

DATED

2 October

2017

(1) CUDWORTH LIMITED

-and-

(2) HERITAGE SQUARE LIMITED

-and-

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

DEED OF VARIATION

Relating to the Agreement dated 14 March 2012
Between the Mayor and the Burgesses of the
London Borough of Camden and
WX Investments Limited
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as
The Land on the east side of 7 Wakefield Street, London

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

Tel: 020 7974 4125

CLS/COM/00/1800.356
DoV



THIS DEED is made on the 2nd day of October 2017

BETWEEN

1. **CUDWORTH LIMITED** (Co. Regn. No. 130722C, incorporated in Isle of Man) whose registered office is at of P O Box 227, Clinchs House, Lord Street, Douglas, Isle Of Man, IM99 1RZ (hereinafter called "the Owner") of the first part;
2. **HERITAGE SQUARE LIMITED** (Co. Regn. No. 08364250) of 42-50 Hersham Road, Walton-On-Thames KT12 1RZ (hereinafter called "the Mortgagee") of the second part; and
3. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Council") of the third part.

WHEREAS:

- 1.1 The Council and WX Investments Limited entered into an Agreement dated 14 March 2012 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 NGL454091 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 The Mortgagee as a mortgagee under a legal charge registered under Title Number NGL454091, dated 9 January 2017 is willing to enter into this Deed to give its consent to the same.

1.6 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 24 May 2017 for which the Council resolved to grant permission conditionally under reference 2017/2950/P subject to the conclusion of this Deed.

1.7 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.

1.8 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 Deed.

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 Deed 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, 4, 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 14 March 2012 made between the Council and WX Investments Limited

2.8.3 "the Original Planning Permission" means the planning permission granted by the Council on 14 March 2012 referenced 2011/6032/P allowing the redevelopment of site to provide a mixed residential/commercial development in 2 blocks, comprising: 1102 sqm business space (Class B1) in 2x basement and 2 storey units at western end of site; 5 dwellinghouses (Class C3) in 5x basement and 2 storey units at eastern end of site, comprising of 1x 2-bedroom house with garden and 4x 3-bedroom houses with roof terraces; plus associated landscaping, courtyard servicing and vehicular access from Wakefield Street, and retention of existing northern boundary wall and gable end walls of warehouse adjoining Regent Square as shown on drawing numbers:- Site Location Plan; 1250-10-01, 2, 3, 4, 5, 6; 1250-11-001, 2C, 3C, 4C, 5B; 1250-12-001B, 2A, 3B, 4A; 1250-13-001B, 2B, 3B, 4B (all plans dated

10.02.2012); Doc 4- Planning, Design and Access Statement dated November 2011, plus Appendix of photoviews; Doc 5- Transport Statement dated October 2011; Doc 6- Sunlight and Daylight Report dated November 2011; Doc 7- Environmental Noise Survey & PPG24 Assessment report dated November 2011; Doc 8- Contamination Desktop Study dated November 2011; Doc 9- Arboricultural Report dated November 2011; Doc 10- Archaeological Desktop Assessment dated November 2011; Doc 11a- Sustainability Strategy dated November 2011; Doc 11b- Energy Strategy dated November 2011; Doc 12- Heritage Assessment dated November 2009; Doc 13- Affordable Housing Statement dated January 2012; Doc 14- Report on the Implications of the Proposed Development on St. Georges Garden Boundary Wall dated November 2011; Doc 15- Construction Management Plan dated November 2011; Doc 16- Basement Design Statement dated November 2011

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" shall mean the development authorised by the planning permission with reference 2011/6032/P dated 14 March 2012 as amended by:

Variation of condition 25 (development in accordance with approved plans) of planning permission 2011/6032/P dated 14/03/2012 (as further amended by 2015/0825/P dated

19/10/2015) for 'redevelopment of site to provide a mixed residential/ commercial development in 2 blocks', namely to allow conversion of 5 originally approved houses to 13 new flats and associated minor external alterations; reconfigured roof terraces; enlarged cycle and refuse stores in communal yard; and provision of an additional 26 sqm (GIA) of Class B1 business floorspace as shown on drawing numbers:- Site Location Plan 22840003/1; 1250-10-02; 1250-10-03, 1250-10-04; 1250-10-05; 1250-10-006; 1250-11-002-PA02; 1250-11-003-PA02; 1250-11-004-PA02; 1250-11-005-PA02; 1250-12-001-PA02; 1250-12-002-PA02; 1250-12-003-PA01; 1250-12-004-PA01; 1250-13-001-PA02; 1250-13-002-PA02; 1250-13-003-PA02; 1250-13-004-PA02; 1250-13-006-PA02;

Planning, Design and Access Statement dated November 2011, plus Appendix of photoviews; Planning Statement dated May 2017; Design and Access Statement Addendum dated May 2017; Transport Statement dated May 2017; Sunlight and Daylight Report dated November 2011; Internal Daylight Assessment by XCO2 Energy dated February 2015; Daylight and Sunlight Assessment (May 2017); Environmental Noise Survey & PPG24 Assessment report dated November 2011; Contamination Desktop Study dated November 2011; Arboricultural Report dated November 2011; Archaeological Desktop Assessment dated November 2011; Sustainability Strategy dated November 2011; Energy Strategy dated November 2011; Energy Statement (Addendum) dated May 2017; Heritage Assessment dated November 2009; Basement

Design Statement dated November 2011; Addendum to Basement Design Statement and Report on the Structural Implications of the proposed development on St George's Garden Boundary Wall dated May 2017; Draft Construction Management Plan dated May 2017; Affordable Housing Statement dated January 2012

3.1.2 "Planning Permission" the planning permission for the Development under reference number 2017/2950/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 24 May 2017 by the Owner and given reference number 2017/2950/P

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

3.2.1 "Public Open Space Contribution" the sum of £18,491 (eighteen thousand four hundred and ninety one pounds) to be paid by Owner to the Council in accordance with the terms of this Agreement and to be applied by the Council in the event of receipt for the improvement maintenance and upkeep of existing public open spaces and/or nature conservation improvements to parks and open space and/or the obtaining of land to make public open spaces in the vicinity of the Development

3.3 The following clause shall be added to the Existing Agreement:-

4.15 PUBLIC OPEN SPACE CONTRIBUTION

4.15.1 The Owner hereby covenants with the Council to pay the Public Open Space Contribution within one day of the date of this Deed.

3.4 Clause 4.13 (Car Free obligation) continues to apply to the whole of the Development and to all owner / occupiers in the Development granted approval under the Planning Permission.

3.5 All references in Clause 5 and Clause 6 of the Existing Agreement to "Planning Permission reference 2011/6032/P" shall be replaced with "Planning Permission reference 2017/2950/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 2017/2950/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

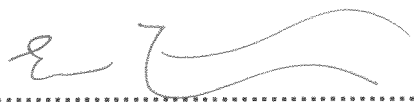
7. MORTGAGEE EXEMPTION

7.1 Mortgagee hereby consents to the Existing Agreement (as varied by this Deed) and to the same being registered at the Land Registry as provided in Clause 7 hereof and for the avoidance of doubt agrees to be bound by the said obligations only in the event that it becomes a mortgagee in possession of the Property.

7.2 The Parties agree that the obligations contained in the Existing Agreement (as varied by this Deed) shall not be enforceable against any mortgagee or chargee of the whole or any part of the Property unless it takes possession of the Property in which case it will be bound by the obligations as a person deriving title from the Owner.

IN WITNESS WHEREOF the Council has caused its Common Seals to be affixed and the Owner and the Mortgagee have caused this Deed to be executed as a Deed the day and year first above written.

EXECUTED AS A DEED BY)
CUDWORTH LIMITED)
in the presence of:-)



.....
Director



.....
Director/Secretary

CONTINUATION OF THE DEED OF VARIATION IN RELATION TO THE LAND ON
THE EAST SIDE OF 7 WAKEFIELD STREET, LONDON

EXECUTED as a DEED by

MICHAEL ROSEN

a director for and on behalf of
HERITAGE SQUARE LIMITED

in the presence of:

)
)
)
)
)



WITNESS:

Signature Kate Neate

Name Kate Neate

Address Bond St House
14 Clifford Street
London
W1S 4JU

Assistant

Occupation

(PLEASE COMPLETE IN CAPITALS)

THE COMMON SEAL OF THE MAYOR
AND BURGESSES OF THE LONDON
BOROUGH OF CAMDEN

was hereunto affixed by Order:-

)
)
)
)

R. Alexander

Duly Authorised Officer





Indigo Planning
Aldermay House
10-15 Queen Street
London
EC4N 1TX

Application Ref: **2017/2950/P**

13 September 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:
7 Wakefield Street
London
WC1N 1PG

Proposal:

DECISION
Variation of condition 25 (development in accordance with approved plans) of planning permission 2011/6032/P dated 14/03/2012 (as further amended by permission ref 2015/0825/P dated 19/10/2015) for redevelopment of site to provide a mixed residential/commercial development in 2 blocks, namely to allow conversion of 5 originally approved houses to 13 new flats (Class C3) and associated minor external alterations; reconfigured roof terraces; enlarged cycle and refuse stores in communal yard; and provision of an additional 26 sqm (GIA) of Class B1 business floorspace.

Drawing Nos: Site Location Plan 22840003/1; 1250-10-02; 1250-10-03, 1250-10-04; 1250-10-05; 1250-10-006; 1250-11-002-PA02; 1250-11-003-PA02; 1250-11-004-PA02; 1250-11-005-PA02; 1250-12-001-PA02; 1250-12-002-PA02; 1250-12-003-PA01; 1250-12-004-PA01; 1250-13-001-PA02; 1250-13-002-PA02; 1250-13-003-PA02; 1250-13-004-PA02; 1250-13-006-PA02;

Planning, Design and Access Statement dated November 2011, plus Appendix of photoviews; Planning Statement dated May 2017; Design and Access Statement Addendum dated May 2017; Transport Statement dated May 2017; Sunlight and Daylight Report dated November 2011; Internal Daylight Assessment by XCO2 Energy dated February 2015; Daylight and Sunlight Assessment (May 2017); Environmental Noise Survey & PPG24 Assessment report dated November 2011; Contamination Desktop Study dated November 2011; Arboricultural Report dated November 2011; Archaeological Desktop Assessment dated November 2011; Sustainability Strategy dated November 2011; Energy Strategy dated November 2011; Energy Statement (Addendum) dated May 2017; Heritage Assessment dated November 2009; Basement Design Statement dated November 2011; Addendum to Basement Design Statement and Report on the Structural Implications of the proposed development on St George's Garden Boundary Wall dated May 2017; Draft Construction Management Plan dated May 2017; Affordable Housing Statement dated January 2012.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of the original planning permission ref 2011/6032/P dated 14/03/2012.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan 22840003/1; 1250-10-02; 1250-10-03, 1250-10-04; 1250-10-05; 1250-10-006; 1250-11-002-PA02; 1250-11-003-PA02; 1250-11-004-PA02; 1250-11-005-PA02; 1250-12-001-PA02; 1250-12-002-PA02; 1250-12-003-PA01; 1250-12-004-PA01; 1250-13-001-PA02; 1250-13-002-PA02; 1250-13-003-PA02; 1250-13-004-PA02; 1250-13-006-PA02; Planning, Design and Access Statement dated November 2011, plus Appendix of photoviews; Planning Statement dated May 2017; Design and Access Statement Addendum dated May 2017; Transport Statement dated May 2017; Sunlight and Daylight Report dated November 2011; Internal Daylight Assessment by XCO2 Energy dated February 2015; Daylight and Sunlight Assessment (May 2017); Environmental Noise Survey & PPG24 Assessment report dated November 2011; Contamination Desktop Study dated November 2011; Arboricultural Report dated November 2011; Archaeological Desktop Assessment dated November 2011; Sustainability Strategy dated November 2011; Energy Strategy dated November 2011; Energy Statement (Addendum) dated May 2017; Heritage Assessment dated November 2009; Basement Design Statement dated November 2011; Addendum to Basement Design Statement and Report on the Structural Implications of the proposed development on St George's Garden Boundary Wall dated May 2017; Draft Construction Management Plan dated May 2017; Affordable Housing Statement dated January 2012.

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

- 3 The details of the doors, windows (including metal louvres), screens, balustrades, staircase hatches, facade metal cladding and other architectural features, at a scale of 1:20, and details of samples of all facing materials to be used on the buildings shall not be otherwise than as those submitted to and approved by the Council before any work is commenced on the relevant part of the development. 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 policies D1 and D2 of the Camden Local Plan 2017.

- 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 buildings, without the prior approval in writing of the Council.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan 2017.

- 5 A sample panel of the facing brickwork to be used on all elevations of the entrance Block 1, demonstrating the proposed colour, texture, face-bond and pointing, shall be provided on site and approved by the Council before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The sample panel shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan 2017.

- 6 Prior to commencement of the relevant part, full details of hard and soft landscaping and means of enclosure of all open areas (including the proposed house patios and roof terraces), including details of the proposed private footway on the northern side of Block 1, shall be submitted to and approved by the Council. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To enable the Council to ensure a reasonable standard of visual amenity in the scheme in accordance with the requirements of policy A1 of the Camden Local Plan 2017.

- 7 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 development or any phase of the development, whichever is the sooner. Any 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 Council 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 A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 8 All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage to the satisfaction of the Council and such construction work shall follow guidelines and standards set out in BS5837:2005 "Trees in Relation to Construction".

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies A2 and A3 of the Camden Local Plan 2017.

- 9 1.7 metre high privacy screens, details of which shall have been submitted to and approved by the Council, shall be erected on the northern sides facing Regent Square of all the inset roof terraces prior to commencement of their use and shall be permanently retained and maintained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 of the Camden Local Plan 2017.

- 10 The structural method statement, showing the method of securing the protection during construction works and permanent retention thereafter of the northern boundary walls and gable ends of the existing warehouse adjoining Regent Square, shall be implemented in accordance with the details most recently approved under application 2017/3594/P dated 14/08/2017. No works of demolition shall be carried out other than in accordance with the approved method statement.

Reason: To safeguard the appearance of the premises and the character of the immediate area and to safeguard the amenities of adjoining premises, in accordance with the requirements of policies A1, D1 and D2 of the Camden Local Plan 2017.

- 11 No music shall be played on the Class B1 premises in such a way as to be audible within any adjoining premises.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 and A4 of the Camden Local Plan 2017.

- 12 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 A1 and A4 of the Camden Local Plan 2017.

- 13 Details of any proposed ventilation and extraction plant for the Class B1 premises, including details of sound attenuation for any necessary plant, shall be submitted to and approved by the Council before occupation of the commercial units.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 and A4 of the Camden Local Plan 2017.

- 14 Prior to commencement of the relevant part, details of the location, design and method of waste storage and removal (including recycled materials) shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CC5 of the Camden Local Plan 2017.

- 15 The ground investigation for the presence of soil and groundwater contamination and landfill gas shall be carried out in accordance with the details as approved under application 2014/7816/P dated 13/03/2015.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy A1 of the Camden Local Plan 2017.

- 16 No loading or unloading of goods, including fuel, by vehicles arriving at or departing from the premises shall be carried out otherwise than within the curtilage of the site.

Reason: To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises in accordance with the requirements of policy A1, T3 and T4 of the Camden Local Plan 2017.

- 17 Before the development is occupied, the servicing and manoeuvring area within the site shall be clearly marked out in an appropriate surface treatment stating "No Parking". Thereafter, at no time shall any goods, vehicles, plant equipment or other obstruction be left in this area and the markings shall be permanently maintained and retained unless prior written consent is given by the Council.

Reason: In order to satisfactorily provide for the turning of vehicles within the site and in the interests of highways and pedestrian safety in accordance with policies A1, T3 and T4 of the Camden Local Plan 2017.

- 18 Prior to commencement of the relevant part, notwithstanding the details shown on the drawings hereby approved, details of the proposed cycle storage area for 40 cycles shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the Camden Local Plan 2017.

- 19 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) and Part 2 (Classes A-C) of Schedule 2 of that Order shall be carried out to the dwellinghouses without the grant of planning permission having first been obtained from the Council.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies A1, D1 and D2 of the Camden Local Plan 2017.

- 20 The programme of archaeological investigation shall be implemented in accordance with the details as most recently approved under application 2017/0669/P dated 17/03/2017. The development shall only take place in accordance with the detailed scheme approved with this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Council.

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 policies D1, D2 and C6 of the Camden Local Plan 2017.

- 21 Prior to first occupation of the development, a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained and maintained, unless prior written permission is given by the local planning authority.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of policy A3 of the Camden Local Plan 2017.

- 22 Full details in respect of all proposed green and brown roofs shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3 and CC3 of the Camden Local Plan 2017.

- 23 Details of security measures to be used on the site to achieve 'Secured by Design' status, such as CCTV cameras, lighting, entrance gates, fencing etc, shall be submitted to and approved by the Council before any work is commenced on the relevant part of the development. 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 and to ensure the scheme incorporates appropriate community safety measures, in accordance with the requirements of policies D1 and C5 of the Camden Local Plan 2017.

- 24 No works should be carried out to the trees in St Georges Gardens without agreement with the Council's Arboricultural Services section regarding the nominated tree surgeon, scheduling and payment if necessary.

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy A2 and A3 of the Camden Local Plan 2017.

- 25 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 26 Units A-C, F-K, House 1, and House 2, as indicated on the drawings hereby approved, shall be designed and constructed in accordance with Building Regulations Part M4 (2). Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy H6 of the Camden Local Plan 2017.

- 27 Units D + E, as indicated on the drawings hereby approved, shall be designed and constructed in accordance with Building Regulations Part M4 (3) Wheelchair Accessible Homes. Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the wheelchair units would be capable of providing adequate amenity in accordance with policy H6 of the Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

- 3 This site is within an area of archaeological significance/archaeological potential where development is likely to result in the destruction of ancient remains. Your attention is drawn to the British Archaeologists and Developers Liaison Group Code of Practice agreed by the British Property Federation and the Standing Conference of Archaeological Unit Managers. The Council recognises and endorses this Code and will expect the developer and approved archaeological organisations to abide by its provisions.
- 4 You are advised that Thames Water requests that the developer incorporates suitable measures to deal with surface water drainage and sewage during storm conditions. You should contact Thames Water Developer Services on 0845-850-2777 for more information.
- 5 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations. Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 6 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 7 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
- 8 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 9 You are advised that the Council will not necessarily look favourably on requests by future occupants of the houses hereby approved to prune or fell the adjoining trees in St Georges Gardens on account of possible complaints arising from shade or perceived loss of light from these trees.

- 10 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

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

2 October

2017

(1) CUDWORTH LIMITED

-and-

(2) HERITAGE SQUARE LIMITED

-and-

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

DEED OF VARIATION

Relating to the Agreement dated 14 March 2012
Between the Mayor and the Burgesses of the
London Borough of Camden and
WX Investments Limited
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as
The Land on the east side of 7 Wakefield Street, London

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

Tel: 020 7974 4125

CLS/COM/OO/1800.356
DoV