

Ms Anna Snow
Iceni Projects
Flitcroft House
114-116 Charing Cross Road
London
W1S 2ES

Application Ref: **2015/6939/P**
Please ask for: **Jonathan McClue**
Telephone: 020 7974 4908

15 February 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:

**St.Giles Circus site including: site of 138-148 (even) Charing Cross Road 4 6 7 9 10
20-28 (inc) Denmark Street 1-6 (inc) 16-23 (inc) Denmark Place 52-59 (inc) St.Giles
High Street 4 Flitcroft Street and 1 Book Mews London WC2**

Proposal:



Variation of Condition 2 (approved plans) of planning permission 2012/6858/P dated 31/03/15 (for redevelopment involving the erection of 3 buildings (5 and 7 storey buildings facing Centre Point Tower and 4 storey building on Denmark Place) following the demolition of 1-6, 17-21 Denmark Place and York and Clifton Mansions with retained facades at 1-3 Denmark Place and York and Clifton Mansions to provide 2895sqm of basement Event Gallery space; a 678sqm urban gallery, exhibitions and events; 884sqm of flexible retail and restaurant floorspace; 2404sqm of restaurant floorspace; 385sqm of drinking establishment and a 14 bedroom hotel between Denmark Place and Andrew Borde Street. Change of use of 4, 6, 7, 9, 10, 20-28 Denmark Street, 4 Flitcroft Street and 1 Book Mews to provide 4,308sqm of office floor space; 2,959sqm of private housing; 239sqm of affordable housing and 2540sqm of retail. New pedestrian route from Andrew Borde Street to Denmark Street at ground floor level; changes are to repair and restore 22 Denmark Place and 26 Denmark Street; demolish and rebuild 23 Denmark Place as a single storey structure; temporary moving of 22 Denmark Place to facilitate development approved under 2012/6858/P; provision of venue space at ground and basement level within 22 Denmark Place and 26 Denmark Street to replace the 12 Bar Club and minor amendments to the elevations of the approved passageway through 21 Denmark Street.

Drawing Nos: Approved Plans: (1793 PL001-)01 Rev P2; 05 Rev P6; 11 Rev P7, (1793 PL005-)MZ Rev P6; LG Rev P6; B1 Rev P6; 00 Rev P6; 01 Rev P6; 02 Rev P6; 03 Rev P6; 04 Rev P6; 05 Rev P6; 06 Rev P6, (1793 PL011-)01 Rev P7; 03 Rev P7; 04 Rev P6, (1793 PL015-)02 Rev P6; 06 Rev P6; 07 Rev P6, (1793 PL016-)SP Rev P6; 01 Rev P6; 10 Rev P6; 11 Rev P6; 12 Rev P6, (1793PL018-)SP Rev P6; 00 Rev P7; 01 Rev P7; 02 Rev P6; 03 Rev P6; 04 Rev P7; 05 Rev P7; 06 Rev P6; 07 Rev P7; 08 Rev P6; 10 Rev P6; 11 Rev P6; 13 Rev P6; 20 Rev P6; 21 Rev P6; 22 Rev P6; 23 Rev P6, (1793PLEX018-)LP Rev P6; 00 Rev P6; 01 Rev P6; 02 Rev P6; 03 Rev P6; 04 Rev P6; 05 Rev P6; 06 Rev P6; 07 Rev P6; 10 Rev P6; 11 Rev P6; 12 Rev P6; 13 Rev P6; 15 Rev P6; 16 Rev P6; 17 Rev P6; 18 Rev P6, MMA 02 - Design Statement February 2016, Basement Impact Assessment (ref: 029REP006 Rev 03) dated 30th November 2015, Planning Statement December 2015, Method Statement Demolition to Number 23 Denmark Place SGC-1473-PMC-015 dated 04/03/2016, Method Statement for Relocation of The Smithy Building (ref: GA20986) by Abbey Pynford and GA20986-U-01-A.

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

Condition(s) and Reason(s):

- 1 Condition 2 of the planning permission dated 31 March 2015 reference number 2012/6858/P shall be replaced by the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans: (1793 PL001-)01 Rev P2; 02; 03; 04 Rev P3; 05 Rev P6; 010 Rev P3; 11 Rev P7; 012 Rev P3, S10/DSD/195, 1401_PL100; 1793PLEX005-B1 P2; 1793PLEX005-00 P2; 1793PLEX005-01 P2; 1793PLEX005-02 P2; 1793PLEX005-03 P2; 1793PLEX005-04 P2; 1793PLEX005-05 P2; 1793PLEX005-05/Roof Plan P2; 1793PLEX005-16 P2; 1793PLEX005-10 P2; 1793PLEX005-11 P2; 1793PLEX005-12 P2; 1793PLEX005-13 P2; 1793PLEX005-14 P2; 1793PLEX005-15 P2; 1793PLEX010-01 P2;

1793PLEX010-02 P2; 1793PLEX010-03 P2; 1793PLEX010-04 P2;
 1793PLEX011-01 P2; 1793PLEX011-02 P2; 1793PLEX011-03 P2;
 1793PLEX011-04 P2; 1793PLEX015-01 P2; 1793PLEX015-02 P2;
 1793PLEX015-03 P2; 1793PLEX015-04 P2; 1793PLEX015-05 P2;
 1793PLEX015-06 P2; 1793PLEX015-07 P2; 1793PL005-B2 P3; 1793PL005-B1
 P6; 1793PL005B1; MZ P6; 1793PL005-00 LG P6; 1793PL005-01 P6; 1793PL005-
 02 P6; 1793PL005-03 P6; 1793PL005-04 P6; 1793PL005-05 P6; 1793PL005-06
 P6; 1793PL005-RF P2; 1793PL010-01 P3; 1793PL010-02 P3; 1793PL010-03 P3;
 1793PL010-04 P3; 1793PL010-05 P3; 1793PL010-06 P3; 1793PL011-01 P7;
 1793PL011-02 P3; 1793PL011-03 P7; 1793PL011-04 P6; 1793PL015-01 P6;
 1793PL015-02 P6; 1793PL015-03 P3; 1793PL015-06 P6; 1793PL015-07 P3;
 1793PLEX016-20 P2; 1793PLEX016-21 P2; 1793PLEX016-22 P2;
 1793PLEX016-23 P2; 1793PLEX016-24 P2; 1793PLEX016-25 P2;
 1793PLEX016-26 P2; 1793PLEX016-50 P2; 1793PLEX016-51 P2;
 1793PLEX016-52 P2; 1793PLEX016-53 P2; 1793PLEX016-54 P2;
 1793PLEX016-60 P2; 1793PLEX018-00 P6; 1793PLEX018-01 P6;
 1793PLEX018-02 P6; 1793PLEX018-03 P6; 1793PLEX018-04 P6;
 1793PLEX018-05 P6; 1793PLEX018-06 P6; 1793PLEX018-07 P6;
 1793PLEX018-10 P6; 1793PLEX018-11 P6; 1793PLEX018-12 P6;
 1793PLEX018-13 P6; 1793PLEX018-14 P6; 1793PLEX018-15 P6;
 1793PLEX018-16 P6; 1793PLEX018-17 P6; 1793PLEX018-LP P6; 1793PLEX018-
 OV P6; 1793PLEX018-SP P6; P61793PL016-SP P6; 1793PL016-00 P3;
 1793PL016-01 P6; 1793PL016-02 P6; 1793PL016-03 P3; 1793PL016-04 P3;
 1793PL016-05 P3; 1793PL016-06 P3; 1793PL016-07 P3; 1793PL016-08 P3;
 1793PL016-09 P3; 1793PL016-10 P6; 1793PL016-11 P6; 1793PL016-12 P6;
 1793PL016-50 P3; 1793PL016-51 P3; 1793PL016-52 P3; 1793PL016-53 P3;
 1793PL016-54; 1793PL016-55 P3; 1793PL016-56 P3; 1793PL016-60 P3;
 1793PL018-00 P7; 1793PL018-01 P7; 1793PL018-02 P6; 1793PL018-03 P6;
 1793PL018-04 P7; 1793PL018-05 P7; 1793PL018-6 P6; 1793PL018-07 P7;
 1793PL018-08 P6; 1793PL018-10 P6; 1793PL018-11 P6; 1793PL018-12;
 1793PL019-13 P6; 1793PL018-14 P6; 1793PL018-20 P6; 1793PL018-21 P6;
 1793PL018-22 P6; 1793PL18-23 P6; 1793PL018-SP P6; 1793PL021-01 P3;
 1793PL021-02 P3; 1793PL021-05 P3; 1793PL021-06 P3; 1793PL021-10 P3;
 1793PL021-11 P3; 1793PL021-14 P3; 1793PL021-15 P3; 1793PL021-16 P3;
 1793PL021-20 P3; 1793PL021-21 P3; 1793PL021-22 P3; 1793PL021-23 P3;
 1793PL021-28 P3; 1793PL021-30 P3; 1793PL021-31 P3; 1401PL(00)100 P2;
 1401PL(00)00 P2; 1401PL(00)01 P2; 1401PL(00)02 P2; 1401PL(00)03 P2;
 1401PL(00)04 P2; 1401PL(00)05; 1401PL(00)06; 1401PL(00)07; 1401PL(00)08;
 1401PL(00)30; 1401PL(00)31 P2; 1401PL(00)32; 1401PL(00)33 P2;
 1401PL(00)34 P2; 1401PL(00)35; Buro Happold Transport Assessment
 Addendum 028676 rev 01, 11 September 2013; Buro Happold Transport
 Assessment 02876 03, December 2012; Turley Associates Planning Addendum
 CONL2000, 9 September 2013; Turley Associates Supplementary Planning Report
 and appendices, April 2013; Turley Associates Planning Statement December
 2012; Engenuiti Listed Buildings Visual Structural Report 029-S-REP-003, 1st
 December 2012; Design and Access Statement rev A, September 2013; GL Hearn
 Affordable Housing Statement, 10 December 2012; Charcoal Blue Venue
 Management Plan rev A, October 2012; Engenuiti Basement Impact Assessment
 North of Denmark Street, 4th December 2012; Engenuiti Basement Impact
 Assessment 4 Flitcroft Street, 3rd December 2012;

- 2 Licensing Strategy for St Giles Circus Development, undated; Monmouth Dean Marketing Report, 19 December 2012; Letter from Outlet Sales and lettings dated 19th June 2013; Four, Statement of Community Involvement, December 2012; Buro Happold Energy Statement 02876 01, 24 October 2012; Buro Happold Sustainability Statement 02876 01, 14 December 2012; Buro Happold Environmental Statement Addendum 02876 rev 02, 11 September 2013; Buro Happold Environmental Statement Addendum Volume II: Appendices 02876 rev 00, 11 September 2013; Buro Happold Environmental Statement Addendum Volume III: Appendices 02876 rev 00, 11 September 2013; Buro Happold Environmental Statement: Non Technical Summary 02876 01, 14 December 2012; Buro Happold Environmental Statement Volume 1 Main Report 02876 01, 14/12/12; Buro Happold Environmental Statement Volume 11 appendices 02876 01, 14/12/12; Project Centre Flood Risk Assessment, September 2012; Engenuiti Civil and Structural Engineering Concepts Report 09-S-REP-002, 7th December 2012; Engenuiti London Underground - Correspondence Report 029-S-REP-005, 7th December 2012; Engenuiti Concetual Design Statement for Crossrail 029-S-REP-001, revision 01, December 2012; Engenuiti Retained Façade Structural Engineering report 029-S-REP-004, 4th December 2012; Outernet Gallery employment schedule; Turley Associates letter entitled "St Giles Circus - Addendum Submission", 17 September 2013; Two emails from Turley Associates dated 6 November 2012 entitled "Denmark Street A1/B1 Existing and Proposed GIA"; Existing Gross Internal Floor Area Schedule dated 1 November 2012; Proposed Gross Internal Floor Area Schedule rev D dated 13 June 2013; letter from GVA Schatunowski Brooks entitled "St Giles Development and Endell Street Satellite Development" ref KW10/LJ11 dated 18 October 2013; Daylight/Sunlight Amenity Analysis prepared by GVA Schatunowski Brooks dated 13 May 2013; 3d view of proposed development in relation to first residential floor of Centre Point BRE/26 dated 18/10/13; letter from GVA Schatunowski Brooks entitled "Endell Street in connection with St Giles Circus, London - daylight within the proposed development" dated 21 May 2013 and associated plans dated 13 May 2013 (BRE - 003; -004; -005; -006; CAD 001; CAD 002); Clarifications on Wind Assessments in the vicinity of Centrepont tower, 21st May 2013; Turley Associates Supplementary HMO note and associated plans, licence and evaluation of standard of accommodation, 16 May 2013; Engenuiti North of Denmark Street Basement Impact Assessment 30th November 2015 ; Engenuiti 4 Flitcroft Street; 1 Book Mews Basement Impact Assessment 19/06/2015; MMA 02 - Design Statement February 2016; Basement Impact Assessment (ref: 029REP006 Rev 03) dated 30th November 2015, Planning Statement December 2015, Method Statement Demolition to Number 23 Denmark Place SGC-1473-PMC-015 dated 04/03/2016, Method Statement for Relocation of The Smithy Building (ref: GA20986) by Abbey Pynford and GA20986-U-01-A.

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

- 3 All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the [demolition and/construction] phase of the development hereby approved shall be required to meet Stage IIIB of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the [demolition and/construction] phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies CS5 (Managing the impact of growth and development) and CS16 (Improving Camden's health and wellbeing) of the London Borough of Camden Local Development Framework Core Strategy and policies DP32 (Air quality and Camden's Clear Zone) and DP22 (Promoting sustainable design and construction) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings and conditions as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).
- 2 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.

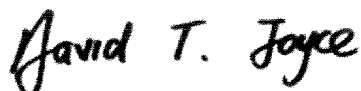
Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL 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



David Joyce
Executive Director Supporting Communities

Executive Director Supporting Communities

DATED

15 February

2016¹⁷

(1) CONSOLIDATED DEVELOPMENTS LIMITED

-and-

(2) LAURENCE GRANT KIRSCHER

-and-

(3) NATIONAL WESTMINSTER BANK PLC

-and-

(4) DB UK BANK LIMITED

-and-

(5) THE MAYOR AND THE BURGESSES OF

THE LONDON BOROUGH OF CAMDEN

SECOND DEED OF VARIATION

Relating to the Agreement dated 31 March 2015 (as varied by the First Deed of Variation dated 8 August 2016

Between the Mayor and the Burgesses of the London Borough of Camden, Consolidated Developments Limited, Laurence Grant Kirschel, National Westminster Bank Plc and DB UK Bank Limited

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

St Giles Circus site including: site of 138-148 (even) Charing Cross Road 4 6 7 9 10 20-28 (inc) Denmark Street 1-6 (inc) 16-23 (inc) Denmark Place 52-59 (inc) St.Giles High Street 4 Flitcroft Street and 1 Book Mews London WC2

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

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THIS DEED is made on the 15th day of February 2016

BETWEEN

1. **CONSOLIDATED DEVELOPMENTS LIMITED** (Co. Regn. No. 02904116) whose registered office is at 131 Edgware Road London W2 2AP (hereinafter called "the Owner") of the first part
2. **LAURENCE GRANT KIRSCHER** of 26 Soho Square London W1D 4NU and care of Bright Grahame Murray 131 Edgware Road London W2 2AP and care of Mishcon de Reya Summit House 12 Red Lion Square London WC1R 4QD (Ref: 1DL13043) (hereinafter called "the Second Freeholder") of the second part
3. **NATIONAL WESTMINSTER BANK PLC** (Co. Regn. No. 929027) of 8th Floor 280 Bishopsgate London EC2M 4RB (hereinafter called "the First Mortgagee") of the third part
4. **DB UK BANK LIMITED** (Co. Regn. No. 00315841) of Great Manchester House, 1 Great Winchester Street, London EC2N 2DB (hereinafter called "the Second Mortgagee") of the fourth part
5. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Council") of the fifth part

WHEREAS:

- 1.1 The Council, the Owner, the Second Freeholder, the First Mortgagee and the Second Mortgagee entered into the Existing Agreement.
- 1.2 The Council, the Owner, the Second Freeholder, the First Mortgagee and the Second Mortgagee entered into the First Deed of Variation to vary the terms of the Original Agreement.

- 1.3 The Owner is registered at the Land Registry as the freehold proprietor with Title Absolute of the majority of the Property under Title Numbers NGL551245, NGL603513, 227324, 292289, LN243665, 405562, 273129, 222345, NGL405103, 228207, 242885, LN140662, 274103, 100072, 375202, 268193, 256779, NGL827003 and NGL551211 subject to a charge to the First Mortgagee.
- 1.4 The Second Freeholder is registered at the Land Registry as the freehold proprietor with Title absolute of the Property of that part of the Property known as 4 Denmark Street under Tile Number 299400 subject to a charge to the Second Mortgagee.
- 1.5 The Owner and Second Freeholder are the freehold owner of and is interested in the Property for the purposes of Section 106(9) of the Act.
- 1.6 The Council is the local planning authority for the purposes of the Act and considers it expedient in the interests of the proper planning of its area that the Development of the Property should be restricted or regulated in accordance with this Deed.
- 1.7 A new Planning Application in respect of the Property and to amend the Original Planning Permission as varied by the First Planning Permission was submitted to the Council by the Owner and validated on 14 December 2015 for which the Council resolved to grant permission conditionally under reference 2015/6939/P subject to the conclusion of this Deed.
- 1.8 This Deed is made by virtue of the Act Section 106A (as amended) and is a planning obligation for the purposes of that section.
- 1.9 Without prejudice to the terms of the other covenants contained in the Existing Agreement the parties hereto have agreed to vary the terms of the Existing Agreement as hereinafter provided.

2. **INTERPRETATION**

- 2.1 All words and phrases defined in the Existing Agreement shall have the same meaning in this Deed save where the context otherwise dictates and for the avoidance of any doubt the Existing Agreement shall remain in full force and effect save as varied by this Deed.

- 2.2 All reference in this Deed to clauses in the Original Agreement are to clauses within the Existing Agreement.
- 2.3 Where in this Deed reference is made to a clause schedule or recital such reference (unless the context otherwise requires) is a reference to a clause schedule or recital of this Agreement.
- 2.4 Headings are for ease of reference only and are not intended to be construed as part of this Deed and shall not be construed as part of this Agreement and shall not affect the construction of this Deed.
- 2.5 Unless the context otherwise requires references to the singular shall include the plural and vice versa.
- 2.6 It is hereby agreed between the Parties that save for the provisions of clauses 1, 2, 3, 5 and 6 hereof all of which shall come into effect on the date hereof the covenants undertakings and obligations contained within this Deed shall become binding upon the Owner upon the Implementation Date.
- 2.7 References in this Deed to the Owner the Second Freeholder the First Mortgagee and the Second Mortgagee shall include their successors in title.
- 2.8 In this Deed the following expression shall unless the context otherwise states have the following meaning now allocated to it.
- 2.8.1 "Deed" this Deed of Variation made pursuant to Section 106A of the Act
- 2.8.2 "the First Deed of Variation" means the deed of variation of the Original Agreement under section 106A of the Act dated 8 August 2016 made between the Council, the Owner, the Second Freeholder, the First Mortgagee and the Second Mortgagee
- 2.8.2 "Existing Agreement" means the Original Agreement as amended by the First Deed of Variation

2.8.3 “Original Agreement”

means the Section 106 Agreement under the Act dated 31 March 2015 made between the Council, the Owner, the Second Freeholder, the First Mortgagee and the Second Mortgagee

2.8.4 “the Original Planning Permission”

means the planning permission granted by the Council on 31 March 2015 referenced 2012/6858/P allowing the Redevelopment involving the erection of three buildings (5 and 7 storey buildings facing Centre Point Tower and a 4 storey building on Denmark Place), following the demolition of 1-6, 17-21 Denmark Place and York and Clifton Mansions with retained facades at 1-3 Denmark Place and York and Clifton Mansions to provide 2895sqm of basement Event Gallery space to be used for community events, exhibitions, product launches, live music (including recorded music), awards ceremonies, conferences and fashion shows (Sui Generis); a 678sqm urban gallery with 1912sqm of internal LED screens to be used for circulation space, retail, advertising, exhibitions, brand and product launches, corporate events, screenings, exhibitions and events (including recorded music),(Sui Generis); 884sqm of flexible retails and restaurant floorspace (Class A1/A3); 2404sqm of restaurant floorspace (Class A3); 385sqm of drinking establishment (Class A4) and a 14 bedroom hotel (Class C1) between Denmark Place and Andrew Borde Street. Change of use of 4, 6, 7, 9, 10, 20-28 Denmark Street, 4 Flitcroft Street and 1 Book Mews to provide 4,308sqm of office floor space (Class B1a); 2,959sqm of private residential floor space (Class C3); 239sqm of affordable housing

(Class C3) and 2540sqm of retail floor space (Class A1). Provision of a new pedestrian route from Andrew Borde Street to Denmark Street at ground floor level and associated partial demolition at 21 Denmark Street (all GEA)

2.8.5 "the Second Planning Permission"

means the minor material amendment permission Reference Number 2015/3900/P dated 8 August 2016 of condition 2 (development to be constructed in accordance with the approved plans) of planning permission redevelopment 2012/6858/P dated 31 March 2015 namely for alterations to design and materials and changes to approved layout of the development including internal reconfiguration of Buildings A,B,C and D, alterations to internal layout and shopfronts in Denmark Street (north) and alterations to 4 Flitcroft Street including changes to roof pitch of approved rear extension. The original development was 'Erection of three buildings (5 and 7 storey buildings facing Centre Point Tower and a 4 storey building on Denmark Place), following the demolition of 1-6, 17-21 Denmark Place and York and Clifton Mansions with retained facades at 1-3 Denmark Place and York and Clifton Mansions to provide 2895sqm of basement Event Gallery space to be used for community events, exhibitions, product launches, live music (including recorded music), awards ceremonies, conferences and fashion shows (Sui Generis); a 678sqm urban gallery with 1912sqm of internal LED screens to be used for circulation space, retail, advertising, exhibitions, brand and product launches, corporate events, screenings, exhibitions and

events (including recorded music),(Sui Generis); 884sqm of flexible retails and restaurant floorspace (Class A1/A3); 2404sqm of restaurant floorspace (Class A3); 385sqm of drinking establishment (Class A4) and a 14 bedroom hotel (Class C1) between Denmark Place and Andrew Borde Street. Change of use of 4, 6, 7, 9, 10, 20-28 Denmark Street, 4 Flitcroft Street and 1 Book Mews to provide 4,308sqm of office floor space (Class B1a); 2,959sqm of private residential floor space (Class C3); 239sqm of affordable housing (Class C3) and 2540sqm of retail floor space (Class A1) Provision of a new pedestrian route from Andrew Borde Street to Denmark Street at ground floor level and associated partial demolition at 21 Denmark Street (all GEA) as shown on drawing numbers

3. VARIATION TO THE EXISTING AGREEMENT

3.1 The following definitions contained in the Existing Agreement shall be replaced as follows:

3.1.1 "Development" the development authorised by the Original Planning Permission and the Second Planning Permission as amended by the following:
variation of Condition 2 (approved plans) of planning permission 2012/6858/P dated 31/03/15 (for redevelopment involving the erection of 3 buildings (5 and 7 storey buildings facing Centre Point Tower and 4 storey building on Denmark Place) following the demolition of 1-6, 17-21 Denmark Place and York and Clifton Mansions with retained facades at 1-3 Denmark Place and York and Clifton Mansions to provide 2895sqm of basement Event Gallery space; a

678sqm urban gallery, exhibitions and events; 884sqm of flexible retail and restaurant floorspace; 2404sqm of restaurant floorspace; 385sqm of drinking establishment and a 14 bedroom hotel between Denmark Place and Andrew Borde Street. Change of use of 4, 6, 7, 9, 10, 20-28 Denmark Street, 4 Flitcroft Street and 1 Book Mews to provide 4,308sqm of office floor space; 2,959sqm of private housing; 239sqm of affordable housing and 2540sqm of retail. New pedestrian route from Andrew Borde Street to Denmark Street at ground floor level; changes are to repair and restore 22 Denmark Place and 26 Denmark Street; demolish and rebuild 23 Denmark Place as a single storey structure; temporary moving of 22 Denmark Place to facilitate development approved under 2012/6858/P; provision of venue space at ground and basement level within 22 Denmark Place and 26 Denmark Street to replace the 12 Bar Club and minor amendments to the elevations of the approved passageway through 21 Denmark Street as shown on drawing numbers:- Approved Plans: (1793 PL001-)01 Rev P2; 05 Rev P6; 11 Rev P7, (1793 PL005-)MZ Rev P6; LG Rev P6; B1 Rev P6; 00 Rev P6; 01 Rev P6; 02 Rev P6; 03 Rev P6; 04 Rev P6; 05 Rev P6; 06 Rev P6, (1793 PL011-)01 Rev P7; 03 Rev P7; 04 Rev P6, (1793 PL015-)02 Rev P6; 06 Rev P6; 07 Rev P6, (1793 PL016-)SP Rev P6; 01 Rev P6; 10 Rev P6; 11 Rev P6; 12 Rev P6, (1793PL018-)SP Rev P6; 00 Rev P7; 01 Rev P7; 02 Rev P6; 03 Rev P6; 04 Rev P7; 05 Rev P7; 06 Rev P6; 07 Rev P7; 08 Rev P6; 10 Rev P6; 11 Rev P6; 13 Rev P6; 20 Rev P6; 21 Rev P6; 22 Rev P6; 23 Rev P6, (1793PLEX018-)LP Rev P6; 00 Rev P6; 01 Rev

P6; 02 Rev P6; 03 Rev P6; 04 Rev P6; 05 Rev P6; 06 Rev P6; 07 Rev P6; 10 Rev P6; 11 Rev P6; 12 Rev P6; 13 Rev P6; 15 Rev P6; 16 Rev P6; 17 Rev P6; 18 Rev P6, MMA 02 - Design Statement February 2016, Basement Impact Assessment (ref: 029REP006 Rev 03) dated 30th November 2015 and Planning Statement December 2015

3.1.2 "Planning Permission" the planning permission for the Development under reference number 2015/6939/P granted by the Council in the form of the draft annexed hereto

3.1.3 "Planning Application" the application for Planning Permission in respect of the Property submitted on 14 December 2015 by the Owner and given reference number 2015/6939/P

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

3.2.1 "the Burland Category of Damage"

an industry recognised category of structural damage as specified at para 2.30 of Camden Planning Guidance 4: Basements and lightwells (as may be amended) and shown in the Tenth Schedule

3.2.2 "Neighbouring Properties"

the neighbouring properties known as 25, 27 and 28 Denmark St London WC2H; and the following demolished properties 54-59 St Giles High St London WC2H 8LH and 1-6 Denmark Place London WC2H in the event these are replaced prior to the basement works being completed

3.2.3 “Detailed Basement
Construction Plan”

a plan setting out detailed information relating to the design and construction of the basement forming part of the Development with a view to minimising any or all impacts of the Development on Neighbouring Properties and the water environment and to provide a programme of detailed mitigating measures to be undertaken and put in place by the Owner with the objective of maintaining the structural stability of the Property and Neighbouring Properties as described in the Basement Impact Assessment by Engenuiti Limited dated 30 November 2015 submitted with the Planning Application and to include the following key stages:-

1. the Owner to appoint an independent suitably certified engineer (qualified in the fields of geotechnical and/or structural engineering) from a recognised relevant professional body having relevant experience of sub-ground level construction commensurate with the Development (“the Basement Design Engineer”) in accordance with the letter of appointment annexed to this agreement at Schedule Two (and for the Owner to confirm that any change in Basement Design Engineer during the construction phase with the Council in advance of any appointment); and,
2. the Basement Design Engineer to formulate the appropriate plan to fulfil the requirements of the Detailed Construction Basement Plan and at all times to ensure the following:-

(a) that the design plans have been undertaken in strict accordance with the terms of this Agreement incorporating proper design and review input into the detailed design phase of the Development and ensuring that appropriately conservative modelling relating to the local ground conditions and local water environment and structural condition of Neighbouring Properties have been incorporated into the final design taking into account the Basement Impact Assessment and intrusive Site Investigation Report submitted and approved under planning reference 2015/3072/P; and

(b) that the result of these appropriately conservative figures ensure that the Development will be undertaken without any impact on the structural integrity of the Neighbouring Properties beyond "Slight" with reference to the Burland Category of Damage; and

(c) that the Basement Design Engineer having confirmed that the design plans have been undertaken in strict accordance with this Agreement and includes a letter of professional certification confirming this and that the detailed measures set out in sub-clauses (i)-(vii) below have been incorporated correctly and appropriately and are sufficient in order to achieve the objectives of the Detailed Basement Construction Plan;

(i) reasonable endeavours to access and prepare a detailed structural appraisal and conditions survey of all the Neighbouring Properties to be undertaken by an independent suitably qualified

and experienced chartered surveyor (and for details to be offered if this is not undertaken in full or part);

(ii) a method statement detailing the proposed method of ensuring the safety and stability of Neighbouring Properties throughout the Construction Phase including temporary works sequence drawings and assumptions with appropriate monitoring control risk assessment contingency measures and any other methodologies associated with the basement and the basement temporary works;

(iii) detailed design drawings incorporating conservative modelling relating to the local ground conditions and local water environment and structural condition of Neighbouring Properties prepared by the Basement Design Engineer for all elements of the groundworks and basement authorised by the Planning Permission together with specifications and supporting calculations for both the temporary and permanent basement construction works;

(iv) the Basement Design Engineer to be retained at the Property throughout the construction phase to inspect approve and undertaking regular monitoring of both permanent and temporary basement construction works throughout their duration and to ensure compliance with the plans and drawings as approved by the building control body;

(v) measures to ensure the on-going maintenance and upkeep of the basement forming part of the Development and any and all associated

drainage and/or ground water diversion measures order to maintain structural stability of the Property the Neighbouring Properties and the local water environment (surface and groundwater);

(vi) measures to ensure ground water monitoring equipment shall be installed prior to Implementation and retained with monitoring continuing during the construction phase and not to terminate monitoring until the issue of the Certificate of Practical Completion (or other time agreed by the Council in writing); and,

(viii)a refined ground movement analysis/building damage assessment with all the construction activities analysed including specific details s that actual movements can be compared with predicted values during the construction process in order to minimise potential damage

(ix) detailed underpinning proposals for 28 Denmark Street and detailed proposals for the monitoring of ground movements on surrounding properties

3. the Owner to appoint a second independent suitably certified engineer (qualified in the fields of geotechnical and/or structural engineering) from a recognised relevant professional body having relevant experience of sub-ground level construction commensurate with the Development (“the Certifying Engineer”) and for details of the appointment of the Certifying Engineer to be submitted to the Council for written approval in advance; and

4. for the Certifying Engineer to review the design plans and offer a 2 page review report to the Council confirming that the design plans have been formulated in strict accordance with the terms of this Agreement and have appropriately and correctly incorporated the provisions of sub-clauses (i)-(vii) above and are sufficient to achieve the objectives of the Detailed Basement Construction Plan AND should any omissions, errors or discrepancies be raised by the Certifying Engineer then these to be clearly outlined in the report and thereafter be raised directly with the Basement Design Engineer with a view to addressing these matters in the revised design plans.
5. Only thereafter shall the Owner submit the agreed finalised version of the Detailed Basement Construction Plan to the Council for its written approval with a letter of professional certification from the Certifying Engineer confirming that the Detailed Basement Construction Plan is an approved form and has been formulated in strict accordance with the terms and clauses of this Agreement.
6. The Owner to respond to any further questions and requests for further information about the submitted plan from the Council AND IN THE EVENT that a further technical assessment be required then the Owner agrees to reimburse the Council for any costs expended which requires the instruction of an independent assessment in order to resolve any unresolved issues or technical deficiencies in the Council's consideration of the submitted plan.

3.3 The following clause 4.4A shall be added to the Existing Agreement after clause 4.4 and before clause 4.5:-

4.4A Detailed Basement Construction Plan

4.4A.1 On or prior to the Implementation Date to provide the Council for approval the Detailed Basement Construction Plan.

4.4A.2 Not to Implement nor allow Implementation of the Development until such time as the Council has approved the Detailed Basement Construction Plan as demonstrated by written notice to that effect.

4.4A.3 The Owner acknowledges and agrees that the Council will not approve the Detailed Basement Construction Plan unless it demonstrates by way of certification by the suitably qualified engineers from recognised relevant professional body to the Council's reasonable satisfaction that the Development can be constructed safely in light of the ground and water conditions and will not cause any structural problems with neighbouring properties nor the Development itself.

4.4A.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 Detailed Basement Construction Plan and not to permit the carrying out of any works comprised in building out the Development at any time when the requirements of the Detailed Basement Construction Plan are not being complied with and in the event of non-compliance with this sub-clause the Owner shall upon notice from the Council forthwith take any steps required to remedy such non-compliance.

4.4A.5 Not to Occupy or permit Occupation of the Development until a satisfactory post-completion review has been submitted to and approved by the Council in writing by way of certification by a suitably qualified engineer from a recognised relevant professional body confirming that the measures incorporated in the Detailed Basement Construction Plan as approved by the Council have been incorporated into the Development.

4.4A.6 Following the Occupation Date the Owner shall not Occupy or permit Occupation of any part of the Development at any time when the

Development is not being managed in strict accordance with the Detailed Basement Construction Plan as approved by the Council and in the event of any breach shall forthwith take any steps required to remedy such non-compliance.

3.4 The Schedule to this Deed shall be deemed to be incorporated in the Existing Agreement as the Tenth Schedule to it.

3.5 All references in Clause 5 and Clause 6 of the Existing Agreement to "Planning Permission reference 2012/6858/P" shall be replaced with "Planning Permission reference 2012/6858/P/P as varied by application 2015/3900/P and 2015/6939/P".

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

4. COMMENCEMENT

4.1 Without prejudice to the effect of Clause 3.5 in the Existing Agreement the provisions in this Deed shall take effect on the Implementation of the Planning Permission referenced 2015/6939/P.

5. PAYMENT OF THE COUNCIL'S LEGAL COSTS

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

6. REGISTRATION AS LOCAL LAND CHARGE

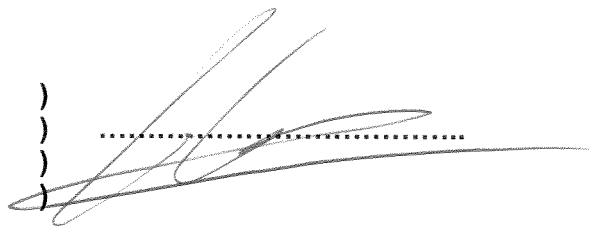
6.1 This Deed shall be registered as a Local Land Charge



Continuation of the deed of variation in relation to St Giles Circus site including: site of 138-148 (even) Charing Cross Road 4 6 7 9 10 20-28 (inc) Denmark Street 1-6 (inc) 16-23 (inc) Denmark Place 52-59 (inc) St.Giles High Street 4 Flitcroft Street and 1 Book Mews London WC2

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

EXECUTED AS A DEED BY
CONSOLIDATED DEVELOPMENTS LIMITED
acting by a Director Laurence Kirschel
in the presence of:

)
)
)
) 


.....
Witness Signature

Witness Name RICHARD METCALFE
Address 26 SOMER SQUARE, LONDON W1D 4NU
Occupation PROPERTY CONSULTANT

EXECUTED AS A DEED BY
LAURENCE GRANT KIRSCHEL
in the presence of:

)
)
) 


.....
Witness Signature

Witness Name RICHARD METCALFE
Address 26 SOMER SQUARE, LONDON W1D 4NU
Occupation PROPERTY CONSULTANT

Continuation of the deed of variation in relation to St Giles Circus site including: site of 138-148 (even) Charing Cross Road 4 6 7 9 10 20-28 (inc) Denmark Street 1-6 (inc) 16-23 (inc) Denmark Place 52-59 (inc) St.Giles High Street 4 Flitcroft Street and 1 Book Mews London WC2

SIGNED AND DELIVERED AS A DEED)
for and on behalf of)
THE ROYAL BANK OF SCOTLAND PLC)
acting in its capacity as agent for)
NATIONAL WESTMINSTER BANK)
PLC by its duly authorised attorney)
in the presence of:)

P.F. Nash
.....
Signature of attorney

Peter Nash
.....
Name of Attorney

[Signature]
.....
Witness Signature

Witness Name *MARK SAUER*

Address

**280 Bishopsgate
London
EC2M 4RB**

Occupation

BANK OFFICER

EXECUTED AS A DEED)
By DB UK BANK LIMITED)
acting through its authorised)
signatories)

Michael Darriba

.....
Name of Authorised Signatory

[Signature]
.....

Signature of Authorised Signatory

MUNISHI VARMA
.....
Name of Authorised Signatory

[Signature]
.....
Signature of Authorised Signatory

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

[Signature]
.....
Duly Authorised Officer



The Schedule The Burland Category of Damage

Category of damage	Description of typical damage	Approximate crack width (mm)	Limiting tensile strain ϵ_{lim} (per cent)
0 Negligible	Hairline cracks of less than about 0.1 mm are classed as negligible	<0.1	0.0-0.05
1 Very slight	Fine cracks that can easily be treated during normal decoration. Perhaps isolated slight fracture in building. Cracks in external brickwork visible on inspection	<1	0.05-0.075
2 Slight	Cracks easily filled. Redecoration probably required. Several slight fractures showing inside of building. Cracks are visible externally and some repointing may be required externally to ensure weathertightness. Doors and windows may stick slightly.	<5	0.075-0.15
3 Moderate	The cracks require some opening up and can be patched by a mason. Recurrent cracks can be masked by suitable lining. Repointing of external brickwork and possibly a small amount of brickwork to be replaced. Doors and windows sticking. Service pipes may fracture. Weathertightness often impaired.	5-15 or a number of cracks > 3	0.15-0.3
4 Severe	Extensive repair work involving breaking-out and replacing sections of walls, especially over doors and windows. Windows and frames distorted, floor sloping noticeably. Walls leaning or bulging noticeably, some loss of bearing in beams. Service pipes disrupted.	15-25 but also depends on number of cracks	>0.3
5 Very severe	This requires a major repair involving partial or complete rebuilding. Beams lose bearings, walls lean badly and require shoring. Windows broken with distortion, Danger of instability.	Usually > 25 but depends on number of cracks	

Damage Category Chart (CIRIA C580)

Extract from para 2.30 of the Camden Planning Guidance 4: Basements and Lightwells



engenuiti

IMAGINE + CREATE + ENGINEER

Anna Snow
Turley Associates
The Charlotte Building
17 Gresse Street
London W1T 1QL

20th May 2016
Ref: 160520/029/CF

Dear Anna

BASEMENT DESIGN ENGINEER: ST GILES CIRCUS SITE

I'm writing to confirm that Engenuiti Limited have been appointed by Consolidated Developments as the 'Basement Design Engineer' for the St Giles Circus project (Application Refs 2012/6858/P, 2015/6939/P) and will prepare a Basement Construction Plan (BCP) in accordance with the definition in section 3.2.3 of the Second Deed of Variation between the Mayor and the Burgesses of the London Borough of Camden, Consolidated Developments Limited, Laurence Grant Kirschel, National Westminster Bank Plc and DB UK Bank Limited under section 106 of the Town and Country Planning Act 1990.

Engenuiti Limited
2 Maltings Place
Tower Bridge Road
London, SE1 3JB
United Kingdom

www.engenuiti.com
+44 (0)20 7089 5760

Engenuiti will be supported in the preparation of the BCP by geotechnical engineers A-squared Studio. Please find enclosed evidence that our experience is commensurate with the proposed development

Yours sincerely,



Clive Fussell MEng, CEng, MStructE,,
Director

clive.fussell@engenuiti.com

IStructE Membership No. 024460367

cc: Stewart Holmes, Second London Wall.

Engenuiti Limited
Registered in England &
Wales, Reg No: 7098752



CLIVE FUSSELL

Director

Clive is an award-winning engineer who is passionate about structural engineering. He has designed and delivered multi-disciplinary projects with signature architects around the world. Although known for his technical skills he is adamant that engineering is a people business that requires its leaders to communicate, inspire and continually challenge existing boundaries.

He has over 20 years post-graduate experience in the structural engineering of complex building projects including super tall buildings, residential developments and advanced timber structures. Clive is a founding director of Engenuiti.

QUALIFICATIONS

CEng	Chartered Engineer
MIStructE	Member Institution of Structural Engineers
MEng (Hons)	Oxford University, Engineering (1st Class)
MSt	Cambridge University, Interdisciplinary Design for the Built Environment

SELECTED PROJECTS

Buro Happold, Bath

1995 to 1997

Open University, Berrill Building

Milton Keynes, UK

Structural engineer responsible for detailed design of 4 storey concrete framed university building. Concrete slabs span between 11m long concrete primary beams to give a column free space between stability walls. A steel space frame spans over the atrium structure and a lightweight steel roof encloses the top floor. The building is founded on bored piles into the Oxford Clay.

Shakespeare's Globe

London, UK

Engineer responsible for detailed design calculations for green oak stage house structure and detailed design of in-situ concrete flat slab structures linking the theatre to the main entrance. Also undertook monitoring of restricted access piling adjacent to listed building and checking of reinforcement.

Wan Wiang International Plaza

Shanghai, China

Structural engineer working on concept design of 4 storey deep basement below proposed tower development. Structure founded on deep piles.

Cambridge Mathematical Centre

Cambridge, UK

Engineer responsible for developing structural concept and scheme designs for in-situ concrete flat slab construction to academic offices, Isaac Newton library and central area. Also developed concept for arched roof structure over central area.

Buro Happold, Riyadh**1997 to 1999****Al Faisailiah Tower**

Riyadh, KSA

Site engineer responsible for redesign of 70m high steel structure at top of 260m tower, redesign of steel atrium roof structure around tower, checking design of 90m span banquet hall arch structures with post-tensioned tie beams, checking detailed fabrication drawings for 6 storey RC framed hotel and apartment buildings. Supervision of concrete works and basement construction.

Buro Happold, London**1999 to 2010****BBC Media Village**

London, UK

Senior Engineer responsible for detailed design of 12,000m² basement structure constructed within sheet piled retaining wall and supporting 5 storey concrete flat slab structure above. Basement founded on bored piles, pile tests were used to optimise pile design. Also responsible for the schematic and detailed design of the Energy Centre and Entrance buildings which used in-situ concrete and steel frame (composite floors) respectively.

Tanaka Business School, Imperial College

London, UK

Senior Structural engineer responsible for the detailed design of new educational facility. Project included the refurbishment of two existing buildings, the creation of a new steel framed atrium with an ETFE roof, the construction of concrete framed lecture theatres and a steel framed 'dog-leg' staircase. Structure made use of parts of the old basement and some existing piles that were supplement by new bored piles into the London Clay.

Winspear Opera House

Dallas, USA

Associate responsible for developing and delivering the concept, schematic and detailed design of 2000 seat opera house before handing over to local engineer of record. Fly tower, auditorium drum and basement structure framed in reinforced concrete with tiered auditorium, entrance lobbies and external brise soleil framed in steel. Spread foundations onto rock.

Thomas Deacon Academy

Peterborough, UK

Associate responsible for structural design from initial structural concepts to completion on site. 18,000m² school with reinforced concrete flat slab construction on pad foundations supporting a 58m span steel grid shell roof over a central concourse. Winner of IStructE award for Education and Health care structures in 2008.

New Holland Island

St Petersburg, Russia

Associate responsible for concept and schematic design of steel framed new arts complex above 2 storey deep basement. Scheme included 2000 seat concert hall, 2500 seat external auditorium and new grid shell roof over courtyard of existing historic building.

St Giles Circus

London, UK

Responsible for developing structural strategy and construction methodology for constructing deep (68m) piled foundations adjacent (1m clear) to Northern Line platform tunnels at Tottenham Court Road to enable client to maintain oversite development rights.

Alrriyadh Tower

Riyadh, KSA

Structural Associate responsible for overseeing design of 410m tower in Riyadh with RC concrete frame and post-tensioned floors for lower 250m of tower and steel framed 'sculpture' at top. Responsible for developing structural strategy, reviewing and checking design by team of 5 engineers. Assessed stability options resulting in selection of concrete stability core with outriggers at plant transfer floors. Design included 4 storey basement founded on limestone with raft slab below tower structure.

Haramain Railway Stations

KSA

Structural Associate Director responsible for overseeing structural strategy for the schematic and detailed design of the above railway stations. Oversaw introduction of Eurocode Design for the project, co-ordinated structural strategy between 3 different design teams (Bath undertook Jeddah and KAIC; Leeds undertook Mecca and London undertook Madinah) to ensure consistency in design parameters, design methodology and structural form. Developed steel roof structure, precast concrete concourse structure and insitu concrete spread foundations with design teams.

Engenuiti 2010 to present

STEP Tunnel Shafts

Abu Dhabi, UAE

Responsible for schematic design, developing structural strategy and checking detailed design of 48m deep, 21m diameter TBM launching shafts for storm water upgrade project. Shafts were constructed using diaphragm wall construction with local reinforcement and stiffening where TBM punches through wall.

Prosecutors's Office

Tbilisi, Georgia

Director responsible for reviewing and checking the design of landmark 4 storey steel framed structure with composite metal deck floors in seismic zone supported on piled concrete raft slab. Commended in IStructE Awards 2012.

165 Westbourne Grove, Kensington

London, UK

Responsible for schematic and detailed design of complex refurbishment of pair Victorian villas in West London. Included formation of new basement within a contiguous piled wall, underpinning of existing external walls, removal of masonry spine wall between villas, replacement of existing floor structures with new timber and steel floors, tying new structure into existing walls to improve stability and robustness.

Smolenskaya Offices

Moscow, Russia

Director responsible for reviewing structural strategy for 5 storey concrete flat slab office building founded on piled raft. Design included the steel structure enclosing a 5 storey high winter garden, development of a connections strategy that facilitated the connection of triangular faceted steelwork and strategy to deal with differential movements between the steel and concrete structures.

Black Sea Hotel

Batumi, Georgia

Responsible for reviewing the design of two 20 storey concrete framed towers designed to BS EN 1993 and BS EN 1998.

Alex Nikolic

BEng (Hons) MSc DIC MICE CEng MSt (Cantab)

Director

Alex is a UK based chartered civil engineer with extensive cross-sector experience in geotechnical and structural engineering. He is the former Head of Ground Engineering at Buro Happold Ltd. He has experience leading significant multi-disciplinary design teams on projects across the globe. He has particular interests in integrating geotechnical and structural design by means of advanced soil-structure interaction modelling. Alex has project experience across the entire design and construction life-cycle ranging from feasibility and concept design development to working alongside clients and contractors managing and delivering schemes. He is experienced in many forms of procurement and contractual engagement, working with clients from various sectors, interdisciplinary design teams and an array of contractors. His passion for elegance in design is underpinned by a creative and dynamic approach to engineering. He is driven by efficient and sustainable design and has research interests extending into social responsibility.

Academic Qualifications

BEng (Hons) in Civil Engineering
First Class Honours, University of Greenwich, London, UK

MSc DIC in Soil Mechanics & Engineering Seismology
Imperial College, London, UK

MSt (Cantab) in Interdisciplinary Design for the Built Environment
University of Cambridge, Cambridge, UK

Professional Qualifications

MICE (Member of the Institution of Civil Engineers)
CEng (Chartered Engineer with Engineering Council, UK)

Employment History

2014 – current: A-squared Studio, London, UK
Position held: Director

2013 – 2014: Buro Happold, London, UK
Position held: Head of Ground Engineering Discipline

2004 – 2012: Buro Happold, London, UK
Position held: Associate Director

1999 – 2004: Jacobs Engineering (formerly Sir Alexander Gibb & Partners), Reading, UK
Position held: Senior Engineer

Selected Project Experience

2015: Dyne House Redevelopment

Discipline lead of substantial below ground facility part of Highgate School. The design comprised excavations in excess of 15m in sloping ground.

2015: TRV Road Extension, Mauritius

Responsible for delivery of scheme review and design of substantial earthworks part of the new by-pass highway in the Port Louis area. The scheme comprises slopes in excess of 40m in height in challenging residual soil conditions.

2013 – 2014: Battersea Power Station Redevelopment, London, UK

Discipline lead of multi-phase design team for landmark redevelopment of Battersea Power Station, the largest regeneration project under way in London.

2011 – 2012: Emirates Air Line (London Cable Car, Thames river crossing), London, UK

Leader of multi-disciplinary design team for landmark river Thames crossing in London. The project included the design of tower structures both in the river and on land and two stations (one of which was constructed over water within Victoria Dock).

2009 – 2010: Haramain High Speed Rail Stations (Jeddah, Makkah, Madinah & KAEC), KSA

Ground engineering team leader for the substructure design for Foster's inspired station buildings across Saudi Arabia.

2008: London Olympic Park Wind Turbines, London, UK

Senior engineer responsible for scheme design of Wind Turbine foundations for London 2012 Olympic Park.

2006 – 2008: Harvard University Allston Science Complex, Boston, US

Substructure design team leader for the largest basement on the east coast of the US in Boston Clay. The basement comprised a science complex with a total construction cost exceeding \$1 billion. Highlights included advanced ground investigation and lab testing undertaken at MIT and state of the art numerical modelling.

2005: Glasgow Museum of Transport, Glasgow, UK

Team leader with role covering scheme development and substructure design and delivery for an ambitious scheme led by Zaha Hadid Architects. The riverside development included various elements of infrastructure works and installation of in excess of one thousand foundation piles.

2004: Sonangol HQ Building, Luanda, Angola

Senior engineer responsible for design of a piled raft foundation system for a high high-rise building by utilising and retrofitting selected existing foundation elements. Design was supported by quality ground investigation and Osterberg testing on large diameter piles in sand.

2003 – 2004: Turkmenbashi Port, Turkmenistan

Team leader for geotechnical and structural design of various jetties, piers and berthing structures whilst catering for complex ground conditions and seismic effects.

2003: Airside Road Tunnels, Heathrow Terminal 5, London, UK

Senior engineer leading Category 3 independent design check for 1.3km long 9m diameter twin bore tunnels serving Heathrow Terminal 5.

2002 – 2003: Project Diamond Synchrotron, Oxfordshire, UK

Lead engineer for the substructure design for the largest scientific facility built in the UK for the past 40 years. The foundation design for the synchrotron included advanced soil-structure interaction analyses to capture dynamic performance of the synchrotron to micron accuracy. All design was substantiated by state of the art dynamic field testing.

2002: Dungeness B Nuclear Power Station, Hastings, UK

Engineer responsible for advanced static and dynamic assessment including comprehensive risk assessment and design verification of the power station building for the Safety Case development.

2001 – 2002: Bhairab Bridge, Bangladesh

Engineer responsible for detailed design of the foundations for Bhairab Bridge crossing the river Meghna. The design included the seismic assessment of foundations and river slopes. Physical modelling was undertaken at HR Wallingford to substantiate design adequacy under extreme flow conditions which occur seasonally in the region.

2001: London City Airport Runway Extension, London, UK

Engineer responsible for the ground investigation and design of the suspended runway extension over the surrounding docks.

1999 – 2001: Devonport Nuclear Submarine Dockyard, Plymouth, UK

Engineer responsible for detailed geotechnical and structural design of the dry docks and ancillary buildings at Devonport Dockyard.



Iceni Projects
Flitcroft House
114-116 Charing Cross Road
London
W1S 2ES

Application Ref: **2015/6939/P**

23 November 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:

**St.Giles Circus site including: site of 138-148 (even) Charing Cross Road 4 6 7 9 10
20-28 (inc) Denmark Street 1-6 (inc) 16-23 (inc) Denmark Place 52-59 (inc) St.Giles
High Street 4 Flitcroft Street and 1 Book Mews London WC2**

Proposal:

DECISION

Variation of Condition 2 (approved plans) of planning permission 2012/6858/P dated 31/03/15 (for redevelopment involving the erection of 3 buildings (5 and 7 storey buildings facing Centre Point Tower and 4 storey building on Denmark Place) following the demolition of 1-6, 17-21 Denmark Place and York and Clifton Mansions with retained facades at 1-3 Denmark Place and York and Clifton Mansions to provide 2895sqm of basement Event Gallery space; a 678sqm urban gallery, exhibitions and events; 884sqm of flexible retail and restaurant floorspace; 2404sqm of restaurant floorspace; 385sqm of drinking establishment and a 14 bedroom hotel between Denmark Place and Andrew Borde Street. Change of use of 4, 6, 7, 9, 10, 20-28 Denmark Street, 4 Flitcroft Street and 1 Book Mews to provide 4,308sqm of office floor space; 2,959sqm of private housing; 239sqm of affordable housing and 2540sqm of retail. New pedestrian route from Andrew Borde Street to Denmark Street at ground floor level; changes are to repair and restore 22 Denmark Place and 26 Denmark Street; demolish and rebuild 23 Denmark Place as a single storey structure; temporary moving of 22 Denmark Place to facilitate development approved under 2012/6858/P; provision of venue space at ground and basement level within 22 Denmark Place and 26 Denmark Street to replace the 12 Bar Club and minor amendments to the elevations of the approved passageway through 21 Denmark Street.

Drawing Nos: Approved Plans: (1793 PL001-)01 Rev P2; 05 Rev P6; 11 Rev P7, (1793 PL005-)JMZ Rev P6; LG Rev P6; B1 Rev P6; 00 Rev P6; 01 Rev P6; 02 Rev P6; 03 Rev P6; 04 Rev P6; 05 Rev P6; 06 Rev P6, (1793 PL011-)01 Rev P7; 03 Rev P7; 04 Rev P6,

(1793 PL015-)02 Rev P6; 06 Rev P6; 07 Rev P6, (1793 PL016-)SP Rev P6; 01 Rev P6; 10 Rev P6; 11 Rev P6; 12 Rev P6, (1793PL018-)SP Rev P6; 00 Rev P7; 01 Rev P7; 02 Rev P6; 03 Rev P6; 04 Rev P7; 05 Rev P7; 06 Rev P6; 07 Rev P7; 08 Rev P6; 10 Rev P6; 11 Rev P6; 13 Rev P6; 20 Rev P6; 21 Rev P6; 22 Rev P6; 23 Rev P6, (1793PLEX018-)LP Rev P6; 00 Rev P6; 01 Rev P6; 02 Rev P6; 03 Rev P6; 04 Rev P6; 05 Rev P6; 06 Rev P6; 07 Rev P6; 10 Rev P6; 11 Rev P6; 12 Rev P6; 13 Rev P6; 15 Rev P6; 16 Rev P6; 17 Rev P6; 18 Rev P6, MMA 02 - Design Statement February 2016, Basement Impact Assessment (ref: 029REP006 Rev 03) dated 30th November 2015, Planning Statement December 2015, Method Statement Demolition to Number 23 Denmark Place SGC-1473-PMC-015 dated 04/03/2016, Method Statement for Relocation of The Smithy Building (ref: GA20986) by Abbey Pynford and GA20986-U-01-A.

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 Condition 2 of the planning permission dated 31 March 2015 reference number 2012/6858/P shall be replaced by the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans: (1793 PL001-)01 Rev P2; 02; 03; 04 Rev P3; 05 Rev P6; 010 Rev P3; 11 Rev P7; 012 Rev P3, S10/DSD/195, 1401_PL100; 1793PLEX005-B1 P2; 1793PLEX005-00 P2; 1793PLEX005-01 P2; 1793PLEX005-02 P2; 1793PLEX005-03 P2; 1793PLEX005-04 P2; 1793PLEX005-05 P2; 1793PLEX005-05/Roof Plan P2; 1793PLEX005-16 P2; 1793PLEX005-10 P2; 1793PLEX005-11 P2; 1793PLEX005-12 P2; 1793PLEX005-13 P2; 1793PLEX005-14 P2; 1793PLEX005-15 P2; 1793PLEX010-01 P2; 1793PLEX010-02 P2; 1793PLEX010-03 P2; 1793PLEX010-04 P2; 1793PLEX011-01 P2; 1793PLEX011-02 P2; 1793PLEX011-03 P2; 1793PLEX011-04 P2; 1793PLEX015-01 P2; 1793PLEX015-02 P2; 1793PLEX015-03 P2; 1793PLEX015-04 P2; 1793PLEX015-05 P2; 1793PLEX015-06 P2; 1793PLEX015-07 P2; 1793PL005-B2 P3; 1793PL005-B1 P6; 1793PL005B1; MZ P6; 1793PL005-00 LG P6; 1793PL005-01 P6; 1793PL005-02 P6; 1793PL005-03 P6; 1793PL005-04 P6; 1793PL005-05 P6; 1793PL005-06 P6; 1793PL005-RF P2; 1793PL010-01 P3; 1793PL010-02 P3; 1793PL010-03 P3; 1793PL010-04 P3; 1793PL010-05 P3; 1793PL010-06 P3; 1793PL011-01 P7; 1793PL011-02 P3; 1793PL011-03 P7; 1793PL011-04 P6; 1793PL015-01 P6; 1793PL015-02 P6; 1793PL015-03 P3; 1793PL015-06 P6; 1793PL015-07 P3; 1793PLEX016-20 P2; 1793PLEX016-21 P2; 1793PLEX016-22 P2; 1793PLEX016-23 P2; 1793PLEX016-24 P2; 1793PLEX016-25 P2; 1793PLEX016-26 P2; 1793PLEX016-50 P2;

1793PLEX016-51 P2; 1793PLEX016-52 P2; 1793PLEX016-53 P2; 1793PLEX016-54 P2; 1793PLEX016-60 P2; 1793PLEX018-00 P6; 1793PLEX018-01 P6; 1793PLEX018-02 P6; 1793PLEX018-03 P6; 1793PLEX018-04 P6; 1793PLEX018-05 P6; 1793PLEX018-06 P6; 1793PLEX018-07 P6; 1793PLEX018-10 P6; 1793PLEX018-11 P6; 1793PLEX018-12 P6; 1793PLEX018-13 P6; 1793PLEX018-14 P6; 1793PLEX018-15 P6; 1793PLEX018-16 P6; 1793PLEX018-17 P6; 1793PLEX018-LP P6; 1793PLEX018-OV P6; 1793PLEX018-SP P6; 1793PL016-SP P6; 1793PL016-00 P3; 1793PL016-01 P6; 1793PL016-02 P6; 1793PL016-03 P3; 1793PL016-04 P3; 1793PL016-05 P3; 1793PL016-06 P3; 1793PL016-07 P3; 1793PL016-08 P3; 1793PL016-09 P3; 1793PL016-10 P6; 1793PL016-11 P6; 1793PL016-12 P6; 1793PL016-50 P3; 1793PL016-51 P3; 1793PL016-52 P3; 1793PL016-53 P3; 1793PL016-54; 1793PL016-55 P3; 1793PL016-56 P3; 1793PL016-60 P3; 1793PL018-00 P7; 1793PL018-01 P7; 1793PL018-02 P6; 1793PL018-03 P6; 1793PL018-04 P7; 1793PL018-05 P7; 1793PL018-6 P6; 1793PL018-07 P7; 1793PL018-08 P6; 1793PL018-10 P6; 1793PL018-11 P6; 1793PL018-12; 1793PL019-13 P6; 1793PL018-14 P6; 1793PL018-20 P6; 1793PL018-21 P6; 1793PL018-22 P6; 1793PL18-23 P6; 1793PL018-SP P6; 1793PL021-01 P3; 1793PL021-02 P3; 1793PL021-05 P3; 1793PL021-06 P3; 1793PL021-10 P3; 1793PL021-11 P3; 1793PL021-14 P3; 1793PL021-15 P3; 1793PL021-16 P3; 1793PL021-20 P3; 1793PL021-21 P3; 1793PL021-22 P3; 1793PL021-23 P3; 1793PL021-28 P3; 1793PL021-30 P3; 1793PL021-31 P3; 1401PL(00)100 P2; 1401PL(00)00 P2; 1401PL(00)01 P2; 1401PL(00)02 P2; 1401PL(00)03 P2; 1401PL(00)04 P2; 1401PL(00)05; 1401PL(00)06; 1401PL(00)07; 1401PL(00)08; 1401PL(00)30; 1401PL(00)31 P2; 1401PL(00)32; 1401PL(00)33 P2; 1401PL(00)34 P2; 1401PL(00)35; Buro Happold Transport Assessment Addendum 028676 rev 01, 11 September 2013; Buro Happold Transport Assessment 02876 03, December 2012; Turley Associates Planning Addendum CONL2000, 9 September 2013; Turley Associates Supplementary Planning Report and appendices, April 2013; Turley Associates Planning Statement December 2012; Engenuiti Listed Buildings Visual Structural Report 029-S-REP-003, 1st December 2012; Design and Access Statement rev A, September 2013; GL Hearn Affordable Housing Statement, 10 December 2012; Charcoal Blue Venue Management Plan rev A, October 2012; Engenuiti Basement Impact Assessment North of Denmark Street, 4th December 2012; Engenuiti Basement Impact Assessment 4 Flitcroft Street, 3rd December 2012;

2 Licensing Strategy for St Giles Circus Development, undated; Monmouth Dean Marketing Report, 19 December 2012; Letter from Outlet Sales and lettings dated 19th June 2013; Four, Statement of Community Involvement, December 2012; Buro Happold Energy Statement 02876 01, 24 October 2012; Buro Happold Sustainability Statement 02876 01, 14 December 2012; Buro Happold Environmental Statement Addendum 02876 rev 02, 11 September 2013; Buro Happold Environmental Statement Addendum Volume II: Appendices 02876 rev 00, 11 September 2013; Buro Happold Environmental Statement Addendum Volume III: Appendices 02876 rev 00, 11 September 2013; Buro Happold Environmental Statement: Non Technical Summary 02876 01, 14 December 2012; Buro Happold Environmental Statement Volume 1 Main Report 02876 01, 14/12/12; Buro Happold Environmental Statement Volume 11 appendices 02876 01, 14/12/12; Project Centre Flood Risk Assessment, September 2012; Engenuiti Civil and Structural Engineering Concepts Report 09-S-REP-002, 7th December 2012; Engenuiti London Underground - Correspondence Report 029-S-REP-005, 7th December 2012; Engenuiti Concetual Design Statement for Crossrail 029-S-REP-001, revision 01, December 2012; Engenuiti Retained

Façade Structural Engineering report 029-S-REP-004, 4th December 2012; Outernet Gallery employment schedule; Turley Associates letter entitled "St Giles Circus - Addendum Submission", 17 September 2013; Two emails from Turley Associates dated 6 November 2012 entitled "Denmark Street A1/B1 Existing and Proposed GIA"; Existing Gross Internal Floor Area Schedule dated 1 November 2012; Proposed Gross Internal Floor Area Schedule rev D dated 13 June 2013; letter from GVA Schatunowski Brooks entitled "St Giles Development and Endell Street Satellite Development" ref KW10/LJ11 dated 18 October 2013; Daylight/Sunlight Amenity Analysis prepared by GVA Schatunowski Brooks dated 13 May 2013; 3d view of proposed development in relation to first residential floor of Centre Point BRE/26 dated 18/10/13; letter from GVA Schatunowski Brooks entitled "Endell Street in connection with St Giles Circus, London - daylight within the proposed development" dated 21 May 2013 and associated plans dated 13 May 2013 (BRE -003; -004; -005; -006; CAD 001; CAD 002); Clarifications on Wind Assessments in the vicinity of Centrepoint tower, 21st May 2013; Turley Associates Supplementary HMO note and associated plans, licence and evaluation of standard of accommodation, 16 May 2013; Engenuiti North of Denmark Street Basement Impact Assessment 30th November 2015 ; Engenuiti 4 Flitcroft Street, 1 Book Mews Basement Impact Assessment 19/06/2015; MMA 02 - Design Statement February 2016; Basement Impact Assessment (ref: 029REP006 Rev 03) dated 30th November 2015, Planning Statement December 2015, Method Statement Demolition to Number 23 Denmark Place SGC-1473-PMC-015 dated 04/03/2016, Method Statement for Relocation of The Smithy Building (ref: GA20986) by Abbey Pynford and GA20986-U-01-A.

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

- 3 All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the [demolition and/construction] phase of the development hereby approved shall be required to meet Stage IIIB of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the [demolition and/construction] phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies CS5 (Managing the impact of growth and development) and CS16 (Improving Camden's health and wellbeing) of the London Borough of Camden Local Development Framework Core Strategy and policies DP32 (Air quality and Camden's Clear Zone) and DP22 (Promoting sustainable design and construction) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings and conditions as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision

(and not this variation).

- 2 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.

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.

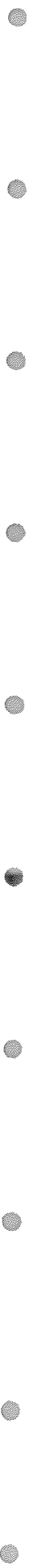
In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Supporting Communities Directorate

DRAFT

DECISION





DATED

15 February

2016¹⁷

(1) CONSOLIDATED DEVELOPMENTS LIMITED

-and-

(2) LAURENCE GRANT KIRSCHER

-and-

(3) NATIONAL WESTMINSTER BANK PLC

-and-

(4) DB UK BANK LIMITED

-and-

(5) THE MAYOR AND THE BURGESSES OF

THE LONDON BOROUGH OF CAMDEN

SECOND DEED OF VARIATION

Relating to the Agreement dated 31 March 2015 (as varied by the First Deed of Variation dated 8 August 2016

Between the Mayor and the Burgesses of the London Borough of Camden, Consolidated Developments Limited, Laurence Grant Kirschel, National Westminster Bank Plc and DB UK Bank Limited

under section 106 of the Town and Country Planning Act 1990 (as amended)

Relating to development at premises known as

St Giles Circus site including: site of 138-148 (even) Charing Cross Road 4 6 7 9 10 20-28 (inc) Denmark Street 1-6 (inc) 16-23 (inc) Denmark Place 52-59 (inc) St.Giles High Street 4 Flitcroft Street and 1 Book Mews London WC2

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