

DATED

30 June

2017

- (1) ALMACANTAR CENTRE POINT NOMINEE NO.1 LIMITED
(2) ALMACANTAR CENTRE POINT NOMINEE NO.2 LIMITED

-and-

- (3) HATFIELD PHILIPS AGENCY SERVICES LIMITED

-and-

- (4) THE MAYOR AND THE BURGESSES OF
THE LONDON BOROUGH OF CAMDEN

DEED OF VARIATION

Relating to the Agreement dated 1 April 2014
Between the Mayor and the Burgesses of the
London Borough of Camden,
Almacantar Centre Point Nominee No.1 Limited and Almacantar Centre Point Nominee No.2
Limited and Hatfield Philips Agency Services Limited
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as
SCHEME A CENTRE POINT
101-103 NEW OXFORD STREET and
5-24 ST GILES HIGH STREET
LONDON WC1A 1DD

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

Tel: 020 7974 1918
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CLS/COM/ESA/1800.217
DoV FINAL



THIS DEED is made on the 30th day of June 2017

BETWEEN

- i. **ALMACANTAR CENTRE POINT NOMINEE NO.1 LIMITED** (Co. Regn. No. 08695695) whose registered office is at 3 Quebec Mews, London W1H 7NX (hereinafter called "the Owner") of the first part
- ii. **ALMACANTAR CENTRE POINT NOMINEE NO.2 LIMITED** (Co. Regn. No. 08695689) whose registered office is at 3 Quebec Mews, London W1H 7NX (hereinafter called "the Owner") of the second part
- iii. **HATFIELD PHILIPS AGENCY SERVICES LIMITED** (Co. Regn. No. 06892862) of 34th Floor, 25 Canada Square, Canary Wharf London E14 5LB (hereinafter called "the Mortgagee") of the third part
- iv. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Council") of the fourth part

WHEREAS:

- 1.1 The Council, Almacantar Centre Point Nominee No.1 Limited Almacantar Centre Point Nominee No.2 Limited, and Hatfield Philips Agency Services Limited entered into an Agreement dated 1 April 2014 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended).
- 1.2 The Owner is registered at the Land Registry as the freehold proprietor with Title Absolute under title number NGL606392 subject to a charge to the Mortgagee.
- 1.3 The Owner is the freehold owner of and is interested in the Property for the purposes of Section 106(9) of the Act.
- 1.4 The Council is the local planning authority for the purposes of the Act and considers it expedient in the interests of the proper planning of its area that the Development of the Property should be restricted or regulated in accordance with this Deed.

1.5 A new Planning Application in respect of the Property and to amend the Original Planning Permission was submitted to the Council by the Owner and validated on 10 March 2017 for which the Council resolved to grant permission conditionally under reference 2017/0994/P subject to the conclusion of this Deed.

1.6 This Deed of Variation is made by virtue of the Town and Country Planning Act 1990 Section 106A (as amended) and is a planning obligation for the purposes of that section.

1.7 Without prejudice to the terms of the other covenants contained in the Existing Agreement the parties hereto have agreed to vary the terms of the Existing Agreement as hereinafter provided.

2. **INTERPRETATION**

2.1 All words and phrases defined in the Existing Agreement shall have the same meaning in this 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 Existing 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 effect 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 and 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 "Existing Agreement" the Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) dated 1 April 2014 made between the Council and Almacantar Centre Point Nominee No.1 Limited Almacantar Centre Point Nominee No.2 Limited, and Hatfield Philips Agency Services Limited

2.8.3 "the Original Planning Permission" means the planning permission granted by the Council on 1 April 2014 referenced 2013/1957/P allowing the (Scheme A) Change of use of Centre Point Tower from office (Class B1) and restaurant/bar (Sui Generis) to residential (Class C3) to provide 82 self contained flats (16 x one bedroom, 37 x two bedroom, 26 x three bedroom, 2 x 4 bedroom and 1 x 4 bedroom duplex) and ancillary residential floorspace (spa, gym and pool); change of use of Centre Point Link from office (Class B1) and bar (Class A4) to a flexible retail/restaurant/bar use (Class A1/A3/A4); change of use of Centre Point House at first and second floor levels from office (Class B1) to flexible retail/restaurant/bar use (Class A1, A3, A4); alterations and extensions to the

existing building at ground floor level to provide flexible retail/restaurant/bar use (Class A1, A3, A4). Alterations to the external elevations of Centre Point Tower, Centre Point Link and Centre Point House including the relocation internally of the existing external ground and mezzanine eastern and western staircases, replacement and refurbishment of the facades, fenestrations and shopfronts, new pedestrian link through Centre Point House and associated basement car parking, terraces, landscaping, highway works (including the relocation of bus stands in Earnshaw Street), servicing and access arrangements and extract ducts. Redevelopment of the Intrepid Fox public house to provide flexible retail/restaurant/bar (Class A1, A3, A4) with 13 affordable housing units (8 x one bedroom, 3 x three bedroom and 2 x four bedroom) above in an eleven storey building (including basement) and associated basement car parking, terraces, servicing and access arrangements, and extract ducts

3. VARIATION TO THE EXISTING AGREEMENT

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

3.1.1 "Development"

the Original Planning Permission as varied by:- variation of condition 2 (approved plans) of 2013/1957/P dated 01/04/2014 (for: Change of use of Centre Point Tower from office and restaurant/bar to residential (82 flats); change of use of Centre Point Link from office and bar to a flexible retail/restaurant/bar use; change of use of Centre Point House at first and second floor

levels from office to flexible retail/restaurant/bar use; alterations to ground floor to provide flexible retail/restaurant/bar use. Changes to the external elevations of all buildings; replacement and refurbishment of the facades, fenestrations and shopfronts, new pedestrian link through Centre Point House and associated works. Redevelopment of the Intrepid Fox PH to provide flexible retail/restaurant/bar (Class A1, A3, A4) with 13 affordable housing units in an eleven storey building); CHANGES ARE to the configuration of the plant equipment at roof level at White Lion House including design development of attenuators; positioning of fans; changing of extract system and additional smoke extracts as shown on drawing numbers:-
Approved Plans: 522-19413-CPA_PL3; 522-19501-CPA_PL3; 522-19502-CPA_PL3; 522-19503-CPA_PL4; 522-19504-CPA_PL3; 522-19505-CPA_PL4; 522-19510-CPA_PL3;
Supplementary Information to Application for Minor Material amendment (Document 600-7591) dated 10/02/2017; Revised plant arrangement CPW block note from Sandy Brown dated 28/09/2016; Nuaire Summary Fan Data Sheets

Superseded Plans: 522-19413-CPA_PL2; 522-19501-CPA_PL2; 522-19502-CPA_PL2; 522-19503-CPA_PL3; 522-19504-CPA_PL2; 522-19505-CPA_PL3; 522-19510-CPA_PL2

3.1.2 "Planning Permission"

the planning permission for the Development under reference number 2013/1957/P as varied by 2017/0994/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 10 April 2017 by the Owner and given reference number 2017/0994/P

3.2 All references in Clause 5 and Clause 6 of the Existing Agreement to "Planning Permission reference 2013/1957/P" shall be replaced with "Planning Permission reference 2013/1957/P as varied by 2017/0994/P".

3.3 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 2017/0994/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

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

CONTINUATION OF SECTION 106 AGREEMENT IN RELATION TO SCHEME A CENTRE
POINT 101-103 NEW OXFORD STREET AND 5-24 ST GILES HIGH STREET LONDON
WC1A 1DD

EXECUTED ~~BY~~ AS A DEED BY
ALMACANTAR CENTRE POINT NOMINEE)
NO.1 LIMITED)
acting by a Director and its Secretary)
or by two Directors JONATHAN PAUL,)
A DIRECTOR IN THE PRESENCE OF)



.....
Linda Flavell

Director LINDA FLAVELL
103 TAYBRIDGE RD
LONDON SW11 5PX
SOLICITOR

.....
Director/Secretary

EXECUTED ~~BY~~ AS A DEED BY
ALMACANTAR CENTRE POINT NOMINEE)
NO.2 LIMITED)
acting by a Director and its Secretary)
or by two Directors JONATHAN PAUL,)
A DIRECTOR IN THE PRESENCE OF)



.....
Linda Flavell

Director LINDA FLAVELL
103 TAYBRIDGE RD
LONDON SW11 5PX
SOLICITOR

.....
Director/Secretary

EXECUTED AS A DEED by the)
Attorney Authorised on behalf of)
HATFIELD PHILIPS AGENCY SERVICES LIMITED)

.....
Colin Giles
Vice President
Duly Authorised Signatory

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

.....
P. Alexander
Duly Authorised Officer





Gerald Eve LLP
72 Welbeck Street
London W1G 0AY

Application Ref: **2017/0994/P**

01 June 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:

**Centre Point Tower
Centre Point Link and Centre Point House
101-103 New Oxford Street and 5-24 St Giles High Street
London
WC1A 1DD**

Proposal:

DECISION
Variation of condition 2 (approved plans) of 2013/1957/P dated 01/04/2014 (for: Change of use of Centre Point Tower from office and restaurant/bar to residential (82 flats); change of use of Centre Point Link from office and bar to a flexible retail/restaurant/bar use; change of use of Centre Point House at first and second floor levels from office to flexible retail/restaurant/bar use; alterations to ground floor to provide flexible retail/restaurant/bar use. Changes to the external elevations of all buildings; replacement and refurbishment of the facades, fenestrations and shopfronts, new pedestrian link through Centre Point House and associated works. Redevelopment of the Intrepid Fox PH to provide flexible retail/restaurant/bar (Class A1, A3, A4) with 13 affordable housing units in an eleven storey building); CHANGES ARE to the configuration of the plant equipment at roof level at White Lion House including design development of attenuators; positioning of fans; changing of extract system and additional smoke extracts.

Drawing Nos: Approved Plans: 552-19413-CPA_PL3; 552-19501-CPA_PL3; 552-19502-CPA_PL3; 552-19503-CPA_PL4; 552-19504-CPA_PL3; 552-19505-CPA_PL4; 552-19510-CPA_PL3; Supplementary Information to Application for Minor Material amendment (Document 600-7591) dated 10/02/2017; Revised plant arrangement CPW block note from Sandy Brown dated 28/09/2016; Nuairé Summary Fan Data Sheets.

Superseded Plans: 552-19413-CPA_PL2; 552-19501-CPA_PL2; 552-19502-CPA_PL2; 552-19503-CPA_PL3; 552-19504-CPA_PL2; 552-19505-CPA_PL3; 552-19510-CPA_PL2.

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 shall be carried out in accordance with the following approved plans: 552-19000-CPA; 552-19010-CPA; 552-19011-CPA; 552-19012-CPA; 552-19013-CPA; 552-19014-CPA; 552-19015-CPA; 552-19016-CPA; 552-19100-CPA; 552-19101-CPA; 552-19102-CPA; 552-19103-CPA; 552-19104-CPA; 552-19105-CPA; 552-19106-CPA; 552-19107-CPA; 552-19108-CPA; 552-19109-CPA; 552-19110-CPA; 552-19111-CPA; 552-19112-CPA; 552-19113-CPA; 552-19114-CPA; 552-19115-CPA; 552-19116-CPA; 552-19117-CPA; 552-19118-CPA; 552-19119-CPA; 552-19120-CPA; 552-19200-CPA; 552-19201-CPA; 552-19202-CPA; 552-19203-CPA; 552-19204-CPA; 552-19205-CPA; 552-19206-CPA; 552-19207-CPA; 552-19208-CPA; 552-19209-CPA; 552-19210-CPA; 552-19211-CPA; 552-19225-CPA; 552-19226-CPT; 552-19227-CPT; 552-19228-CPT; 552-19229-CPT; 552-19230-CPA; 552-19231-CPA; 552-19232-CPA; 552-19233-CPA; 552-19234-CPA; 552-19235-CPA; 552-19240-CPA; 552-19241-CPA; 552-19242-CPA; 552-19243-CPA; 552-19244-CPA; 552-19245-CPA; 552-19246-CPA; 552-19250-CPA; 552-19251-CPT; 552-19252-CPT; 552-19253-CPT; 552-19254-CPT; 552-19255-CPA; 552-19256-CPA; 552-19257-CPA; 552-19258-CPA; 552-19259-CPA; 552-19260-CPA; 552-19261-CPA; 552-19262-CPT; 552-19263-CPA; 552-19264-CPA; 552-19265-CPA; 552-19266-CPA; 552-19267-CPA; 552-19300-CPT; 552-19301-CPT; 552-19302-CPT; 552-19303-CPT; 552-19304-CPT; 552-19305-CPT; 552-19306-CPT; 552-19307-CPT; 552-19308-CPT; 552-19309-CPT; 552-19309-CPT;

552-19326-CPL; 552-19327-CPL; 552-19328-CPL; 552-19329-CPL; 552-19330-CPL; 552-19331-CPL; 552-19340-CPH; 552-19341-CPH; 552-19342-CPH; 552-19343-CPH; 552-19344-CPH; 552-19345-CPH; 552-19346-CPH; 552-19347-CPH; 552-19348-CPH; 552-19349-CPH; 552-19350-CPH; 552-19351-CPH; 552-19352-CPH; 552-19353-CPH; 552-19400-CPA; 552-19401-CPA; 552-19402-CPA; 552-19403-CPA; 552-19404-CPA; 552-19405-CPA; 552-19406-CPA; 552-19407-CPA; 552-19408-CPA; 552-19409-CPA; 552-19410-CPA; 552-19411-CPA; 552-19412-CPA; 552-19413-CPA_PL3; 552-19414-CPA; 552-19415-CPA; 552-19416-CPA; 552-19417-CPA; 552-19418-CPA; 552-19419-CPA; 552-19420-CPA; 552-19421-CPA; 552-19500-CPA; 552-19501-CPA_PL3; 552-19502-CPA_PL3; 552-19503-CPA_PL4; 552-19504-CPA_PL3; 552-19505-CPA_PL4; 552-19506-CPA; 552-19507-CPA; 552-19508-CPA; 552-19509-CPA; 552-19510-CPA_PL3; 552-19511-CPA; 552-19550-CPA; 552-19551-CPT; 552-19552-CPT; 552-19553-CPT; 552-19554-CPT; 552-19555-CPA; 552-19556-CPA; 552-19557-CPA; 552-19558-CPA; 552-19559-CPA; 552-19560-CPA; 552-19561-CPA; 552-19562-CPT; 552-19563-CPA; 552-19564-CPA; 552-19565-CPA; 552-19566-CPA; 552-19567-CPA; 552-19600-CPT; 552-19601-CPT; 552-19602-CPT; 552-19603-CPT; 552-19604-CPT; 552-19605-CPT; 552-19606-CPT; 552-19607-CPT; 552-19608-CPT; 552-19609-CPT; 552-19610-CPT; 552-19611-CPT; 552-19612-CPT; 552-19613-CPT; 552-19614-CPT; 552-19615-CPT; 552-19616-CPT; 552-19617-CPT; 552-19618-CPT; 552-19619-CPT; 552-19620-CPT; 552-19621-CPT; 552-19622-CPT; 552-19625-CPL; 552-19626-CPL; 552-19627-CPL; 552-19628-CPL; 552-19629-CPL; 552-19630-CPL; 552-19631-CPL; 552-19640-CPH; 552-19641-CPH; 552-19642-CPH; 552-19643-CPH; 552-19644-CPH; 552-19645-CPH; 552-19646-CPH; 552-19647-CPH; 552-19648-CPH; 552-19649-CPH; 552-19650-CPH; 552-19651-CPH; 552-19652-CPH; 552-19653-CPH; 552-19660-CPW; 552-19661-CPW; 552-19662-CPW; 552-19663-CPW; 552-19664-CPW; 552-19665-CPW; 552-19666-CPW; 552-19667-CPW; 552-19668-CPW; 552-19669-CPW; 552-19670-CPW; 552-19671-CPW; 552-19672-CPW; 552-19700-CPT; 552-19701-CPT; 552-19702-CPT; 552-19703-CPT; 552-19704-CPT; 552-19705-CPT; 552-19706-CPT; 552-19707-CPT; 552-19708-CPT; 552-19709-CPT; 552-19725-CPH; 552-19750-CPW; 552-19751-CPW; 552-19800-CPT; 552-19801-CPT; 552-19802-CPT; 552-19803-CPT; 552-19804-CPT; 552-19805-CPT; 552-19806-CPT; 552-19807-CPT; 552-19808-CPT; 552-19809-CPT; 552-19810-CPT; 552-19811-CPT; 552-19812-CPT; 552-19813-CPT; 552-19814-CPT; 552-19815-CPT; 552-19816-CPT; 552-19817-CPT; 552-19825-CPL; 552-19826-CPL; 552-19827-CPL; 552-19828-CPL; 552-19829-CPL; 552-19840-CPH; 552-19841-CPH; 552-19842-CPH; 552-19843-CPH; 552-19844-CPH; 552-19845-CPH; 552-19846-CPH; 552-19847-CPH; 552-19848-CPH; 552-19849-CPH; 552-19850-CPH; 552-19851-CPH; 552-19852-CPH; 552-19853-CPH; 552-19900-CPW; 552-19901-CPW; Design and Access Statement; Environmental Statement Volume 1; -Volume 2; -Volume 3; -non technical summary; Supplementary Information to Application for Minor Material amendment (Document 600-7591) dated 10/02/2017; Revised plant arrangement CPW block note from Sandy Brown dated 28/09/2016; Nuairé Summary Fan Data Sheets.

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

2 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:

a) Plan, elevation and section drawings of all shopfronts and ground floor glazed screens a scale of 1:10 with sections of the framing, joints and fixings to the building fabric and floor at a scale of 1:1 (or the most appropriate scale as agreed in writing) must be implemented in accordance with the details secured under 2015/7109/P dated 05/08/2016, 2016/0244/P dated 05/08/2016 and 2016/0900/P dated 05/08/2016.

b) Elevation and section drawings (including method of illumination) of proposed lettering to 34th floor of Centre Point Tower as per the details secured under 2016/3450/P dated 09/09/2016.

c) Samples of the external cladding panels to residential parts of Centre Point House. Cladding of new affordable housing block must be undertaken in accordance with the details secured under 2015/7072/P dated 25/01/2016.

d) Section details at 1:1(or the most appropriate scale as agreed in writing) showing the details of the framing, joints and method of fixing the proposed glazing and panels to the external elevation of the residential parts of Centre Point House

e) Elevations of any gates to the new pedestrian link at ground floor level through Centre Point House shall be implemented as per the details approved under 2016/1714/P dated 05/08/2016.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of 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.

3 The proposed glazed screens fitted to the ground floor of Centre Point Tower shall be clear glazed and be so maintained. No method of obscuring the glazing such as film or blinds shall be affixed to the glazing.

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 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the new building, without the prior approval in writing of the local planning authority.

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

- 5 A) Development shall take place within Zone C in accordance with the programme of archaeological mitigation that has been secured in accordance with a Written Scheme of Investigation under 2014/2969/P dated 07/07/2014.

B) No development or demolition shall take place in Zone C other than in accordance with the Written Scheme of Investigation approved under Part (A).

C) The development in Zone C shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured as per 2015/6497/P dated 16/12/2015.

Reason: Important archaeological remains may exist on this site. Accordingly the Council wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development 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 The development hereby approved shall be undertaken in accordance with the details of the suitably qualified chartered engineer (as secured under 2014/2909/P dated 07/07/2014) 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. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 7 Works below ground level shall not be undertaken at any time when Crossrail are undertaking tunnelling or shaft works within 100 metres of the land on which the development hereby permitted is situated, unless as specifically agreed to in advance under 2014/2968/P dated 21/05/2014, or any other time in writing, by Crossrail Limited.

Reason: To ensure that the development does not impact on the Crossrail scheme, in accordance with London Plan Policy 6.1 and 6.2, 2011 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

- 8 The development hereby permitted shall be undertaken in accordance with detailed design and method statements (developed in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), as approved under 2014/3167/P dated 23/05/2014. These include:
- (a) details on all structures
 - (b) accommodation of the location of the existing London Underground structures and tunnels (including the Crossrail infrastructure)
 - (c) accommodation of ground movement arising from the construction thereof
 - (d) mitigation of the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan Policy 6.1 and 6.2, Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

- 9 The development shall be carried out in accordance with detailed design and method statements (as approved under 2014/3167/P dated 23/05/2014) for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent). The details of which:

- (a) Accommodate the proposed location of the Crossrail structures and tunnels,
- (b) Accommodate ground movement arising from the construction thereof, and
- (c) Mitigate the effects of noise and vibration arising from the operation of the Crossrail railway within the tunnels.

The development shall be carried out in all respects in accordance with the approved design and method statement, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs (a) to (c) of this condition shall be completed, in their entirety, before any part of the building[s] hereby permitted is/are occupied.

Reason: To ensure that the development does not impact on the Crossrail scheme, in accordance with London Plan Policy 6.1 and 6.2, 2011 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

- 10 A minimum of 50% of the ground floor commercial floorspace in Centre Point House (including 101 New Oxford Street and 15-22 St Giles High Street) shall be provided as class A1 retail floorspace

Reason: To ensure a minimum provision of retail space and to prevent an over concentration of food and drink uses in this Central London location in accordance with policy CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 11 Notwithstanding the provisions of Class D of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 as amended by any Order revoking and re-enacting that Order, no change of use of the ground floor units of Centre Point House shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 12 The lifetime homes features and facilities in each relevant part of the approved development, as indicated on the drawings and documents hereby approved, shall be provided in their entirety prior to the first occupation of any of the new residential units within that part.

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

- 13 Details of hard and soft landscaping including tree/plant species and sizes, all hard landscape materials, play structures, security features for the underground entrances and means of enclosure of all unbuilt, open areas shall be submitted to and approved in writing by the local planning authority before the relevant parts of work are begun. Such details shall include details on how the spaces are accessible by all including details on level access, ramp gradients, landings, handrails, step dimensions, colour contrast nosings etc. Implementation of the hard and soft landscaping and the boundary treatment shall be carried out in accordance with the approved details

Reason: To enable the Local Planning Authority to ensure a reasonable standard of visual amenity in the scheme in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 14 All hard and soft landscaping works shall be carried out to a reasonable standard in accordance with the approved landscape details by not later than the end of the planting season following completion of the relevant part of the development. Any newly planted trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a satisfactory standard of visual amenity in the scheme in accordance with the requirements of policies CS14, and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 15 The position, specification in terms of luminance and typical design of fixtures in respect of external lighting shall be implemented in accordance with the details approved under 2016/3332/P dated 22/09/2016. The details include the provision of street lighting on the facades of the building where possible. The details shall not be implemented other than in accordance with the scheme as approved.

Reason: To ensure a satisfactory standard of visual amenity and a safe and secure environment in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 16 The development shall be carried out in accordance with the approved details of a biodiverse, substrate-based extensive living roof under 2014/3070/P dated 07/08/2014. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the commencement of any of the uses hereby approved. The details include a maintenance plan, details of its construction and the materials used.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies

- 17 Prior to the first use of the premises for the A3 or A4 floorspace hereby permitted, full details of a scheme for extract ventilation, including manufacturers specifications, noise levels and attenuation, shall be submitted to and approved by the Local Planning Authority in writing. The use shall not proceed other than in complete accordance with such scheme as has been approved. All such measures shall be retained and maintained in accordance with the manufacturers' recommendations. In the event of no satisfactory ventilation plant and / or machinery being provided, no primary cooking shall take place on the premises.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 18 No plant or machinery (other than that otherwise approved under condition no.16) shall be installed on the external parts of the buildings other than in the areas identified within the approved plans.

Reason: To ensure that the appearance of any external plant is compatible with the appearance of the building and the area and to ensure that residential amenities are protected, 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 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 19 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 plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted 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.

- 20 Glazing to the new residential units shall be sufficient to achieve internal noise levels of LAeq, 8hour 30dB in bedrooms and LAeq 16hour 35dB in living rooms as per BS 8233 and the WHO internal noise levels guides and all shall be permanently retained and maintained thereafter.

Reason: To safeguard the amenities of future occupants 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.

- 21 Before the Class A1 or A3 or A4 floorspace at Centre Point House and the bridge link is occupied sound insulation shall be provided in accordance with the details as approved under 2014/5402/P dated 20/11/2014. The use shall thereafter not be carried out other than in complete compliance with the approved scheme.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 22 None of the A1 or A3 or A4 uses hereby permitted shall occur outside of the following times: 08:00 - 23.30 Monday to Sunday and on Public/Bank Holidays, and no customers shall be permitted within these premises outside of the approved hours of use.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 23 The approved outdoor terrace area on the bridge link roof shall not be used outside the hours of 08:00 to 22.00, 7 days a week.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 24 No music shall be played on the commercial premises in such a way as to be audible within any adjoining premises or on the adjoining highway. No music shall be played on the roof terrace to the bridge link building hereby approved.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 25 No loading or unloading of goods associated with the use of the buildings, including fuel, by vehicles arriving at or departing from the premises shall be carried out outside the following times: 08:00 - 21.00 Monday to Sunday and on Public/Bank Holidays.

Reason: To safeguard amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 26 No loading or unloading of goods, including fuel, by vehicles arriving at or departing from the premises associated with the use of the buildings shall be carried out at the application site otherwise than via the servicing bay at Earnshaw Street or the loading bay on St Giles High Street directly to the east of Centre Point Tower. At no time should servicing be carried out from the public highway except from the loading bay on St Giles High Street directly to the east of Centre Point Tower.

Reason: To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP16 of the London Borough of Camden Local Development Framework Development Policies.

- 27 The east-west pedestrian route through Centre Point House along shown on drawing numbers 552-19402-CPA and 552-19642-CPH hereby approved shall be carried out and available for public use prior to first occupation of the approved residential units

Reason: In order to ensure that the development makes sufficient provision for permeability and public access across the site in accordance with the requirements of policies CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 28 The cycle parking should be implemented in accordance with the details approved under 2014/2909/P dated 07/07/2014, which include:

- (a) 169 cycles for the residential units accommodated within the basement area;
- (b) 33 cycles for the commercial units (staff parking) accommodated within the basement area
- (c) 33 cycles for the commercial units (customers)

have been submitted to and approved in writing by the Council. These spaces shall be provided prior to occupation of the development and shall thereafter be permanently retained and used for no purpose other than for the parking of bicycles for users and occupiers of the development, unless otherwise agreed in writing by the local planning authority.

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

- 29 The 10 Electric Vehicle Charging Points shown on the approved drawings in the basement shall be provided prior to occupation of the development and shall thereafter be permanently retained and used for no purpose other than for the parking for users and occupiers of the development, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the scheme makes adequate provision for cycle users in accordance with Policies CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP18, DP19 of the London Borough of Camden Local Development Framework Development Policies

- 30 The refuse/recycling storage areas shown on the approved drawings in the basement and ground floor shall be provided prior to occupation of the development and shall thereafter be permanently retained and used for no purpose other than refuse/recycling storage areas, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CS18 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 31 On site car parking shall be a maximum of 18 vehicle spaces (17 residential spaces and 1 operational space) as shown on the approved drawings and shall be used for no purpose other than for the parking of vehicles of the occupiers and users of the development.

Reason: To minimise the provision of off street car parking spaces in the proposed development and to promote more sustainable and efficient forms of transport, in accordance with the requirements of policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP17 (Walking, cycling and public transport), DP18 (Parking standards and limiting the availability of car parking) and DP19 (Managing the impact of parking) of the London Borough of Camden Local Development Framework Development Policies;

Informative(s):

- 1 Reasons for granting permission - Part I

This Minor Material Amendment is seeking to amend a permission involving works to the Centre Point Complex (Centre Point Tower, Centre Point Link and Centre Point House) as well as a new affordable housing block in place of White Lion House PH. The proposal relates to the roof of the new affordable housing building where minor changes would take place to the configuration of plant. The rationale for the changes is based on further attenuation requirements and access for maintenance. Alternatives were explored such as moving the plant to the basement or within other floors. These options were discounted as those floors are already maximised and the provision of plant would prejudice affordable housing (i.e. habitable floorspace would be lost). Furthermore, the plant is required to extract smoke from the building so other locations are not practical.

The site lies within the Denmark Street Conservation Area and the proposed amendments are to an 11 storey building attached to Centre Point House; which is grade II listed. The proposed installation has been kept within the minimum height possible to be concealed from street views and is setback from the parapets. Despite this, there has been an increase in plant height of between 150mm and 280mm to accommodate the additional requirements within the approved roof enclosure. While it is acknowledged that the further plant would not be visible from within the public realm, there would be some visibility of the roofscape from surrounding taller buildings. The appearance of the roof of the building from private views is considered to be of less importance and while there would be an increase in visible plant from these views it is not considered that this would be unacceptably detrimental to the proposed building or to the Denmark Street Conservation Area. On balance, the proposal is considered to preserve the character and appearance of the conservation area and the additional plant is considered acceptable on balance as suitable justification has been submitted for it to be in this location. Any other external solution, such as attaching it to the façade of the building, is likely to be more visually prominent.

Due to the nature of the proposal and its setback and siting in relation to the adjacent Centre Point House, it is considered to preserve the setting of this listed building.

The rationale for the amendments to the plant equipment is partly to ensure the acoustic mitigation is in line with Camden's acoustic criteria. Therefore, the ducted attenuation is welcome as it will ensure that noise levels are acceptable for prospective occupiers within the affordable housing block below and occupiers within Centre Point House. An updated Acoustic Report has been prepared by an Acoustic Engineer. The report concludes that the predicted fans and attenuators are in accordance with Camden's policy guidance and the requirements of planning condition 20 which requires noise levels to be less than 5dB (continuous noise) and 10dB (distinct impulses) below background noise levels. This compliance condition would be carried into the varied approval and would be enforceable should any future plant not comply.

Given the siting and size of the proposal it is unlikely that it would cause any undue harm by way of loss of light or outlook. This is supported by an updated daylight and sunlight note from a light consultant.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

2 Reasons for granting permission - Part II

Special regard has been attached to the desirability of preserving the setting of the adjacent listed building and its features of special architectural or historic interest, under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

One comment was received from the Covent Garden Community Association (CGCA) confirming that they have no objection to the development provided that the Council is satisfied that the proposal would not negatively impact on views. The proposal has been demonstrated through the supporting evidence that it would not be visible from views within the public realm and Officers are satisfied on this matter. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies CS5, CS9 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. The proposed development also accords with the London Plan and the National Planning Policy Framework; and policies A1, A4, CC3, D1 and D2 of the Camden Local Plan Submission Draft 2016.

- 3 For the avoidance of doubt, any highway and public realm improvement works associated with this planning application will be implemented by LB Camden. This includes works on land within the applicant's ownership (red line boundary). Such areas of land are currently maintained as public highway.
- 4 Notwithstanding the drawings hereby approved the public realm works around the building should be in accordance with Gillespies proposals. Further discussion is required between the landowner and Camden and other stakeholders to coordinate the design and implementation of this work.
- 5 This permission is granted without prejudice to the necessity of obtaining the necessary licenses under the Licensing Act 2003. The site is within the Seven Dials Special Policy Area where if representations are received for new licensing applications, they are likely to be refused. Further information can be found in the Councils Statement of Licensing Policy 2011 <http://www.camden.gov.uk/ccm/content/business/business-regulations/licensing-and-permits/general-licensing-information/licensing-policy.en>
- 6 With regard to condition 5 the development of this site has the potential to damage heritage assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines. Should significant archaeological remains be encountered in the course of the initial field evaluation, an appropriate mitigation strategy, which may include archaeological excavation, is likely to be necessary.
- 7 You are advised that condition 20 means that no customers shall be on the premises and no noise generating activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.
- 8 With regard to condition 25, the 33 cycle spaces for commercial customers could be located within the site buildings where possible (either at ground floor level or at basement level with step free access).

- 9 With regard to condition 10 you are advised to look at Camden Planning Guidance for further information and if necessary consult the Access Officer, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 5124) to ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time.
- 10 With regard to condition 8 the applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting
- 11 The developer and their representatives are reminded that this decision does not discharge their requirements under the Traffic Management Act 2004. Formal notifications and approval may be needed for both the permanent highway scheme and any temporary highway works required during the construction phase of the development.
- 12 With regard to condition 28 you are advised that any future applications to increase the number of on site car parking spaces is likely to require additional S106 financial contributions.
- 13 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 14 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).
- 15 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Environmental Health Service, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 2090 or by email env.health@camden.gov.uk or on the website www.camden.gov.uk/pollution) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 16 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@camden.gov.uk).
- 17 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.
- 18 Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 19 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

- 20 Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
- 21 Swimming Pools - Where the proposal includes a swimming pool Thames Water requests that the following conditions are adhered to with regard to the emptying of swimming pools into a public sewer to prevent the risk of flooding or surcharging: -
1.The pool to be emptied overnight and in dry periods. 2.The discharge rate is controlled such that it does not exceed a flow rate of 5 litres/ second into the public sewer network.
- 22 Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 0203 577 9963.
- 23 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 24 Any property involving a swimming pool with a volume exceeding 10 cubic metres of water will need metering. The Applicant should contact Thames water on 0845 9200 800.
- 25 There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.

26 The emerging London Borough of Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ended on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.

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

DRAFT

Supporting Communities Directorate

DECISION



DATED

30 June

2017

(1) ALMACANTAR CENTRE POINT NOMINEE NO.1 LIMITED

(2) ALMACANTAR CENTRE POINT NOMINEE NO.2 LIMITED

-and-

(3) HATFIELD PHILIPS AGENCY SERVICES LIMITED

-and-

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

DEED OF VARIATION

Relating to the Agreement dated 1 April 2014
Between the Mayor and the Burgesses of the
London Borough of Camden,
Almacantar Centre Point Nominee No.1 Limited and Almacantar Centre Point Nominee No.2
Limited and Hatfield Philips Agency Services Limited
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as
SCHEME A CENTRE POINT
101-103 NEW OXFORD STREET and
5-24 ST GILES HIGH STREET
LONDON WC1A 1DD

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

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