

DATED

14th May

2018

(1) CASPAR ANTONIUS BERENDSEN and CELIA ALIX MUNOZ MOTTE

and

(2) BARCLAYS BANK plc

and

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

FIRST DEED OF VARIATION

Relating to the Agreement dated 5th October 2016 between
**(1) Caspar Antonius Berendsen and Celia Alix Munoz Motte (2) Barclays Bank Plc and
(3) the Mayor and the Burgesses of the London Borough of Camden**

under section 106 of the Town and
Country Planning Act 1990 and Section 278 of the Highways Act 1980

Relating to development at premises known as

Grove Lodge, Admirals Walk, London NW3 6RS

Andrew Maughan
Borough Solicitor
London Borough of Camden
Town Hall
Judd Street
London WC1H 9LP

Tel: 020 7974 5826
Fax: 020 7974 1920

CLS/PM/1800.606 (FINAL 240418)

THIS DEED is made the 14th day of May 2018

BETWEEN:

- i. **CASPAR ANTONIUS BERENDSEN** and **CELIA ALIX MUNOZ MOTTE** of Grove Lodge, Admirals Walk, London NW3 6RS (hereinafter called "the Owner") of the first part
- ii. **BARCLAYS BANK plc** (company registration number 1026167) of P.O. Box 187, Leeds LS11 1AN (hereinafter called "the Mortgagee") of the second part
- iii. **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

- A. The Council the Owner and the Mortgagee entered into the Existing Agreement on the 5th October 2016 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended).
- B. The Owner is registered at the Land Registry as the freehold proprietor with title absolute of the Property under title number NGL19585 subject to a charge to the Mortgagee and is interested in the Property for the purposes of Section 106 of the Act.
- C. The Council is the local planning authority for the purposes of the Act for the area in which the Property is situated and considers it expedient in the interests of the proper planning of its area that the Development of the Property should be restricted or regulated in accordance with the Original Agreement as modified by this Deed.
- D. The Mortgagee as mortgagee under a legal charge registered under title number NGL19585 and dated 1st September 2017 is willing to enter into this Deed to give its consent to the same.

- E. An Application for First Material Amendments in respect of the Property and to amend the Original Planning Permission was submitted to the Council by the Owner and validated on 9th February 2018 for which the Council resolved to grant permission conditionally under reference 2017/6046/P subject to the conclusion of this Deed.
- F. 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.

NOW IT IS HEREBY AGREED and WITNESSED as follows:

1 LEGAL EFFECT AND INTERPRETATION

- 1.1 This Deed is made in pursuance of Section 106 and Section 106A of the Act.
- 1.2 The planning obligations in the Existing Agreement as modified by this Deed shall be enforceable by the Council against the Owner as provided therein and against any person deriving title to any part of the Property from the Owner and insofar as it is not a planning obligation its provisions may be enforceable by the Council under any relevant statutory powers.
- 1.3 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.
- 1.1 All references in this Deed to clauses in the Existing Agreement are to clauses within the Existing Agreement.
- 1.2 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.

- 1.3 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.
- 1.4 Unless the context otherwise requires references to the singular shall include the plural and vice versa.
- 1.5 References in this Deed to the Owner shall include their successors in title.
- 1.6 For the purposes of this Deed the following words and expressions shall have the meanings assigned unless the context states otherwise:

“Act”	Town and Country Planning Act 1990
“Annex 1”	the annex numbered “Annex 1” attached hereto
“Application for First Material Amendments”	The application for First Material Amendments in respect of the Property submitted to the Council and validated on the 9 th February 2018 for which a resolution to grant approval has been made conditionally by the Council under reference number 2017/6046/P subject to the conclusion of this Deed
“Deed”	this first deed of variation to the Existing Agreement made pursuant to Section 106 and Section 106A of the Act
“Existing Agreement”	the Section 106 agreement dated 5th October 2016 between (1) Caspar Antonius Berendsen and Celia Alix Munoz Motte (2) Barclays Bank Plc and (3) the Mayor and the Burgesses of the London Borough of Camden entered into

	pursuant to Section 106 of the Act and Section 278 of the Highways Act 1980
"First Material Amendments"	<p>a decision under section 73 of the Act having reference number 2017/6046/P in a form substantially similar to that found at Annex 1 to this Deed amending the Original Planning Permission to permit:</p> <p>Variation of Condition 3 (approved plans) to planning permission granted on 05/10/2016 (Ref: 2015/4485/P), for the erection of side and rear extension, basement and outbuilding along with soft and hard landscaping and associated alterations following removal of existing extensions, namely increasing the size of window to existing basement room; re-opening existing lightwell; confirmation of selection of materials for proposed side and rear extensions; change to window sizes in proposed extension; introduction of a chimney stack to rear elevation of proposed extension; Reduce level of garden terrace; Revisions to design of Orangery; alterations to stair at ground floor, internal alterations and first floor level and window replacements as shown on drawings numbered;</p> <p>Approved: dNA GLR 01 002 Rev P3; dNA GLR 01 100 Rev P3; dNA GLR 01 101 Rev P3; dNA GLR 01 102 Rev P3; dNA GLR 01 103 Rev P3; dNA GLR 01 104 Rev P3; dNA GLR 02 200 Rev P3; dNA GLR 02 201 Rev P3; dNA GLR 02 202 Rev P3; dNA GLR 02 250 Rev P0;</p>

Geotechnics Limited; Construction Management Plan July 2015, prepared by Burke Hunter Adams; Basement Impact Assessment Audit Rev: F1 dated November 2015, prepared by Campbell Reith Hill LLP; Basement Impact Assessment Audit Rev: D1 dated October 2015, prepared by Campbell Reith Hill LLP; Basement Impact Assessment dated August 2015, prepared by HR Wallingford; Revised Archaeological Desktop Assessment dated May 2014, prepared by Mills Whipp Projects; Arboricultural Implications Report dated July 2015, prepared Simon Jones Associates; Schedule of Works July 2015 (corrected); Design And Access Statement July 2015, dNA GLR 00 000 Rev P1; dNA GLR 00 002 Rev P2; dNA GLR 00 100 Rev P2; dNA GLR 00 101 Rev P2; dNA GLR 00 102 Rev P2; dNA GLR 00 103 Rev P2; dNA GLR 00 104 Rev P2; dNA GLR 00 200 Rev P2; dNA GLR 00 201 Rev P1; dNA GLR 00 202 Rev P1; dNA GLR 00 300 Rev P1; dNA GLR 00 301 Rev P1; dNA GLR 00 304 Rev P1; dNA GLR 00 305 Rev P1; dNA GLR 00 306 Rev P1; dNA GLR 00 307 Rev P1; dNA GLR 00 400 Rev P0; dNA GLR 00 401 Rev P0; dNA GLR 00 402 Rev P0; dNA GLR 00 403 Rev P0; dNA GLR 00 404 Rev P0; dNA GLR 01 002 Rev P1; dNA GLR 01 100 Rev P1; dNA GLR 01 101 Rev P1; dNA GLR 01 102 Rev P1; dNA GLR 01 103 Rev P1; dNA GLR 01 104 Rev P1; dNA GLR 02 200 Rev P1; dNA GLR 02 201 Rev P1; dNA GLR 02 202 Rev P1; dNA GLR 02 250 Rev P0; dNA GLR 03 300 Rev P1; dNA GLR 03 301 Rev P1; dNA GLR 03 304 Rev P1; dNA GLR 03 305 Rev P1; dNA GLR 03 306 Rev P1; dNA GLR 03

3.2 The definition at clause 2.20 shall be **varied** to the following:

3.2.2 "Planning Permission" the Original Planning Permission as amended by the First Material Amendments given approval under reference number 2017/6050/P to be issued by the Council substantially in the form of the draft annexed hereto

3.3 The following definition shall be **added** to the Existing Agreement:

3.3.1 "the First Material Amendments"

Variation of Condition 3 (approved plans) to planning permission granted on 05/10/2016 (Ref: 2015/4485/P), for the erection of side and rear extension, basement and outbuilding along with soft and hard landscaping and associated alterations following removal of existing extensions, namely increasing the size of window to existing basement room; re-opening existing lightwell; confirmation of selection of materials for proposed side and rear extensions; change to window sizes in proposed extension; introduction of a chimney stack to rear elevation of proposed extension; Reduce level of garden terrace; Revisions to design of Orangery; alterations to stair at ground floor, internal alterations and first floor level and window replacements as shown on drawings numbered;

Approved: dNA GLR 01 002 Rev P3; dNA GLR 01 100 Rev P3; dNA GLR 01 101 Rev P3; dNA GLR 01 102 Rev P3; dNA GLR 01 103 Rev P3; dNA GLR 01 104 Rev P3; dNA GLR 02 200 Rev P3; dNA GLR 02 201 Rev P3; dNA GLR 02 202 Rev P3; dNA GLR 02 250 Rev P0; dNA GLR 03

300 Rev P2; dNA GLR 03 301 Rev P2; dNA GLR 03 304 Rev P1; dNA GLR 03 305 Rev P1; dNA GLR 03 306 Rev P1; dNA GLR 03 307 Rev P1. Proposed: 4075-P-101; 4075-P-102; 4075-P-103; 4075-P-104; 4075-P-105; 4075-P-106; 4075-P-120; 4075-P-201; 4075-P-202; 4075-P-203; 4075-P-204; 4075-P-205; 4075-P-301; 4075-P-302; 4075-P-305; 4075-P-310.

3.4 The following definition shall be **added** to the Existing Agreement:

3.4.1 "the Original Planning

Permission"

means the planning permission granted by the Council on 5th October 2016 referenced 2015/4485/P allowing erection of side and rear extension, basement and outbuilding along with soft and hard landscaping and associated alterations following removal of existing extensions

3.5 The draft planning permission reference 2016/6046/P at Annex 1 to this Deed shall be treated as annexed to the Existing Agreement in addition to the existing annexures.

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

4 **MORTGAGEE CONSENT**

The Mortgagee hereby consents to the completion of this Deed and it and the Existing Agreement's registration at the Land Registry in any register of title comprising the Property and for the avoidance of doubt the Mortgagee or any subsequent mortgagee or chargee from time to time of the whole or part of the Property shall incur no liability to perform any covenants or obligations under the

Existing Agreement as varied by this Deed unless it becomes a successor in title to the Owner or mortgagee in possession in which case it too shall be bound by such covenants or obligations as if it were a person deriving title from the Owner.

5 MISCELLANEOUS PROVISIONS

- 5.1 This Deed shall be registered as a Local Land Charge.
- 5.2 The Owner hereby covenants with the Council that it will within 28 days from the date hereof apply to the Chief Land Registrar of the Land Registry to register this Deed in the Charges Register of the title to the Property and will furnish the Council forthwith on written demand with official copies of such title to show the entry of this Deed in the Charges Register of the title to the Property.
- 5.3 The Owner agrees to pay the Council its proper and reasonable legal costs incurred in preparing this Deed on or prior to the date of completion of this Deed.
- 5.4 The Contracts (Rights of Third Parties) Act 1999 shall not apply this Deed.
- 5.5 This Deed is governed by and shall be interpreted in accordance with the laws of England.

6 PAYMENT OF THE COUNCIL'S LEGAL COSTS

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

7 COMMENCEMENT

- 7.1 The provisions in this Deed shall take effect on the Council's approval pursuant to the Application for First Material Amendments but for the avoidance of doubt without prejudice to the effect of Clause 3.5 in the Existing Agreement

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

EXECUTED AS A DEED BY
CASPAR ANTONIUS BERENDSEN
in the presence of:

)
)
) 



.....
Witness Signature

Witness Name CAROLINE OSBORNE

Address ST. OWENS, LONG WALK, CHALFONT ST. GILES, HP8 4AN

Occupation PA

EXECUTED AS A DEED BY
CELIA ALIX MUNOZ MOTTE
in the presence of:


)
)
)


.....
Witness Signature

Witness Name CAROLINE OSBORNE

Address ST. OWENS, LONG WALK, CHALFONT ST. GILES, HP8 4AN

Occupation PA

By this POWER OF ATTORNEY made by deed on 6 April 2018, we, Barclays Bank UK PLC, a company incorporated in United Kingdom and registered in England (registered number 9740322), whose registered office is situated at 1 Churchill Place, London E14 5HP (the "Company") APPOINT:

Rosemary Bradley, Senior Customer Agent
Emma Jayne Goddard, Customer Agent
Sharon Gail Hayes, Senior Customer Agent
Victoria Rachel Martin, Senior Customer Agent
Sharon Elizabeth Peverell, Customer Agent
Jane Sutcliffe, Customer Agent
Michelle Jacqueline Swales, Customer Agent
Debra Withington, Customer Agent
Laura Ann Hewitt, Customer Agent
Aumit Rasool, Customer Agent
Yvonne Mckue, Senior Customer Agent
Debra Kelly, Customer Agent
Patricia Dawson, Customer Agent
Kelly Lee Tose, Operations Manager
Samantha Hall, Customer Agent
Vincenzo Nicoletti, Customer Agent
Ferhana Patel, Customer Agent
Charlotte Ann Hannick, Customer Agent
Michelle Victoria Phillips, Customer Agent
Donna Samantha Adamson, Senior Customer Agent
Trevor David Richardson, Collections Senior Agent
Andrew Arthur Carter, Customer Agent
Martin Phillip, Team Leader
Faye Lamyman, Customer Agent
Joanne Bowling, Customer Agent
Anita Jane Artle, Customer Agent
Stephen Hall, Senior Customer Agent
Samantha Louise Hope, Customer Agent
Steven Anthony Redfern, Collections Senior Agent
Kevin Daniel Blakelock, Operations Manager
Asib Gulzar, Customer Agent
Debra Finn, Customer Agent
Diane Baxter, Operations Manager
Geraldine Cavaghan, Operations Manager
Ben David Erwin-Senior Operations Manager
Rebecca Naylor, Mortgage Underwriter
Deborah Hocker, Operations Manager
Stacey Louise Markham-Smith, Customer Agent
Burhaan Darr, Customer Agent
Jacqueline Melita Cardiss, Customer Agent
Nicholas John Salter, Team Leader
Angela Joyce Nathaniel, Customer Agent
Matthew James Timmins, Team Leader
Rachel Sarah Jane Fishwick, Team Leader

Zishaan Siddique, Customer Agent
John Craig Muspratt, Senior Customer Agent
John Lyons, Senior Customer Agent
Vicky Johnstone, Senior Customer Agent
Gail Cooper, Customer Agent

Each of Barclays Services Ltd, PO Box 187, Leeds, LS11 1AN as our true and lawful attorneys (each an "Attorney") for and on behalf of the Company to act, jointly and severally, to sign, execute and deliver deeds of easement and indemnities, deeds regulating the priority of mortgages, consents, releases, discharges, transfers under a power of sale, transfers of mortgages, reconveyances and re-assignments of real or personal property, mortgaged, charged or assigned by way of security to the Company.


Any actions authorised by this Power of Attorney may be taken by any of the Attorneys and if so taken shall be as valid as though done by all Attorneys.

This Power of Attorney revokes and replaces the Power of Attorney that was executed on 01 September 2017.

This Power of Attorney shall be governed and construed in accordance with the laws of England and Wales and shall be valid for a period of one year from the date given hereof whereupon it will terminate automatically.


This Deed has been, and has been witnessed as, duly executed and delivered on the day and year first written above.

The Common Seal of
Barclays Bank UK PLC
was affixed in the Execution of this Deed
in the presence of:



Assistant Secretary of Barclays PLC
Authorised Sealing Officer of Barclays Bank UK PLC




I certify this to be a true and
complete copy of the original

For Barclays Bank UK Plc
Manager

Date 02/05/2018

EXECUTED AS A DEED on behalf of)
BARCLAYS BANK plc by its attorney:)

Signed for and on behalf of BARCLAYS BANK PLC by

STEPHEN HALL

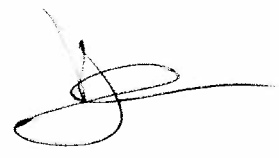
as duly appointed Attorney under a Power of Attorney
dated 06.04.2018 in the presence of
Witness

.....
Signature of Witness:

Name of Witness:

Address:

Donna Adamson



Occupation:

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

R. Alexander

.....
Authorised Signatory





ANNEX 1

Draft planning permission ref. 2017/6050/P



40rm
1-5 Offord Street
London
N1 1DH

Application Ref: **2017/6046/P**

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:

**Grove Lodge Admiral's Walk
LONDON
NW3 6RS**

Proposal:

DECISION
Variation of Condition 3 (approved plans) to planning permission granted on 05/10/2016 (Ref: 2015/4485/P), for the erection of side and rear extension, basement and outbuilding along with soft and hard landscaping and associated alterations following removal of existing extensions, namely increasing the size of window to existing basement room; re-opening existing lightwell; confirmation of selection of materials for proposed side and rear extensions; change to window sizes in proposed extension; introduction of a chimney stack to rear elevation of proposed extension; Reduce level of garden terrace; Revisions to design of Orangery; alterations to stair at ground floor, internal alterations and first floor level and window replacements.

Drawing Nos: Approved: dNA GLR 01 002 Rev P3; dNA GLR 01 100 Rev P3; dNA GLR 01 101 Rev P3; dNA GLR 01 102 Rev P3; dNA GLR 01 103 Rev P3; dNA GLR 01 104 Rev P3; dNA GLR 02 200 Rev P3; dNA GLR 02 201 Rev P3; dNA GLR 02 202 Rev P3; dNA GLR 02 250 Rev P0; dNA GLR 03 300 Rev P2; dNA GLR 03 301 Rev P2; dNA GLR 03 304 Rev P1; dNA GLR 03 305 Rev P1; dNA GLR 03 306 Rev P1; dNA GLR 03 307 Rev P1.

Proposed: 4075-P-101; 4075-P-102; 4075-P-103; 4075-P-104; 4075-P-105; 4075-P-106; 4075-P-120; 4075-P-201; 4075-P-202; 4075-P-203; 4075-P-204; 4075-P-205; 4075-P-301; 4075-P-302; 4075-P-305; 4075-P-310.

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 planning permission 2015/4485/P dated 05/10/2016.

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

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

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

- 3 For the purposes of this decision, condition no.3 of planning permission 2015/4485/P shall be replaced with the following condition:

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

[Supporting Documents]:

Planning Statement 03 august 2015, Heritage Appraisal July 2015; Ground Movement Assessment August, 2015, prepared by Card Geotechnics Limited; Construction Management Plan July 2015, prepared by Burke Hunter Adams; Basement Impact Assessment Audit Rev: F1 dated November 2015, prepared by Campbell Reith Hill LLP; Basement Impact Assessment Audit Rev: D1 dated October 2015, prepared by Campbell Reith Hill LLP; Basement Impact Assessment dated August 2015, prepared by HR Wallingford; Revised Archaeological Desktop Assessment dated May 2014, prepared by Mills Whipp Projects; Arboricultural Implications Report dated July 2015, prepared Simon Jones Associates; Schedule of Works July 2015 (corrected); Design And Access Statement July 2015, Grove Lodge; Modelling impact of basement development on groundwater(Report 2016-009-013-002), prepared by Stephen Buss Environmental Consulting Ltd, dated January 2016.

[Drawings]:

dNA GLR 00 000 Rev P1; dNA GLR 00 002 Rev P2; dNA GLR 00 100 Rev P2; dNA GLR 00 101 Rev P2; dNA GLR 00 102 Rev P2; dNA GLR 00 103 Rev P2; dNA GLR

00 104 Rev P2; dNA GLR 00 200 Rev P2; dNA GLR 00 201 Rev P1; dNA GLR 00 202 Rev P1; dNA GLR 00 300 Rev P1; dNA GLR 00 301 Rev P1; dNA GLR 00 304 Rev P1; dNA GLR 00 305 Rev P1; dNA GLR 00 306 Rev P1; dNA GLR 00 307 Rev P1; dNA GLR 00 400 Rev P0; dNA GLR 00 401 Rev P0; dNA GLR 00 402 Rev P0; dNA GLR 00 403 Rev P0; dNA GLR 00 404 Rev P0; 4075-P-101; 4075-P-102; 4075-P-103; 4075-P-104; 4075-P-105; 4075-P-106; 4075-P-120; 4075-P-201; 4075-P-202; 4075-P-203; 4075-P-204; 4075-P-205; 4075-P-301; 4075-P-302; 4075-P-305; 4075-P-310.

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

- 4 The development shall take place only in accordance with the details of hard and soft landscaping and means of enclosure of all un-built, open areas approved as per ref: 2017/0058/P dated 13/03/2017 and ref: 2017/0511/P and 03/03/2017, or other details which have been submitted to and approved by the local planning authority in writing and which include details of any proposed earthworks including grading, mounding and other changes in ground levels.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development. 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.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the commencement of any works on site, 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 in accordance with the approved tree protection measures. The approved tree protection measures shall remain in place for the duration of development.

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

- 7 Prior to the end of the next available planting season following completion of the development, replacement tree planting shall be carried out in accordance with details approved as per ref: 2017/0058/P dated 13/03/2017 or other details of replanting species, position, date and size that have first been submitted to and approved by the local planning authority in writing.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area, in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 8 The outbuilding hereby approved shall only be used for purposes incidental to the residential use of Grove Lodge - Admiral's Walk and shall not be used as a separate independent Class C3 dwelling

Reason: To ensure that the outbuilding does not adversely affect the amenity of adjoining residential premises and is not used for unauthorised purposes, in accordance with policies G1, H1, H3, A1, D1 and DM1 of the London Borough of 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 6941).
- 2 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.
- 3 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £????(???sqm x £50) for the Mayor's CIL and £????(???sqm x £500/£450/£250/£175/£150/£45/£40/£30/£25 using the relevant rate for uplift in that type of floorspace) for the Camden CIL.

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

- 4 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.
- 5 It shall be the Contractors' responsibility to report any serious defects noted whilst working in or climbing the tree(s) in question. Should this suggest the need for additional tree work to that specified or recommended, the Council should be notified in advance, ~~excepting only in circumstances where safety reasons require immediate and urgent action.~~
- 6 This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended). In particular your attention is drawn to the need to obtain permission for any part of the structure which overhangs the public highway (including footway). Permission should be sought from the Council's Engineering Service Network Management Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 2410) or email highwayengineering@camden.gov.uk.
- 7 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 8 Reason for granting permission.

The proposal would see amendments to:

- Increase in height of first floor windows (from 900mm to 1350mm) of extension
- Increase width of extension (from 5.7m to 6.04) to meet current thermal performance targets
- Render to replace painted brick for side extension, as will wetted lead for the roof
- Introduce chimney to rear elevation of extension
- Replace straight with spiral flight of stairs from ground level to the external basement area
- Enlarge the orangery in depth (from 4500mm to 5515mm, refined brick design to incorporate Flemish bond with gauged arches with a deep lead-clad coping
- Re-open a coal chute currently covered by a rooflight to provide lightwell bound with metal railings. In association , the window opening to the existing cellar area

would be enlarged.

-Reduce level of garden terrace - the terrace on the north side of the garden is now proposed to be the same level as the adjacent lawn - lower than consented, by 800mm

The proposed alterations have been designed sensitively and would preserve the special architectural and historic interest of the grade II listed house and the character and appearance of the Hampstead conservation area. There would be limited change to the appearance of the front elevation and the rear part of the house, which is screened from public view, would have little or no impact on the conservation area; the historic value attributed to the Galsworthy extension and gardens beyond. These amendments are all minor and are considered acceptable in terms of design, size and location. They would have a minimal impact on the overall character and appearance of the building and the surrounding conservation area.

- 9 The nature and extent of alterations, by virtue of their lower ground floor level position and proximity to neighbouring residential properties would not result in detrimental harm to the amenity levels enjoyed.

The full impact of the scheme has already been assessed by virtue of the previous approval granted on 05/10/2016 reference 2015/4485/P. In the context of the permitted scheme, it is considered that the amendments would not have a significant effect on the approved development in terms of appearance and neighbouring amenity.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.66 and s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

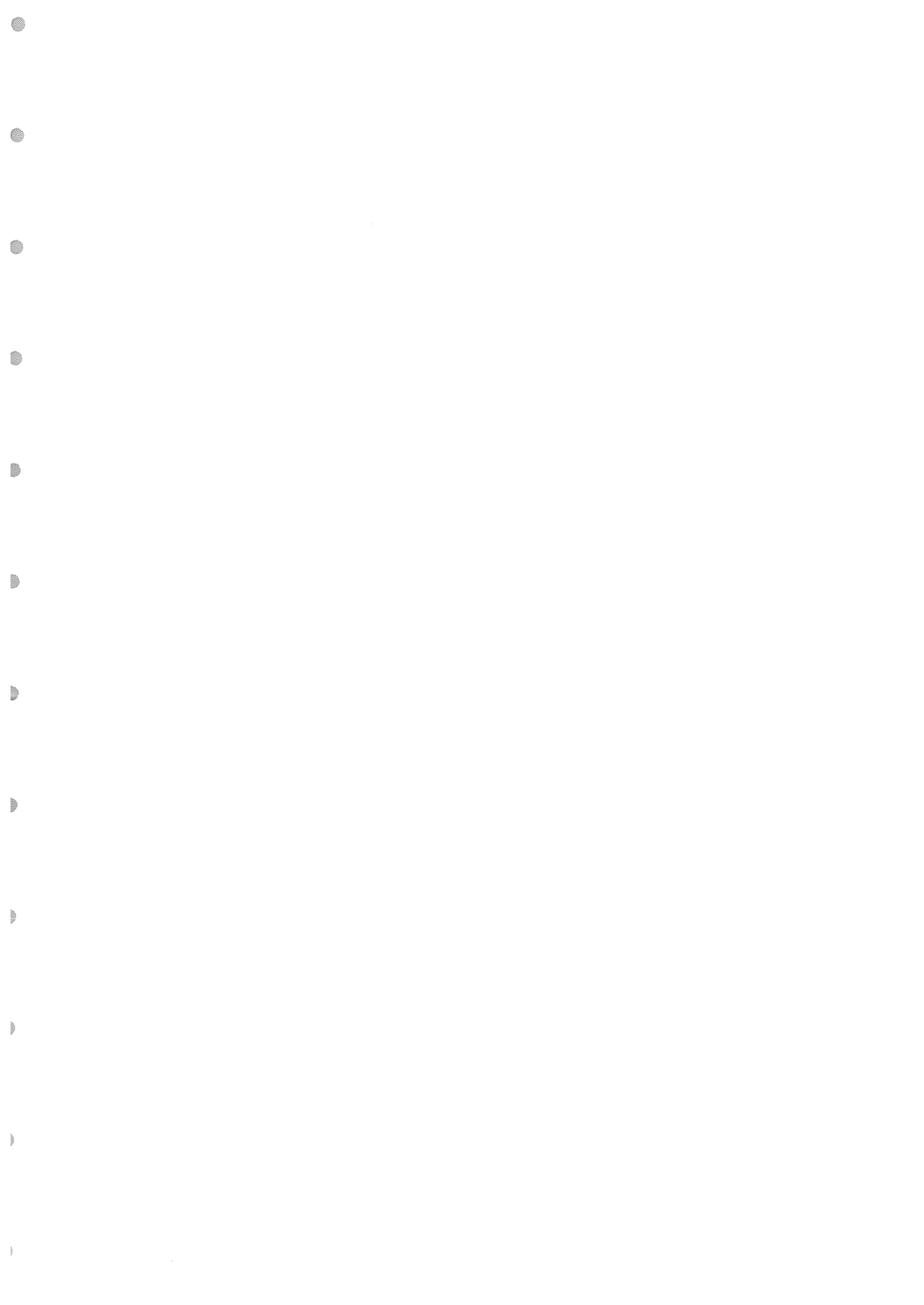
As such, the proposed development is in general accordance with policies G1, H1, H3, H6, A1, A3, A4, A5, D1, D2, CC1, CC2, CC3, CC4, T1, T2, T4 and DM1 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

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

Executive Director Supporting Communities



DATED

14th May

2018

(1) CASPAR ANTONIUS BERENDSEN and CELIA ALIX MUNOZ MOTTE

and

(2) BARCLAYS BANK plc

and

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

FIRST DEED OF VARIATION

Relating to the Agreement dated 5th October 2016 between
(1) Caspar Antonius Berendsen and Celia Alix Munoz Motte (2) Barclays Bank Plc and
(3) the Mayor and the Burgesses of the London Borough of Camden

under section 106 of the Town and
Country Planning Act 1990 and Section 278 of the Highways Act 1980

Relating to development at premises known as

Grove Lodge, Admirals Walk, London NW3 6RS

Andrew Maughan
Borough Solicitor
London Borough of Camden
Town Hall
Judd Street
London WC1H 9LP

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