

DATED 14 ~~February~~ ^{January} 2015

(1) PETER RADING

-and-

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

FIRST DEED OF VARIATION

Relating to the Agreement dated 18 September 2013
between
the Mayor and the Burgesses of the London Borough of Camden

and

PETER RADING

under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as

FLEET HOUSE, 3 ADMIRAL'S WALK, LONDON, NW3 6RS

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

Tel: 020 7974 5680
Fax: 020 7974 1920

CLS/PT/1685.2700



THIS AGREEMENT is made on the 14 day of January 2015

BETWEEN

1. **PETER RADING** of Fleet house, 3 Admiral's Walk, London NW3 6RS (hereinafter called "the Owner") of the first part
2. **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 and the Owner entered into an Agreement dated 08 July 2013 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 numbers LN208898.
- 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 Agreement.
- 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 06 May 2014 which the Council resolved to grant permission on 29 July 2014 under reference 2014/3047/P subject to the conclusion of this Agreement.
- 1.6 This Agreement is made by virtue of the Town and Country Planning Act 1990 Section 106 (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 Agreement 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 Agreement.

2.2 All references in this Agreement to clauses in the Existing Agreement are to clauses within the Existing Agreement.

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

2.3.1 "Agreement" this First Deed of Variation

2.3.2 "Existing Agreement" the Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) dated 18 September 2013 made between the Council and Mayfair and Holland Properties Limited

2.3.3 "the Original Planning Permission" means the planning permission granted by the Council on 18 September referenced 2013/2051/P allowing the erection of a replacement dwelling house following demolition of existing and erection of a garden outbuilding and associated landscaping as shown on drawing numbers:- PL_001, PP_100, PP_101, PP_102, PP_103, PP_200, PP_201, PP_202, PP_204 Rev 01, PP_205, PP_300, PP_301, PL_500 Rev 01, PP_601 Rev 01, PP_602 Rev 01, PP_603 Rev 01, PP_700 Rev 01, PP_701 Rev 01, PP_702 Rev 01, PP_703 Rev 01,

PP_704 Rev 01, PP_705 Rev 01, PP_800 Rev 01, PP_801 Rev 01, Archaeology Desk Based Assessment, prepared by Britannia Archaeology, dated 04.04.2013; Archaeology Desk Based Assessment - Appendix, prepared by Britannia Archaeology, dated 04.04.2013; Arboricultural Report (Part 1: Impact Assessment & Part 2: Arboricultural Impact Assessment), prepared by Ian Keen, dated 04.04.2013; 451_PL_900, Landscape Masterplan - Revision A 15. 5.2013; Surfaces comparison - Revision A 15.05.2013; Basement Impact Assessment, dated 04.04.2013; Basement Impact Assessment - Appendix A&B, dated 04.04.2013; Basement Impact Assessment - Appendix C1a, dated 04.04.2013; Basement Impact Assessment - Appendix C1b, dated 04.04.2013; Basement Impact Assessment - Appendix C2, dated 04.04.2013; Basement Impact Assessment - Appendix D&E, dated 04.04.2013; Addendum to Basement Impact Assessment Report (Ref: J1264/L-130517-AY-FIR), date 17.05.2013; Design and Access Statement, prepared by Stanton Williams, dated 04.04.2013; Planning and Heritage Report, dated 04.04.2013; Garden Design and Access Statement, dated 04.04.2013

- 2.4 Where in this Agreement 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.
- 2.5 Headings are for ease of reference only and are not intended to be construed as part of this Agreement and shall not be construed as part of this Agreement and shall not effect the construction of this Agreement.

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

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

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 3 (development to be carried out in accordance with the approved plans) of planning permission ref 2013/2051/P (dated 18/09/2013), (erection of a replacement dwelling house following demolition of existing and erection of a garden outbuilding and associated landscaping) namely for reduction of excavation at basement level, amendments to first floor and roof level, and other associated alterations as shown on drawing numbers **Revised Plans:** PL_500 Rev 02, PP_600 Rev 02, PP_601 Rev 02, PP_602 Rev 02, PP_603 Rev 02, PP_700 Rev 02, PP_701 Rev 02, PP_702 Rev 02, PP_703 Rev 02, PP_704 Rev 02, PP_705 Rev 02, PP_800 Rev 02, PP_801 Rev 02, 451_PL_550 (Ground water and heating layout); Landscape Masterplan - 520.D.00; Code for Sustainable Homes Pre Assessment Report (Nov 2010 version), prepared by MES Energy Services, dated 29/04/2014. **Superseded:** PL_500 Rev 01, PP_600 Rev 01, PP_601 Rev 01, PP_602 Rev 01, PP_603 Rev 01, PP_700 Rev 01, PP_701 Rev 01, PP_702 Rev 01, PP_703 Rev 01, PP_704 Rev 01, PP_705 Rev 01, PP_800 Rev 01, PP_801 Rev 01; 451_PL_900 - Ground floor plan with

proposed boreholes' position for ground source heat pumps; Landscape Masterplan - Revision A 15. 5.2013; Code for Sustainable Homes Pre Assessment Report (Nov 2010 version), prepared by MES Energy Services, dated 04/04/2013

3.1.2 "Planning Permission" the planning permission under reference number 2014/3047/P issued by the Council annexed hereto

3.1.3 "Planning Application" the application for Planning Permission in respect of the Property submitted on 06 May 2014 by the Owner and given reference number 2014/3047/P

3.2 The words "2013/2051/P" in clause 5.2 of the Existing Agreement shall be deleted and replaced with "2014/3047/P".

3.3 The words "2013/2051/P" in clause 6.1 of the Existing Agreement shall be deleted and replaced with "2014/3047/P".

3.4 The planning permission reference 2014/3047/P annexed to this Agreement shall be treated as annexed to the Existing Agreement in addition to the existing annexures.

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

4. **PAYMENT OF THE COUNCIL'S LEGAL COSTS**

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

5. **REGISTRATION AS LOCAL LAND CHARGE**

5.1 This Agreement shall be registered as a Local Land Charge

Fleet House 3 Admirals Walk London NW3 6RS



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Ms Kate Matthews

Firstplan
Golden Cross House
8 Duncannon Street
London
WC2N 4JFApplication Ref: **2014/3047/P**
Please ask for: **Gideon Whittingham**
Telephone: 020 7974 **5180**

29 July 2014

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) GrantedAddress:
Fleet House
3 Admiral's Walk
London
NW3 6RS

Proposal:

Variation of condition 3 (approved plans) of planning permission ref 2013/2051/P (dated 18/09/2013), for the erection of a replacement dwelling house, namely alterations to first floor and roof level and associated alterations.

Revised Plans:

PL_500 Rev 02, PP_600 Rev 02, PP_601 Rev 02, PP_602 Rev 02, PP_603 Rev 02, PP_700 Rev 02, PP_701 Rev 02, PP_702 Rev 02, PP_703 Rev 02, PP_704 Rev 02, PP_705 Rev 02, PP_800 Rev 02, PP_801 Rev 02, 451_PL_550 (Ground water and heating layout); Landscape Masterplan - 520.D.00; Code for Sustainable Homes Pre Assessment Report (Nov 2010 version), prepared by MES Energy Services, dated 29/04/2014.

Superseded Plans:

PL_500 Rev 01, PP_600 Rev 01, PP_601 Rev 01, PP_602 Rev 01, PP_603 Rev 01, PP_700 Rev 01, PP_701 Rev 01, PP_702 Rev 01, PP_703 Rev 01, PP_704 Rev 01, PP_705 Rev 01, PP_800 Rev 01, PP_801 Rev 01; 451_PL_900 - Ground floor plan with proposed boreholes' position for ground source heat pumps; Landscape Masterplan - Revision A 15. 5.2013; Code for Sustainable Homes Pre Assessment Report (Nov 2010 version), prepared by MES Energy Services, dated 04/04/2013.

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

Condition(s) and Reason(s):

- 1 For the purposes of this decision, condition no.3 of planning permission 2013/2051/P shall be



replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans (PL_001, PP_100, PP_101, PP_102, PP_103, PP_200, PP_201, PP_202, PP_204, PP_205, PP_300, PP_301, PL_500 Rev 02, PP_600 Rev 02, PP_601 Rev 02, PP_602 Rev 02, PP_603 Rev 02, PP_700 Rev 02, PP_701 Rev 02, PP_702 Rev 02, PP_703 Rev 02, PP_704 Rev 02, PP_705 Rev 02, PP_800 Rev 02, PP_801 Rev 02, Archaeology Desk Based Assessment, prepared by Britannia Archaeology, dated 04.04.2013; Archaeology Desk Based Assessment - Appendix, prepared by Britannia Archaeology, dated 04.04.2013; Arboricultural Report (Part 1: Impact Assessment & Part 2: Arboricultural Impact Assessment), prepared by Ian Keen, dated 04.04.2013; Landscape Masterplan - 520.D.00; Surfaces comparison - Revision A 15.05.2013, Basement Impact Assessment, dated 04.04.2013; Basement Impact Assessment - Appendix A&B, dated 04.04.2013; Basement Impact Assessment - Appendix C1a, dated 04.04.2013; Basement Impact Assessment - Appendix C1b, dated 04.04.2013; Basement Impact Assessment - Appendix C2, dated 04.04.2013; Basement Impact Assessment - Appendix D&E, dated 04.04.2013; Addendum to Basement Impact Assessment Report (Ref. J1264/L-130517-AY-FIR), date 17.05.2013; Design and Access Statement, prepared by Stanton Williams, dated 04.04.2013; Planning and Heritage Report, dated 04.04.2013; Garden Design and Access Statement, dated 04.04.2013, 451_PL_550 (Ground water and heating layout) and Code for Sustainable Homes Pre Assessment Report (Nov 2010 version), prepared by MES Energy Services, dated 29/04/2014.)

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

Informative(s):

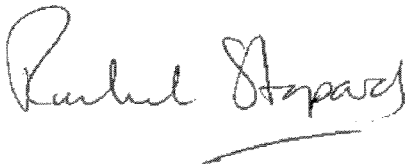
- 1 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

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

Yours faithfully



Rachel Stopard
Director of Culture & Environment



DATED 14 January 2015

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