JF
pursuant to Section 106 of the Town and Country Planning
Act 1990 (as amended) and
Section 278 of the Highways Act 1980

Andrew Maughan
Head of Legal Services
London Borough of Camden
Town Hall
Judd Street
London WC1H 9LP

Tel: 020 7974 5826
Fax: 020 7974 2962

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