

DATED

20 SEPTEMBER

2016

(1) MATTHEW GODFREY and DEBORAH GODFREY

and

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

A G R E E M E N T
relating to land known as
76 Fleet Road, London NW3 2QT
pursuant to Section 106 of the Town and Country Planning
Act 1990 (as amended)

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

Tel: 020 7974 1918
Fax: 020 7974 2962



THIS AGREEMENT is made the

20TH

day of

SEPTEMBER

2016

B E T W E E N:

1. **MATTHEW GODFREY and DEBORAH GODFREY** of Apartment 9, 12 Pond Street, London NW3 2PS (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

1. **WHEREAS**

1.1 The Freeholder is registered at the Land Registry as the freehold proprietor with Title absolute of the Property under Title Number LN156418.

1.2 The Freeholder is the freehold owner 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 5 February 2016 and the Council resolved to grant permission conditionally under reference number 2016/0358/P subject to the conclusion of this legal Agreement.

1.4 The Council is the local planning authority for the purposes of the Act for the area in which the Property is situated 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 For that purpose the Owner is willing to enter into this Agreement pursuant to the provisions of Section 106 of the Act.

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 Development" Conversion of 1 x 2 & 1 x 1 bed units to 1 x studio & 2 x 2 maisonette. Erection of ground and first floor side extension, mansard roof extension, single storey basement extension with front & rear lightwells and rear roof terraces on the first & second floors as shown on drawing numbers:-
Design & access statement, Geo-Environmental Interpretative report 1, Geo-Environmental Interpretative report 2, Location Plan, Construction Method Statement Rev A (dated June 2016), 3D Images (Ref 160514-FR-TMP-1002 Rev 1), Construction sequence for underpinning (Ref FR-TMP - 1001), Structural Calculations (Ref FR/0343 1/A), Structural Section B-B & Details (Ref 160514-FR - STRU - 1002 Rev 1), structural Basement Plan & Section A-A (Drg 160627-FR - STRU - 1001), General specification for structural Works (November 2015) Fridum Ltd, 76FR-PP1-01, 76FR-PP1-02, 76FR-PP1-03, 76FR-PP1-024 76FR-PP1-05, 76FR-PP1-06, 76FR-PP1-04 Rev C, 76FR-PP1-05 Rev A & 76FR-PP1-06 Rev B

2.9 "the Highways Contribution"

the sum of £2,103.90 (two thousand, one hundred three pounds and ninety pence) to be paid by the Owner to the Council in accordance with the terms of this 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 the vicinity of the Property and as are required due to the Development ("the Highways Works") these to include costs associated with the following:-

(a) resurfacing the footways adjacent to the Property; and

(b) any other works the Council acting reasonably considers necessary as a direct result of the Development

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 undertakers works and excludes any statutory undertakers costs

2.4 "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

2.5 "the Level Plans"

plans demonstrating the levels at the interface of the Development the boundary of the Property and the Public Highway

- 2.6 "Occupation Date" the date when any part of the Development is occupied and the phrases "Occupy", "Occupied" and "Occupation" shall be construed accordingly
- 2.6 "the Parties" mean the Council and the Owner
- 2.7 "the Planning Application" a planning application in respect of the development of the Property submitted to the Council and validated on 5 February 2016 for which a resolution to grant permission has been passed conditionally under reference number 2016/0358/P subject to conclusion of this Agreement
- 2.8 "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
- 2.9 "the Planning Permission" a planning permission granted for the Development substantially in the draft form annexed hereto
- 2.10 "the Property" the land known as 76 Fleet Road, London NW3 2QT the same as shown shaded grey on the plan annexed hereto

2. "the Public Highway" any carriageway footway and/or verge adjoining the Property maintainable at public expense
- 2.11 "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
- 2.12 "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 or interpretation.

3.5 It is hereby agreed between the Parties that save for the provisions of clauses 1, 2, 3, 5, 6, and 7 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.

3.8 The Parties acknowledge that the Development shall be treated as being permanently designated as "car free" housing in accordance with Clause 4.1 for all relevant purposes.

4. **OBLIGATIONS OF THE OWNER**

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 HIGHWAYS CONTRIBUTION

- 4.2.1 On or prior to the Implementation Date to pay to the Council the Highways Contribution in full.
- 4.2.2 On or prior to the Implementation Date to submit to the Council the Level Plans for approval.
- 4.2.3 Not to Implement or to permit Implementation until such time as the Council has received the Highways Contribution in full.
- 4.2.4 Not to Implement nor permit Implementation until such time as the Council has approved the Level Plans.
- 4.2.5 The Owner acknowledges that the Council has the right reserved to it to construct the Public Highway to levels it considers appropriate.
- 4.2.6 On completion of the Highway Works the Council may provide to the Owner a certificate specifying the sum ("the Certified Sum") expended by the Council in carrying out the Highway Works.
- 4.2.7 If the Certified Sum exceeds the Highway Contribution then the Owner shall within fourteen days of the issuing of the said certificate pay to the Council the amount of the excess.
- 4.2.8 If the Certified Sum is less than the Highway Contribution then the council shall within twenty eight days of the issuing of the said certificate pay to the Owner the amount of the difference between the Certified Sum and the Highway Contribution.

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 seven 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 2016/0358/P the date upon which the Development will be 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.
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, Placeshaping Service, Urban Design and Development Team, 2nd Floor, 5 Pancras Square, London, N1C 4AJ quoting the planning reference number 2016/0358/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 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 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 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 this Agreement shall forthwith determine and cease to have effect.

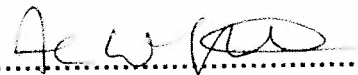
7. RIGHTS OF THIRD PARTIES

- 7.1 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 have executed this instrument as their Deed the day and year first before written

EXECUTED AS A DEED BY
MATTHEW GODFREY
in the presence of:

)
)
) 


.....
Witness Signature

Witness Name: *Aisling Whyte*

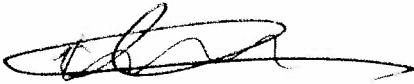
Address:

Occupation:

**DARLINGTONS
SOLICITORS LLP**
7 SPRING VILLA PARK
EDGWARE
MIDDX HA8 7EB

EXECUTED AS A DEED BY
DEBORAH GODFREY
in the presence of:

)
) 


.....
Witness Signature

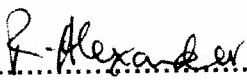
Witness Name: ~~DEBORAH GODFREY~~ *Aisling Whyte*

Address:

Occupation:

**DARLINGTONS
SOLICITORS LLP**
7 SPRING VILLA PARK
EDGWARE
MIDDX HA8 7EB

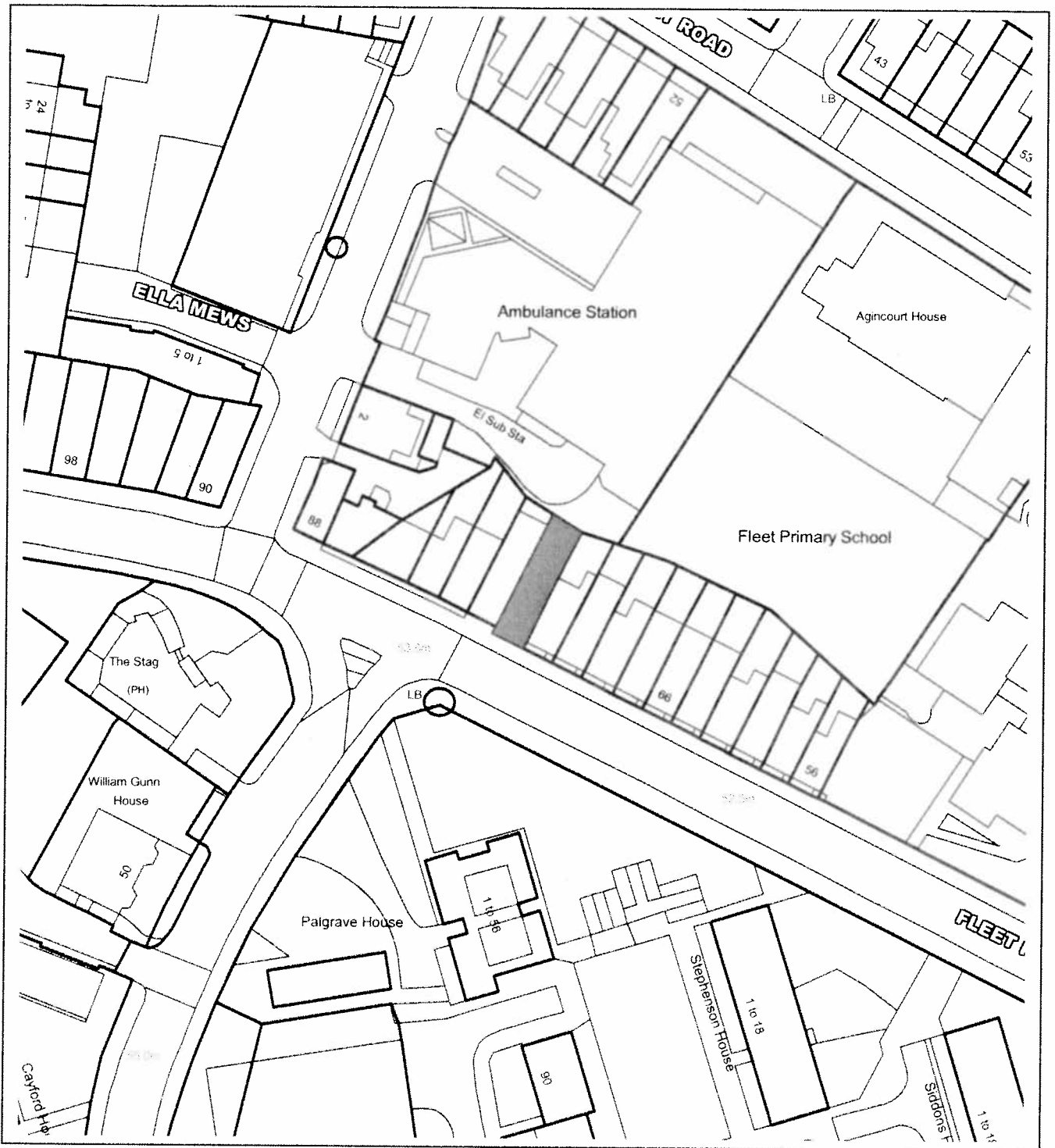
THE COMMON SEAL OF THE MAYOR)
AND BURGESSES OF THE LONDON)
BOROUGH OF CAMDEN was hereunto)
Affixed by Order:-)


.....

Authorised Signatory



76 Fleet Road, London NW3 2QT



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Tal Arc Ltd
2a Crescent Road
London
N3 1HP
United Kingdom

Application Ref: **2016/0358/P**

12 September 2016

Dear Sir/Madam

DRAFT

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:
76 Fleet Road
London
NW3 2QT

DECISION

Proposal:

Conversion of 1 x 2 & 1 x 1 bedroom dwellings to 1 x studio, 1 x 1 bedroom maisonette & 1 x 2 bedroom maisonette. Erection of ground and first floor infill side extension, mansard roof extension, single storey basement extension with rear lightwell and rear roof terraces on the first & second floors.

Drawing Nos: Design & access statement, Geo-Environmental Interpretative report 1, Geo-Environmental Interpretative report 2, Location Plan, Construction Method Statement Rev A (dated June 2016), 3D Images (Ref 160514-FR-TMP-1002 Rev 1), Construction sequence for under pinning (Ref FR-TMP - 1001), Structural Calculations (Ref FR/0343 1/A), Structural Section B-B & Details (Ref 160514-FR - STRU - 1002 Rev 1), structural Basement Plan & Section A-A (Drg 160627-FR - STRU - 1001), General specification for structural Works (November 2015) Fridum Ltd, 76FR-PP1-01, 76FR-PP1-02, 76FR-PP1-03, 76FR-PP1-024 76FR-PP1-05, 76FR-PP1-06, 76FR-PP1-04 Rev C, 76FR-PP1-05 Rev A & 76FR-PP1-06 Rev B

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans Design & access statement, Geo-Environmental Interpretative report 1, Geo-Environmental Interpretative report 2, Location Plan, Construction Method Statement Rev A (dated June 2016), 3D Images (Ref 160514-FR-TMP-1002 Rev 1), Construction sequence for under pinning (Ref FR-TMP - 1001), Structural Calculations (Ref FR/0343 1/A), Structural Section B-B & Details (Ref 160514-FR - STRU - 1002 Rev 1), structural Basement Plan & Section A-A (Drg 160627-FR - STRU - 1001), General specification for structural Works (November 2015) Fridum Ltd, 76FR-PP1-01, 76FR-PP1-02, 76FR-PP1-03, 76FR-PP1-024 76FR-PP1-05, 76FR-PP1-06, 76FR-PP1-04 Rev C, 76FR-PP1-05 Rev A & 76FR-PP1-06 Rev B

Reason:

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

- 4 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to 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. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. 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 policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 5 At least 28 days before development commences:
- (a) a written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas shall be submitted to and approved by the local planning authority; and
 - (b) following the approval detailed in paragraph (a), an investigation shall be carried out in accordance with the approved programme and the results and a written scheme of remediation measures [if necessary] shall be submitted to and approved by the local planning authority.
- The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Prior to occupation of the dwelling hereby approved, the cycle parking illustrated on plan reference 76FR-PP1-04 Rev C, shall be provided in full and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 & DP18 of the London Borough of Camden Local Development Framework Development Policies

- 7 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 and DP23 of the London Borough of Camden Local Development Framework Development Policies.

- 8 The refuse storage details shown on the approved drawings Ref 76FR-PP1-04 Rev C shall be in place prior to the occupation of the dwelling, and thereafter retained for their intended purpose.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CS18 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 9 The hereby approved privacy screens on approved plans (Ref 76FR-PP1-04 Rev C, 76FR-PP1-05 Rev A & 76FR-PP1-06 Rev B shall be permanently maintained and retained at a height of 1.5m.

Reason: To safeguard the privacy of neighboring amenity and the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

1 Reasons for granting permission

The excavation of a single storey basement, erection of a mansard roof extension, ground and first floor rear infill extension would provide additional floorspace converting the existing two flats into 1 x studio, 1 x 1 bedroom maisonette & 2 x 2 bedroom maisonettes. The proposed residential units would meet national floor space standards and provide an additional unit to the Camden housing stock in accordance with guidance in CPG2 and Development Management Policy DP2.

The proposed single storey basement would be approximately 42sqm in area and located beneath the rear half of the building with a lightwell at the rear. The applicant has submitted a basement impact assessment that has been fully audited and approved by Camden Councils independent basement assessors Campbell Reith and therefore considered to adequately protect the neighbouring buildings structural integrity. Located to the rear of the property the basement is hidden from the streetscene and therefore makes no impact to the character of the street or the conservation area. However, the detailed design of the rear elevation is considered to respect the host property and not have a detrimental impact on the building nor the wider area. The proposed rear lightwell is approximately 1.2m in depth providing adequate light to the habitable basement bedroom while retaining an acceptable level of amenity space. The basement, as well as the lightwell and the associated bridge providing access to the garden is not considered to overwhelm the host dwelling in accordance with guidance in CPG4 and Development Plan Policy DP27.

Mansard roof extensions are present on neighbouring properties in this location.

Therefore the erection of a mansard roof would not appear out of character in the street scene and thus is acceptable in principle. The mansard roof is of traditional design with a 70 degree slope angles as stipulated in section 5.14 figure 5 in CPG1 guidance.

The site is flanked by a boundary wall approximately 7m in height adjacent neighbouring property No 78. The proposed rear /side infill would be constructed adjacent this boundary wall and create a full width rear extension. The prevailing character of development along the rear elevations on Fleet Road is full width rear extensions. In addition unique to this location, the proposed infill would be absorbed by the height and mass of the boundary wall, resulting in no discernible impact to the character of the location.

The creation of rear terraces on the first and second floors with obscure screens 1.5m in height around the perimeter of the terraces are not considered to be out of character with the location, while protecting neighbouring amenity. The rear habitable windows on no 74 are north east facing and not considered to receive either reduced light or outlook as a result of the protective obscure screening. The extensions and alterations to the building are not considered to result in detrimental impacts to neighbouring properties in accordance with guidance in CPG6 and Development Plan Policy DP26.

The rear ground floor garden and first and second floor rear roof terraces would provide approximately 24sqm, 10sqm and 15sqm of amenity space respectively.

The site has a high Public Transport Accessibility level of 5 (PTAL). Policy DP18 expects development to be car free in the central London Area, Town centres, and other areas within Controlled Parking Zones that are easily accessible by Public transport (PTAL of 4 or above). The development of three independent residential units meets the criteria for car free development and therefore the applicant has entered into a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended), to permanently remove the entitlement to a parking permit for the dwellings. The development provides three internally located secure cycle spaces on the ground and first floor.

- 2 The ground floor garden provides adequate space for further secure cycle storage therefore it is considered the development meets Camden policy DP18 (Standards in Appendix 2) and London Plan standards.

The proposed basement, mansard roof and infill extensions increase the building floorspace by approximately 86sqm. The development of an additional dwelling and the creation of 86sqm of habitable floorspace would trigger a contribution of £43,000 to the Camden CIL and £4,300 to the Mayoral CIL in relation to Crossrail.

Neighbouring properties have been consulted, one objection has been received and considered to be have been resolved through amendments which have been received through the application process. The site's planning history and relevant appeal decisions were taken into account when coming to this decision. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the enterprise and Regulatory

Reform Act (EER) 2013.

As such, the proposed development is in general accordance with policies CS5, CS13, CS14 and CS18 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP5, DP18, DP23, DP24, DP25, DP26 and DP27 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4, 7.6 and 7.8 of the London Plan 2016.

- 3 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 6941).
- 4 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £4,300 (86sqm x £50) for the Mayor's CIL and £43,000 (86sqm x £500) for the Camden CIL.

This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

- 5 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 Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> 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.
- 6 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.

- 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 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 9 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.

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.

Yours faithfully

Supporting Communities Directorate





DATED

20 SEPTEMBER

2016

(1) MATTHEW GODFREY and DEBORAH GODFREY

and

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

A G R E E M E N T
relating to land known as
76 Fleet Road, London NW3 2QT
pursuant to Section 106 of the Town and Country Planning
Act 1990 (as amended)

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

Tel: 020 7974 1918
Fax: 020 7974 2962