

Ms Hannah Willcock
DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

Application Ref: **2015/7028/P**
Please ask for: **Elaine Quigley**
Telephone: 020 7974 **5101**

31 January 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**8 & 10 Stukeley Street
London
WC2 5LQ**

Proposal:

Erection of replacement mansard roof extension at no. 8 and installation of new mansard roof extension at no. 10; excavation of a single storey basement extension including lightwell to create additional Class B1 office floorspace; change of use of the ground floor of no. 8 from office to residential associated within the enlargement and reconfiguration of the two 1 bed residential units to create two 2 bed flats; alterations to the ground floor front and rear elevations; erection of first floor rear extension, and creation of external terrace at basement and first floor levels at no. 10.

Drawing Nos: A1110 rev 02; A1111 rev 01; A1112 rev 01; A1250 rev 00; A1251 rev 00; A1500 rev 00; A1540 rev 00; A1541 rev 00; A1542 rev 00; A1543 rev 00; A1570 rev 00; A1600 rev 00; A1601 rev 00; A1602 rev 00; A1605 rev 00; A1606 rev 00; A1700 rev 01; A1701 rev 02; A1702 rev 04; A1703 rev 03; A1704 rev 03; A1710 rev 04; A1711 rev 03; A1712 rev 01; A1715 rev 04; A1716 rev 03; A1717 rev 04; A1718 rev 00; A5501 rev 00

Basement Impact Assessment produced by Croft Structural Engineers dated 27/05/2016; Ground Movement Assessment and predicted Damage Category document rev 03 produced by Croft Structural Engineers; Ground Movement Assessment produced by Maund Geo-Consulting dated 08/08/2016; Retaining wall calculations produced by Croft Structural Engineers dated 09/08/2016; Ground Investigation Report produced by Ground



& Water dated November 2015; Environmental Noise Survey and Plant Noise Assessment Report 23068/PNA1 Rev4 produced by Hann Tucker Associates dated 19/05/2016; Daylight and Sunlight to Proposed Residential Accommodation letter produced by BVP dated 09/03/2016; Construction Management Plan produced by Great Build Limited dated 20/11/2015 rev1; Archaeological Desk-Based Assessment produced by PCA dated October 2015; Heritage Appraisal produced by KM Heritage dated November 2015.

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

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 development hereby permitted shall be carried out in accordance with the following approved plans:
A1110 rev 02; A1111 rev 01; A1112 rev 01; A1250 rev 00; A1251 rev 00; A1500 rev 00; A1540 rev 00; A1541 rev 00; A1542 rev 00; A1543 rev 00; A1570 rev 00; A1600 rev 00; A1601 rev 00; A1602 rev 00; A1605 rev 00; A1606 rev 00; A1700 rev 01; A1701 rev 02; A1702 rev 04; A1703 rev 03; A1704 rev 03; A1710 rev 04; A1711 rev 03; A1712 rev 01; A1715 rev 04; A1716 rev 03; A1717 rev 04; A1718 rev 00; A5501 rev 00; Basement Impact Assessment produced by Croft Structural Engineers dated 27/05/2016; Ground Movement Assessment and predicted Damage Category document rev 03 produced by Croft Structural Engineers; Ground Movement Assessment produced by Maund Geo-Consulting dated 08/08/2016; Retaining wall calculations produced by Croft Structural Engineers dated 09/08/2016; Ground Investigation Report produced by Ground & Water dated November 2015; Environmental Noise Survey and Plant Noise Assessment Report 23068/PNA1 Rev4 produced by Hann Tucker Associates dated 19/05/2016; Daylight and Sunlight to Proposed Residential Accommodation letter produced by BVP dated 09/03/2016; Construction Management Plan produced by Great Build Limited dated 20/11/2015 rev1; Archaeological Desk-Based Assessment produced by PCA dated October 2015; Heritage Appraisal produced by KM Heritage dated November 2015.

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

- 3 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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 A sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

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

- 5 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 before the relevant part of the work is begun:
- a) Plan, elevation and section drawings of all new windows and doors at a scale of 1:10 with typical glazing bars, moulding and architrave details at a scale of 1:1.
 - b) Samples and manufacturer's details of roof slates (to be provided on site and retained on site during the course of the works).

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 special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 No cleaning of the existing brickwork shall be carried out.

Reason: To safeguard the character and 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.

- 7 Prior to the occupation of the offices hereby approved, details of any new air-conditioning equipment, including any necessary acoustic enclosures, and a full noise impact assessment, including details of any necessary sound attenuation for the plant, shall be submitted to and approved in writing by the local planning authority. The relevant part of the works shall be carried out in accordance with the details thus approved and shall thereafter be maintained in effective order to the reasonable satisfaction of the Council.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to safeguard the appearance of the premises and the character of

the immediate area in accordance with the requirements of policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24, DP25, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all new plant/equipment (or any part of it) is in operation unless the plant/equipment 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 10dB(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 policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 9 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s 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 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.

- 10 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 Core Strategy and policy DP27 of the London Borough of Camden Local Development Framework Development Policies.

- 11 Units A and B, as indicated on the plans hereby approved, shall be designed and constructed in accordance with Building Regulations Part M4 (2). Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

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 CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 12 None of the development hereby permitted shall be commenced until detailed design and construction method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:-
- (a) Mitigate the effects of noise and vibration arising from the operation of the Crossrail railway within the tunnels and other structures.
 - (b) Mitigate the effects on Crossrail of ground movement arising from development

The development shall be carried out in all respects in accordance with the approved design and method statements.
All structures and works comprised within the development hereby permitted which are required by this condition shall be completed, in their entirety, before any part of the buildings hereby permitted are occupied.

Reason: To safeguard existing below ground public infrastructure (railway lines) in accordance with the requirements of policies CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy.

- 13 The 2nd floor roof of the first floor rear extension at no. 10 Stukeley Street hereby approved shall not be used as an amenity terrace and shall only be accessed for maintenance purposes only.

Reason: To safeguard the amenities of the adjoining premises in accordance with the requirements of 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.

- 14 The use of the proposed 1st floor roof as a terrace shall not commence until the obscure glazed screens, as shown on the approved drawings, have been constructed. The screens shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of 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.

- 15 No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and

the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which has archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

a). The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

b). The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: In order to minimise damage to the important archaeological remains which may exist on this site, in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 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 Noise and Licensing Enforcement Team, 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.
- 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 6941).
- 3 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 4 This site is within an area of archaeological significance/archaeological potential

where development is likely to result in the destruction of ancient remains. Your attention is drawn to the British Archaeologists and Developers Liaison Group Code of Practice agreed by the British Property Federation and the Standing Conference of Archaeological Unit Managers. The Council recognises and endorses this Code and will expect the developer and approved archaeological organisations to abide by its provisions.

- 5 Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 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 Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 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.
- 8 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.
- 9 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 £5,110 (102.2 sqm x £50) for the Mayor's CIL and £36,312 (69.7 sqm x £500 for residential floorspace and £32.5 x £45 for commercial floorspace using the relevant rate for uplift in that type of floorspace) 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.

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

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive style with a large initial 'D'.

David Joyce
Executive Director Supporting Communities

DATED

31 January

2017

(1) BENPROP DRURY LIMITED

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

8 & 10 Stukeley Street, London WC28 5LQ

**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 1918

Fax: 020 7974 2962



THIS AGREEMENT is made the 31st day of January 2017

BETWEEN:

- i. **BENPROP DRURY LIMITED** (Co. Regn. No. 9198295) whose registered office is at 10 Orange Street, London WC2H 7DQ (hereinafter called "the Owner") of the first part
- ii. **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 Owner is registered at the Land Registry as the freehold proprietor with Title absolute of the Property under Title Numbers 242659 and NGL640804.
- 1.2 The Owner 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 10 December 2015 and the Council resolved to grant permission conditionally under reference number 2015/7028/P subject to conclusion of this 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 As local highway authority the Council considers the Highways Works to be carried out pursuant to this 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.

2. DEFINITIONS

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

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| 2.1 | "the Act" | the Town and Country Planning Act 1990 |
| 2.2 | "the Agreement" | this planning obligation made pursuant to Section 106 of the Act |
| 2.3 | "Basement Approval in Principle Application" | an application to the Council's highways structural team for an approval in principle of the construction of the basement (forming part of the Development) which is to be assessed by the Council with a view to ensuring that sufficient loadings are maintained at all times at the interaction of the Development site and the Public Highway so as to ensure that the Public Highway is not compromised at any time during the Construction Phase or thereafter |
| 2.4 | "Basement Approval in Principle Contribution" | the sum of £1,800 (one thousand eight hundred pounds) to be applied by the Council in event of receipt towards the assessment by the Council's highways structural team of the Basement Approval in Principle Application |
| 2.5 | "the Certificate of Practical Completion" | the certificate issued by the Owner's contractor architect or project manager certifying that the Development has been completed |
| 2.6 | "Construction Management Plan" | a plan setting out the measures that the Owner will adopt in undertaking the demolition of the existing buildings and the construction of the Development using good site practices in |

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| | | <p>accordance with the Council's Considerate Contractor Manual and generally in the form of the Council's pro forma construction management plan as set out in the Schedule hereto to ensure the Construction Phase of the Development can be carried out safely and with minimal possible impact on and disturbance to the surrounding environment and highway network including (but not limited to):-</p> <p>(a) a statement to be submitted to the Council giving details of the environmental protection highways safety and community liaison measures proposed to be adopted by the Owner in order to mitigate and offset potential or likely effects and impacts arising from the demolition of the existing buildings or structures on the Property and the building out of the Development;</p> <p>(b) amelioration and monitoring effects on the health and amenity of local residences site construction workers local businesses and adjoining developments undergoing construction;</p> <p>(c) amelioration and monitoring measures over construction traffic including procedures for notifying the owners and/or occupiers of the residences and businesses in the locality in advance of major operations delivery schedules and amendments to normal traffic arrangements (if any);</p> |
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| | | <p>(d) the inclusion of a waste management strategy for handling and disposing of construction waste; and</p> <p>(e) 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</p> |
| 2.7 | "the Construction Phase" | <p>the whole period between:-</p> <p>(a) the Implementation Date; and</p> <p>(b) the date of issue of the Certificate of Practical Completion</p> <p>and for the avoidance of doubt includes the demolition of the existing buildings</p> |
| 2.8 | "the Council's Considerate Contractor Manual" | <p>the document produced by the Council from time to time entitled "Guide for Contractors Working in Camden" relating to the good practice for developers engaged in building activities in the London Borough of Camden</p> |
| 2.9 | "the Development" | <p>Erection of replacement mansard roof extension at no. 8 and installation of new mansard roof extension at no. 10, excavation of a single storey basement extension including lightwell to create additional Class B1 office floorspace, change of use of the ground floor of no. 8 from office to residential associated with the enlargement and reconfiguration of the two 1 bed residential units to create two 2 bed flats, alterations to the ground floor front and rear elevations, erection of first</p> |

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| | | <p>floor rear extension, and creation of external terrace at basement and first floor levels at no. 10 as shown on drawing numbers A1110 rev 02; A1111 rev 01; A1112 rev 01; A1250 rev 00; A1251 rev 00; A1500 rev 00; A1540 rev 00; A1541 rev 00; A1542 rev 00; A1543 rev 00; A1570 rev 00; A1600 rev 00; A1601 rev 00; A1602 rev 00; A1605 rev 00; A1606 rev 00; A1700 rev 01; A1701 rev 02; A1702 rev 04; A1703 rev 03; A1704 rev 03; A1710 rev 04; A1711 rev 03; A1712 rev 01; A1715 rev 04; A1716 rev 03; A1717 rev 04; A1718 rev 00; A5501 rev 00; Basement Impact Assessment produced by Croft Structural Engineers dated 27/05/2016; Ground Movement Assessment and predicted Damage Category document rev 03 produced by Croft Structural Engineers; Ground Movement Assessment produced by Maund Geo-Consulting dated 08/08/2016; Retaining wall calculations produced by Croft Structural Engineers dated 09/08/2016; Ground Investigation Report produced by Ground & Water dated November 2015; Environmental Noise Survey and Plant Noise Assessment Report 23068/PNA1 Rev4 produced by Hann Tucker Associates dated 19/05/2016; Daylight and Sunlight to Proposed Residential Accommodation letter produced by BVP dated 09/03/2016; Construction Management Plan produced by Great Build Limited dated 20/11/2015 rev1; Archaeological Desk-Based Assessment produced by PCA dated October 2015; Heritage Appraisal produced by KM Heritage dated November 2015.</p> |
| 2.10 | "the Highways Contribution" | the sum of £3,439.02 (three thousand four hundred and thirty nine pounds and two pence) to |

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| | | <p>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:-</p> <p>(a) resurfacing the footways adjacent to the Property; and</p> <p>(b) any other works to the Public Highway that the Council acting reasonably considers necessary as a direct result of the Development</p> <p>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</p> |
| 2.11 | "the Implementation Date" | <p>the date of implementation of the Development by the carrying out of a material operation as defined in Section 56 of the Act but for the purposes of this Agreement shall not include an operation or item of work of or connected with or ancillary to site surveys archaeological investigations or ground investigations, site clearance, site preparation, site remediation works, installation of trunk services, the erection of fences and hoardings and construction of temporary access and references to "Implementation" and "Implement" shall be construed accordingly</p> |

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| 2.12 | "the Level Plans" | plans demonstrating the levels at the interface of the Development the boundary of the Property and the Public Highway |
| 2.13 | "Occupation Date" | the date when any part of the Development is occupied for the purposes permitted by the Planning Permission but excluding (for the purposes of this Agreement only) occupation by personnel engaged in construction, fitting out or decoration or occupation for marketing or display or occupation in relation to security operations and the phrases "Occupation" and "Occupied" shall be construed accordingly and the phrases "Occupy", "Occupied" and "Occupation" shall be construed accordingly |
| 2.14 | "the Parties" | the Council and the Owner |
| 2.15 | "the Planning Application" | a planning application in respect of the development of the Property submitted to the Council and validated on 10 December 2015 for which a resolution to grant permission has been passed conditionally under reference number 2015/7028/P subject to conclusion of this Agreement |
| 2.16 | "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 |
| 2.17 | "the Planning Permission" | a planning permission granted for the Development substantially in the draft form annexed hereto |

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| 2.18 | "the Property" | the land known as 8 & 10 Stukeley, London WC28 5LQ the same as shown shaded grey on the plan annexed hereto |
| 2.19 | "the Public Highway" | any carriageway footway and/or verge adjoining the Property maintainable at public expense |
| 2.20 | "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 |
| 2.21 | "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 |

3. **NOW THIS DEED WITNESSETH** as follows:-

- 3.1 This Agreement is made in pursuance of Section 106 of the Act and Section 278 of the Highways Act 1980, 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**

The Owner hereby covenants with the Council as follows:-

4.1 **BASEMENT APPROVAL IN PRINCIPLE**

- 4.1.1 On or prior to the Implementation Date to:-
- (a) submit the Basement Approval in Principle Application; and
 - (b) pay to the Council the Basement Approval in Principle Contribution
- 4.1.2 Not to implement or permit implementation of any part of the Development until such time as:
- (a) the Council has approved the Basement Approval in Principle Application as demonstrated by written notice to that effect; and
 - (b) the Council has received the Basement Approval in Principle Application Contribution in full.

4.2 CAR FREE

- 4.2.1 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.
- 4.2.2 The Owner for itself and its successors in title to the Property hereby acknowledges that the provision in Clause 4.2.1 above will remain permanently.
- 4.2.3 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 4.2.1 of this Agreement.

4.3 CONSTRUCTION MANAGEMENT PLAN

- 4.3.1 On or prior to the Implementation Date to provide the Council for approval a draft Construction Management Plan.
- 4.3.2 Not to Implement nor allow Implementation of the Development until such time as the Council has approved the Construction Management Plan as demonstrated by written notice to that effect PROVIDED THAT the approved Construction Management Plan may be amended from time to time but only with the prior written approval of the Council.
- 4.3.3 The Owner acknowledges and agrees that the Council will not approve the Construction Management Plan unless it demonstrates to the Council's reasonable satisfaction that the Construction Phase of the Development can be carried out safely and with minimal possible impact on and disturbance to the surrounding environment and highway network.

4.3.4 To ensure that throughout the Construction Phase the Development shall not be carried out otherwise than in strict accordance with the requirements of the Construction Management Plan as approved by the Council from time to time and not to permit the carrying out of any works comprised in demolition or building out the Development at any time when the requirements of the Construction Management Plan are not being complied with and in the event of non compliance with this sub-clause the Owner shall forthwith take any steps required to remedy such non-compliance.

4.4 HIGHWAYS CONTRIBUTION

4.4.1 On or prior to the Implementation Date to pay to the Council the Highways Contribution in full.

4.4.2 On or prior to the Implementation Date to submit to the Council the Level Plans for approval.

4.4.3 Not to Implement or to permit Implementation until such time as the Council has received the Highways Contribution in full.

4.4.4 Not to Implement nor permit Implementation until such time as the Council has approved the Level Plans.

4.4.5 The Owner acknowledges that the Council has the right reserved to it to construct the Public Highway to levels it considers appropriate.

4.4.4 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.

4.4.5 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.

4.4.6 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 Planning Permission 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 the Planning Permission reference 2015/7028/P the date upon which the Development is 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 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 If satisfied as to the compliance of the Owner in respect of any obligation in this Agreement the Council shall (if requested to do so in writing and subject to payment of a fee of £1,000 in respect of each such obligation) provide through its Head of Legal Services a formal written certification of compliance, partial compliance or ongoing compliance (as and if appropriate) with the provisions of any such obligation.

- 5.6 Submission of any plan for approval by the Council under the terms of this Agreement shall be made by the Owner to the Council sending the full document and any appendices in electronic format (where practicable) 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 plan relates quoting the Planning Permission reference 2015/7028/P.
- 5.7 Payment of the Highways Contribution pursuant to Clause 4.8 of this Agreement shall be made by the Owner to the Council sending the full amount via electronic transfer (where practicable). The Owner shall notify the Planning Obligations Monitoring Officer that payment has been made referring to names date and Parties to this Agreement and citing the specific clause of this Agreement to which such contribution relates quoting the planning reference 2015/7028/P. Electronic Transfer be made directly to the National Westminster Bank of Hampstead Village, Enfield Customer Service Centre, PO Box 145 Baird Road Middlesex EN1 1FN quoting Sort Code 50-30-03 and London Borough of Camden General Account no. 24299480.
- 5.7 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.
- 5.8 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 AllIRP") figure last published by the Central Statistical Office at the date hereof is the denominator ("X") and the last AllIRP figure published before the date such payment or application is made ("Y") less the last published AllIRP figure at the date hereof ("X") is the numerator so that

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

5.9 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, Urban Design and Renewal, Planning and Public Protection, Culture and Environment Directorate, Town Hall Annex, Argyle Street, London WC1H 9LP quoting the Planning Permission reference number 2015/7028/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 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 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 (or any part of it) 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.
- 6.9 Where any consent, approval or expression of satisfaction is required to be given under this Agreement, it shall not be unreasonably withheld or delayed.
- 6.10 The Council agrees to use reasonable endeavours to complete the Highway Works before the Occupation Date.

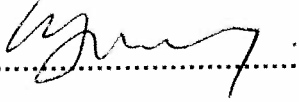
7. **RIGHTS OF THIRD PARTIES**


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

CONTINUATION OF AGREEMENT IN RELATION TO 8 & 10 STUKELEY STREET,
LONDON WC28 5LQ

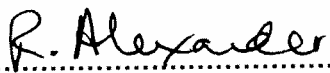
IN WITNESS whereof the Council has caused its Common Seal to be hereunto affixed and
the Owner have executed this instrument as their Deed the day and year first before written

EXECUTED AS A DEED BY)
BENPROP DRURY LIMITED)
~~in the presence of:-~~)
acting by a Director and its Secretary)
~~or by two Directors~~ in the presence of:)


.....
Director


.....
Director/Secretary Witness Signature
Witness Name: GRAEME TAYLOR
Address: 1 NORMAN AVENUE TWICKENHAM TW1 2LY
Occupation: SOLICITOR

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


.....
Authorised Signatory



THE SCHEDULE
Pro Forma
Construction Management Plan

The Council has produced a pro-forma Construction Management Plan that can be used to prepare and submit a Construction Management Plan to meet technical highway and environmental health requirements. This document should be prepared, submitted and receive approval from the Council well in advance of works starting.

The pro-forma Construction Management Plan can be found on the Council's website at:-

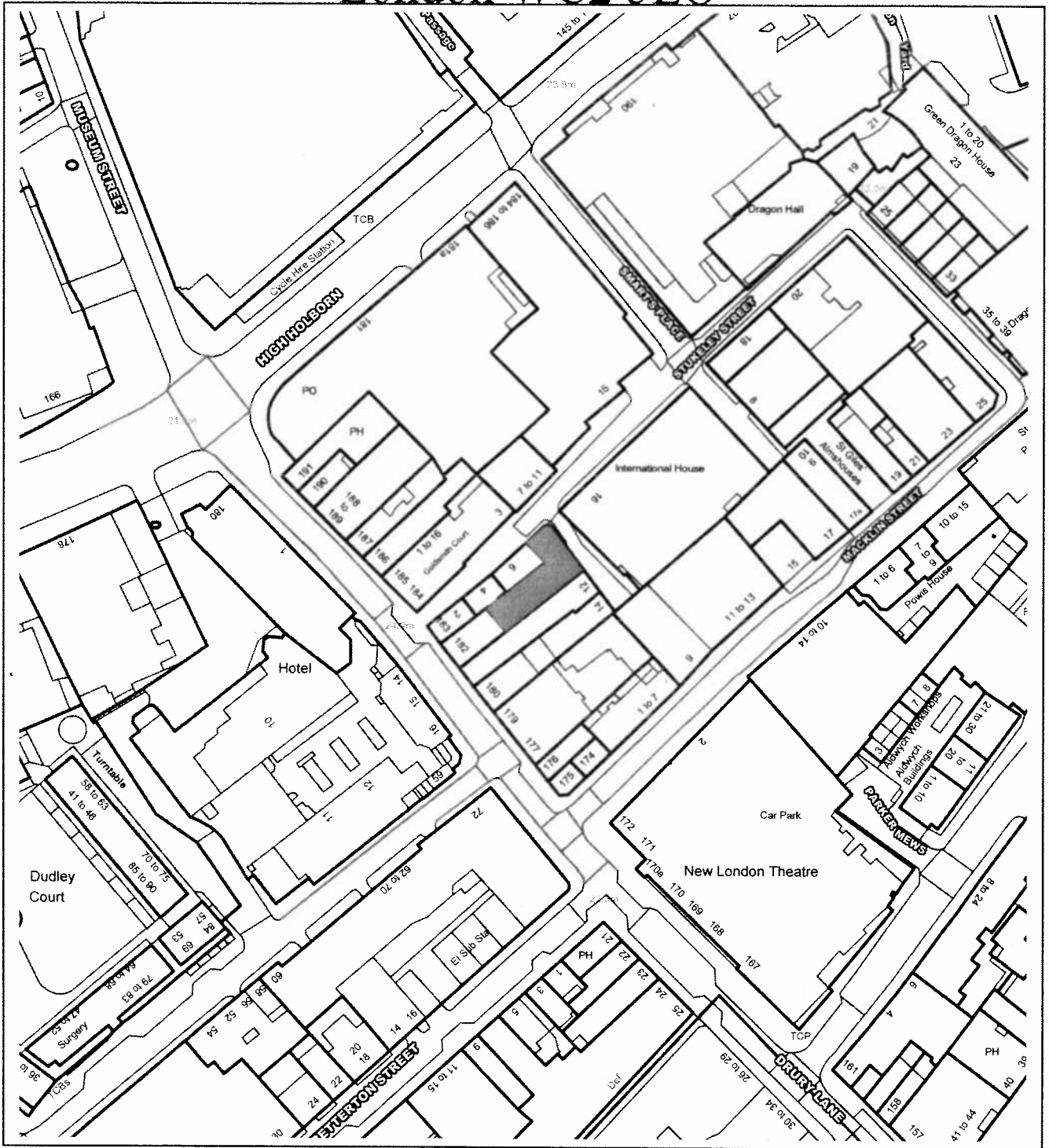
<https://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/making-an-application/supporting-documentation/planning-obligations-section-106/>

It should be noted that any agreed Construction Management Plan does not prejudice further agreement that may be required for things such as road closures or hoarding licences



R. Alexander

8 & 10 Stuckeley Street, London WC2 5LO



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DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

Application Ref: **2015/7028/P**

13 January 2017

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:

**8 & 10 Stukeley Street
London
WC2 5LQ**

Proposal:

DECISION
Erection of replacement mansard roof extension at no. 8 and installation of new mansard roof extension at no. 10; excavation of a single storey basement extension including lightwell to create additional Class B1 office floorspace; change of use of the ground floor of no. 8 from office to residential associated within the enlargement and reconfiguration of the two 1 bed residential units to create two 2 bed flats; alterations to the ground floor front and rear elevations; erection of first floor rear extension, and creation of external terrace at basement and first floor levels at no. 10.

Drawing Nos: A1110 rev 02; A1111 rev 01; A1112 rev 01; A1250 rev 00; A1251 rev 00; A1500 rev 00; A1540 rev 00; A1541 rev 00; A1542 rev 00; A1543 rev 00; A1570 rev 00; A1600 rev 00; A1601 rev 00; A1602 rev 00; A1605 rev 00; A1606 rev 00; A1700 rev 01; A1701 rev 02; A1702 rev 04; A1703 rev 03; A1704 rev 03; A1710 rev 04; A1711 rev 03; A1712 rev 01; A1715 rev 04; A1716 rev 03; A1717 rev 04; A1718 rev 00; A5501 rev 00

Basement Impact Assessment produced by Croft Structural Engineers dated 27/05/2016; Ground Movement Assessment and predicted Damage Category document rev 03 produced by Croft Structural Engineers; Ground Movement Assessment produced by Maund Geo-Consulting dated 08/08/2016; Retaining wall calculations produced by Croft Structural Engineers dated 09/08/2016; Ground Investigation Report produced by Ground & Water dated November 2015; Environmental Noise Survey and Plant Noise Assessment Report 23068/PNA1 Rev4 produced by Hann Tucker Associates dated 19/05/2016; Daylight and Sunlight to Proposed Residential Accommodation letter produced by BVP

dated 09/03/2016; Construction Management Plan produced by Great Build Limited dated 20/11/2015 rev1; Archaeological Desk-Based Assessment produced by PCA dated October 2015; Heritage Appraisal produced by KM Heritage dated November 2015.

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):

- DRAFT**
- 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 development hereby permitted shall be carried out in accordance with the following approved plans:
A1110 rev 02; A1111 rev 01; A1112 rev 01; A1250 rev 00; A1251 rev 00; A1500 rev 00; A1540 rev 00; A1541 rev 00; A1542 rev 00; A1543 rev 00; A1570 rev 00; A1600 rev 00; A1601 rev 00; A1602 rev 00; A1605 rev 00; A1606 rev 00; A1700 rev 01; A1701 rev 02; A1702 rev 04; A1703 rev 03; A1704 rev 03; A1710 rev 04; A1711 rev 03; A1712 rev 01; A1715 rev 04; A1716 rev 03; A1717 rev 04; A1718 rev 00; A5501 rev 00; Basement Impact Assessment produced by Croft Structural Engineers dated 27/05/2016; Ground Movement Assessment and predicted Damage Category document rev 03 produced by Croft Structural Engineers; Ground Movement Assessment produced by Maund Geo-Consulting dated 08/08/2016; Retaining wall calculations produced by Croft Structural Engineers dated 09/08/2016; Ground Investigation Report produced by Ground & Water dated November 2015; Environmental Noise Survey and Plant Noise Assessment Report 23068/PNA1 Rev4 produced by Hann Tucker Associates dated 19/05/2016; Daylight and Sunlight to Proposed Residential Accommodation letter produced by BVP dated 09/03/2016; Construction Management Plan produced by Great Build Limited dated 20/11/2015 rev1; Archaeological Desk-Based Assessment produced by PCA dated October 2015; Heritage Appraisal produced by KM Heritage dated November 2015.

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

- 3 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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 A sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

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

- 5 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 before the relevant part of the work is begun:

a) Plan, elevation and section drawings of all new windows and doors at a scale of 1:10 with typical glazing bars, moulding and architrave details at a scale of 1:1.

b) Samples and manufacturer's details of roof slates (to be provided on site and retained on site during the course of the works).

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 special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 No cleaning of the existing brickwork shall be carried out.

Reason: To safeguard the character and 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.

- 7 Prior to the occupation of the offices hereby approved, details of any new air-conditioning equipment, including any necessary acoustic enclosures, and a full noise impact assessment, including details of any necessary sound attenuation for the plant, shall be submitted to and approved in writing by the local planning authority. The relevant part of the works shall be carried out in accordance with the details thus approved and shall thereafter be maintained in effective order to the reasonable satisfaction of the Council.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24, DP25, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Noise levels at a point 1 metre external to sensitive façades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all new plant/equipment (or any part of it) is in operation unless the plant/equipment 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 10dB(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 policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 9 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s 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 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.

- 10 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 Core Strategy and policy DP27 of the London Borough of Camden Local Development Framework Development Policies.

- 11 Units A and B, as indicated on the plans hereby approved, shall be designed and constructed in accordance with Building Regulations Part M4 (2). Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

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 CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 12 None of the development hereby permitted shall be commenced until detailed design and construction method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:-
- (a) Mitigate the effects of noise and vibration arising from the operation of the Crossrail railway within the tunnels and other structures.
 - (b) Mitigate the effects on Crossrail of ground movement arising from development

The development shall be carried out in all respects in accordance with the approved design and method statements.

All structures and works comprised within the development hereby permitted which are required by this condition shall be completed, in their entirety, before any part of the buildings hereby permitted are occupied.

Reason: To safeguard existing below ground public infrastructure (railway lines) in accordance with the requirements of policies CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy.

- 13 The 2nd floor roof of the first floor rear extension at no. 10 Stukeley Street hereby approved shall not be used as an amenity terrace and shall only be accessed for maintenance purposes only.

Reason: To safeguard the amenities of the adjoining premises in accordance with the requirements of 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.

- 14 The use of the proposed 1st floor roof as a terrace shall not commence until the obscure glazed screens, as shown on the approved drawings, have been constructed. The screens shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of 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.

- 15 No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which has archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

a). The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

b). The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: In order to minimise damage to the important archaeological remains which may exist on this site, in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 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 Noise and Licensing Enforcement Team, 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.

- 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 6941).
- 3 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 4 This site is within an area of archaeological significance/archaeological potential where development is likely to result in the destruction of ancient remains. Your attention is drawn to the British Archaeologists and Developers Liaison Group Code of Practice agreed by the British Property Federation and the Standing Conference of Archaeological Unit Managers. The Council recognises and endorses this Code and will expect the developer and approved archaeological organisations to abide by its provisions.
- 5 Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 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 Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 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.
- 8 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.
- 9 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 £5,110 (102.2 sqm x £50) for the Mayor's CIL and £36,312 (69.7 sqm x £500 for residential floorspace and £32.5 x £45 for commercial floorspace using the relevant rate for uplift in that type

of floorspace) 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.

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

DECISION



DATED

31 January

2017

(1) BENPROP DRURY LIMITED

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
8 & 10 Stukeley Street, London WC28 5LQ
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 1918
Fax: 020 7974 2962