

DATED

27 SEPTEMBER

2018

(1) UNITED SYNAGOGUE TRUSTS LIMITED

and

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

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**SECOND DEED OF VARIATION**

Relating to the Agreement dated 28 January 2016 between  
(1) John Bryan Austin and Maurice Ostro and Richard Loftus and  
Simon Laurence Bernstein and Leon Saul Blitz  
(2) United Synagogue Trusts Limited and  
(3) the Mayor and the Burgesses of the London Borough of Camden  
as varied by the First Deed of Variation

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

**South Hampstead Synagogue  
21-22 Eton Villas  
London  
NW3 4SG**

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

Tel: 020 7974 5647  
Fax: 020 7974 2962

CLS/PK/1800.854 (final)

THIS DEED is made the 27<sup>th</sup> day of September 2018

**BETWEEN:**

1. **UNITED SYNAGOGUE TRUSTS LIMITED** (registered under company number 00516140) whose registered office is at 305 Ballards Lane, London, N12 8GB (hereinafter called "the Owner") of the first part
2. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Council") of the second part

**WHEREAS**

- A. The Owner is registered at the Land Registry as the freehold proprietor with title absolute of the Property under title number NGL737960 and the Owner is interested in the Property for the purposes of Section 106 of the Act.
- B. 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 Existing Agreement as modified by this Deed.
- C. Pursuant to (1) John Bryan Austin and Maurice Ostro and Richard Loftus and Simon Laurence Bernstein and Leon Saul Blitz (2) the Owner and (3) the Council entering into the Original Agreement the Council granted the Original Planning Permission.
- D. Pursuant to (1) the Owner and (2) the Council entering into the First Deed of Variation the Council granted the First Section 73 Approval.
- E. The Owner has submitted the Second Section 73 Application in respect of the Development at the Property to vary the Existing Planning Permission and the Council has agreed to vary the Existing Planning Permission under section 73 of the Act subject to the Parties entering into this Deed to vary the Existing Agreement.

**NOW IT IS HEREBY AGREED and WITNESSED as follows:**

**1 LEGAL EFFECT AND INTERPRETATION**

- 1.1 This Deed is made in pursuance of Sections 106 and 106A of the Act and Section 278 of the Highways Act 1980.
- 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 Save as expressly stated otherwise all words and expressions used in this Deed shall have the same meaning as in the Existing Agreement.
- 1.4 For the purposes of this Deed the following words and expressions shall have the meanings assigned unless the context states otherwise:

<b>Annex 1</b>	the annex numbered "Annex 1" attached to this Deed
<b>this Deed</b>	this second deed of variation to the Existing Agreement made pursuant to Sections 106 and 106A of the Act and Section 278 of the Highways Act 1980
<b>Existing Agreement</b>	the Original Agreement as varied by the First Deed of Variation
<b>Existing Planning Permission</b>	the Original Planning Permission as varied by the Section 73 Approval
<b>First Deed of Variation</b>	the deed dated 9 November 2017 between (1) the Owner and (2) the Council entered into pursuant to Sections 106 and 106A of the Act to vary the Original Agreement

**First Section 73 Approval**

the decision of the Council dated 9 November 2017 having reference number 2017/0478/P granted under section 73 of the Act to vary the Original Planning Permission

**Original Agreement**

the agreement dated 28 January 2016 between (1) John Bryan Austin and Maurice Ostro and Richard Loftus and Simon Laurence Bernstein and Leon Saul Blitz (2) the Owner and (3) the Council entered into pursuant to Section 106 of the Act and Section 278 of the Highways Act 1980

**Original Planning Permission**

the planning permission granted by the Council for development at the Property by a notice dated 28 January 2016 and having the reference number 2013/7887/P

**Parties**

the Owner and the Council being the parties to this Deed and shall include their successors in title, transferees and assigns

**Second Section 73 Application**

an application under Section 73 of the Act having reference number 2018/2283/P in respect of the Existing Planning Permission to:

**vary condition 4** (approved plans);

**vary condition 5** (hard and soft landscaping)

**vary condition 6** (tree protection details) to enable the replacement of the "tree of heaven" with a tulip tree as shown on

drawings numbered 882\_07\_050 P1;  
882\_07\_010 P2; 882\_07\_002 P1;  
882\_07\_200 P1; 882\_07\_201 P1;  
882\_07\_100 P8; 882\_07\_101 P4;  
882\_07\_102 P5; 882\_07\_210 P2;  
882\_07\_211 P2; 882\_07\_230 P8;  
882\_07\_231 P7; 882\_07\_232 P7;  
882\_07\_233 P9; 882\_07\_234 P2;  
882\_07\_235 P1; 882\_07\_310 P2;  
882\_07\_311 P2; 882\_07\_526 P1;  
882\_90\_400 P7; 882\_90\_455 P2;  
882\_SK\_102 S2; Detailed Shul layout;  
Basement Plan Access revisions;  
Documents: Design and Access  
Statement; Planning Statement;  
Transport Statement; Transport  
Statement Addendum; Travel Plan  
September 2014; Construction Traffic  
Management Plan; Transport Technical  
Note Rev A; Transport Technical Note  
Rev B; Transport Letter 19.11.14;  
Arboricultural Report; BREEAM Pre-  
Assessment; Energy Statement; Energy  
and Sustainability Statement Rev B;  
Heritage Appraisal; Statement of  
Community Involvement; Acoustic  
Report; Sunlight, Daylight and  
Overshadowing Report; Letter re  
Alternative Sites; Note to Planners July  
2014; Basement Impact Assessment;  
Basement Impact Assessment  
Addendum Report October 2014;  
Basement Impact Assessment  
Addendum Report P2; BIA Sequence P4.  
Platform lift specification by Stannah;  
letter from CST undated; letter from Paul

Callegari; email from Richard Loftus dated 19 June 2017; Tree Condition Survey by Eight Associates dated 03/04/2017

**Second Section 73 Approval**

the decision of the Council pursuant to the Second Section 73 Application substantially in the form attached to this Deed at Annex 1

**2 VARIATION OF THE EXISTING AGREEMENT FROM THE DATE OF THIS DEED**

With effect from the date of this Deed, the Existing Agreement shall be varied as follows:

2.1 the following definitions are **added** at **Clause 2 (Definitions)** of the Existing Agreement:

2.1.1 ““First Section 73 Approval” the decision of the Council dated 9 November 2017 having reference number 2017/0478/P granted under section 73 of the Act to vary the Original Planning Permission”

2.1.2 ““Second Section 73 Application” an application under Section 73 of the Act having reference number 2018/2283/P in respect of the Existing Planning Permission to:  
**vary condition 4** (approved plans)  
**vary condition 5** (hard and soft landscaping)  
**vary condition 6** (tree protection details) to enable the replacement of the “tree of heaven” with a tulip tree as shown on drawings numbered 882\_07\_050 P1; 882\_07\_010 P2; 882\_07\_002 P1;

882\_07\_200 P1; 882\_07\_201 P1;  
882\_07\_100 P8; 882\_07\_101 P4;  
882\_07\_102 P5; 882\_07\_210 P2;  
882\_07\_211 P2; 882\_07\_230 P8;  
882\_07\_231 P7; 882\_07\_232 P7;  
882\_07\_233 P9; 882\_07\_234 P2;  
882\_07\_235 P1; 882\_07\_310 P2;  
882\_07\_311 P2; 882\_07\_526 P1;  
882\_90\_400 P7; 882\_90\_455 P2;  
882\_SK\_102 S2; Detailed Shul layout;  
Basement Plan Access revisions;  
Documents: Design and Access  
Statement; Planning Statement;  
Transport Statement; Transport  
Statement Addendum; Travel Plan  
September 2014; Construction Traffic  
Management Plan; Transport Technical  
Note Rev A; Transport Technical Note  
Rev B; Transport Letter 19.11.14;  
Arboricultural Report; BREEAM Pre-  
Assessment; Energy Statement; Energy  
and Sustainability Statement Rev B;  
Heritage Appraisal; Statement of  
Community Involvement; Acoustic  
Report; Sunlight, Daylight and  
Overshadowing Report; Letter re  
Alternative Sites; Note to Planners July  
2014; Basement Impact Assessment;  
Basement Impact Assessment  
Addendum Report October 2014;  
Basement Impact Assessment  
Addendum Report P2; BIA Sequence P4.  
Platform lift specification by Stannah;  
letter from CST undated; letter from Paul  
Callegari; email from Richard Loftus  
dated 19 June 2017; Tree Condition

Survey by Eight Associates dated 03/04/2017”

2.1.3 ““Second Section 73 Approval” the decision of the Council pursuant to the Second Section 73 Application substantially in the form attached to this Deed at Annex 1”

2.2 the definition at **Clause 2.14** shall be **varied** to the following:

““2.14 “the Development” erection of a synagogue comprising 4 storeys plus basement, following demolition of existing synagogue (Use Class D1) as shown on drawing numbers 882\_07\_050 P1; 882\_07\_010 P2; 882\_07\_002 P1; 882\_07\_200 P1; 882\_07\_201 P1; 882\_07\_100 P4; 882\_07\_101 P3; 882\_07\_102 P4; 882\_07\_210 P2; 882\_07\_211 P2; 882\_07\_230 P3; 882\_07\_231 P3; 882\_07\_232 P4; 882\_07\_233 P4; 882\_07\_234 P2; 882\_07\_235 P1; 882\_07\_310 P2; 882\_07\_311 P2 Documents: Design and Access Statement; Planning Statement; Transport Statement; Transport Statement Addendum; Travel Plan September 2014; Construction Traffic Management Plan; Transport Technical Note Rev A; Transport Technical Note Rev B; Transport Letter 19.11.14; Arboricultural Report; BREEAM Pre-Assessment; Energy Statement; Energy and Sustainability Statement Rev B; Heritage Appraisal; Statement of



Community Involvement; Acoustic Report; Sunlight, Daylight and Overshadowing Report; Letter re Alternative Sites; Note to Planners July 2014; Basement Impact Assessment; Basement Impact Assessment Addendum Report October 2014; Basement Impact Assessment Addendum Report P2; BIA Sequence P4 **as varied by the First Section 73 Approval as further varied by the Second Section 73 Approval"**

- 2.3 the numbering of **Clause 2 Definitions** of the Existing Agreement shall be re-numbered accordingly
- 2.4 Annex 1 to this Deed shall be treated as annexed to the Existing Agreement.
- 2.5 In all other respects the Existing Agreement (as varied by this Deed) shall continue in full force and effect.

### 3 **MISCELLANEOUS PROVISIONS**

- 3.1 This Deed shall be registered as a local land charge.
- 3.2 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.
- 3.3 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.

3.4 No provisions of this Agreement shall be enforceable under the Contracts (Rights of Third Parties) Act 1999.

3.5 This Deed is governed by and shall be interpreted in accordance with the laws of England.

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

**EXECUTED as a Deed by affixing )  
THE COMMON SEAL OF )  
UNITED SYNAGOGUE TRUSTS LIMITED )  
acting by a Director and its Secretary )  
or by two Directors )**

**Director Name: (CAPITALS) )**

LEONIS LEWIS  
.....

**Director Signature: )**

*Leonis Lewis*  
.....

**Director/Secretary Name (CAPITALS) )**

DAVID FREI  
.....

**Director/Secretary Signature: )**

*David Frei*  
.....

**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 Second Section 73 Approval ref. 2018/2283/P



Application ref: 2018/2283/P  
Contact: Jenna Litherland  
Tel: 020 7974 3070  
Date: 28 August 2018

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[camden.gov.uk](http://camden.gov.uk)

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

[www.camden.gov.uk](http://www.camden.gov.uk)

Boyer Planning  
2nd Floor, 24 Southwark Bridge Road London SE1  
9HF

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Variation or Removal of Condition(s) Granted

Address:

**South Hampstead Synagogue**  
**21-22 Eton Villas**  
**London**  
**NW3 4SG**

# DECISION

Proposal:

Variation of conditions 4 (approved plans), 5 (hard and soft landscaping), 6 (tree protection details) of planning permission 2013/7887/P granted 28/01/2016, as amended by permissions 2017/0478/P granted 09/11/2017 [for Erection of a synagogue comprising 4 storeys plus basement] namely to enable replacement of the tree of heaven with a tulip tree.

Drawing Nos: Drawing Nos: 882\_07\_050 P1; 882\_07\_010 P2; 882\_07\_002 P1;  
882\_07\_200 P1; 882\_07\_201 P1; 882\_07\_100 P8; 882\_07\_101 P4; 882\_07\_102 P5;  
882\_07\_210 P2; 882\_07\_211 P2; 882\_07\_230 P8; 882\_07\_231 P7; 882\_07\_232 P7;  
882\_07\_233 P9; 882\_07\_234 P2; 882\_07\_235 P1; 882\_07\_310 P2; 882\_07\_311 P2;  
882\_07\_526 P1; 882\_90\_400 P7; 882\_90\_455 P2; 882\_SK\_102 S2; Detailed Shul layout;  
Basement Plan Access revisions.

Documents: Design and Access Statement; Planning Statement; Transport Statement; Transport Statement Addendum; Travel Plan September 2014; Construction Traffic Management Plan; Transport Technical Note Rev A; Transport Technical Note Rev B; Transport Letter 19.11.14; Arboricultural Report; BREEAM Pre-Assessment; Energy Statement; Energy and Sustainability Statement Rev B; Heritage Appraisal; Statement of Community Involvement; Acoustic Report; Sunlight, Daylight and Overshadowing Report; Letter re Alternative Sites; Note to Planners July 2014; Basement Impact Assessment; Basement Impact Assessment Addendum Report October 2014; Basement Impact Assessment Addendum Report P2; BIA Sequence P4. Platform lift specification by Stannah; letter from CST undated; letter from Paul Callegari; email from Richard Loftus dated 19 June 2017; Tree Condition Survey by Eight Associates dated 03/04/2017.

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of the original planning permission ref 2013/7887/P dated 28/01/16.

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

- 2 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:
  - a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;
  - b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site);
  - c) Details including elevations, sections and a roof plan at a scale of 1:50 of the security hut in the forecourt.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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

- 3 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 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

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

Drawing Nos: 882\_07\_050 P1; 882\_07\_010 P2; 882\_07\_002 P1; 882\_07\_200 P1; 882\_07\_201 P1; 882\_07\_100 P8; 882\_07\_101 P4; 882\_07\_102 P5; 882\_07\_210 P2; 882\_07\_211 P2; 882\_07\_230 P8; 882\_07\_231 P7; 882\_07\_232 P7; 882\_07\_233 P9; 882\_07\_234 P2; 882\_07\_235 P1; 882\_07\_310 P2; 882\_07\_311 P2; 882\_07\_526 P1; 882\_90\_400 P7; 882\_90\_455 P2; 882\_SK\_102 S2; Detailed Shul layout; Basement Plan Access revisions.

Documents: Design and Access Statement; Planning Statement; Transport Statement; Transport Statement Addendum; Travel Plan September 2014; Construction Traffic Management Plan; Transport Technical Note Rev A; Transport Technical Note Rev B; Transport Letter 19.11.14; Arboricultural Report; BREEAM Pre-Assessment; Energy Statement; Energy and Sustainability Statement Rev B; Heritage Appraisal; Statement of Community Involvement; Acoustic Report; Sunlight, Daylight and Overshadowing Report; Letter re Alternative Sites; Note to Planners July 2014; Basement Impact Assessment; Basement Impact Assessment Addendum Report October 2014; Basement Impact Assessment Addendum Report P2; BIA Sequence P4. Platform lift specification by Stannah; letter from CST undated; letter from Paul Callegari; email from Richard Loftus dated 19 June 2017; Tree Condition Survey by Eight Associates dated 03/04/2017.

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

- 5 The hard and soft landscaping and means of enclosure of an all un-built, open areas shall be undertaken in accordance with the details approved under application reference 2016/5285/P dated 15/05/2017 and as approved under the current application reference: 2018/2283/P in respect of the replacement forecourt tree, unless otherwise agreed in writing by the local planning authority. The replacement tree shall be 1x Tulip tree (*Liriodendron tulipifera*) 18-20cm in circumference at 1m in height. A 5 year maintenance plan and sections of the planter in which the tree is to be located shall be submitted to and approved in writing by the local planning authority. The tree shall be maintained in line with the approved maintenance plan and BS8545:2014 thereafter.

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.

- 6 All trees on the site, or part 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 protection details approved under application reference 2016/1245/P dated 23/05/2016 (with the exception of the Tree of Heaven which has consent for removal under the current application reference: 2018/2283/P), unless otherwise agreement in writing by the Local Planning Authority

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 The design of the basement and building foundations and the layout, in so far as these items may affect trees on or adjoining the site, shall be undertaken in accordance shall be undertaken in accordance with the details approved under application reference 2016/1245/P dated 23/05/2016, unless otherwise agreed in writing by the local planning authority.

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.

- 8 Before the use commences sound insulation shall be provided for the building in accordance with a scheme to be first approved by the local planning authority in writing. The use shall thereafter not be carried out other than in accordance with the approved scheme.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 9 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 10 Prior to use of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant equipment will be lower than the lowest existing background noise level by at least 5dBA, by 10dBA where the source is tonal, as assessed according to BS4142:1997 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.



- 11 The development hereby permitted shall be carried out in accordance with the following approved SHS Waste Calculations and drawing no. 882\_90\_455 P2. The facility as approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy A1 and CC5 of the London Borough of Camden Local Plan 2017.

- 12 The development hereby permitted shall be carried out in accordance with the following approved drawing no. 882\_90\_400 P6. The 26 cycle spaces as approved shall be provided in their entirety and prior to the first occupation of the development and permanently retained thereafter.

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

- 13 The development shall be implemented in accordance with the sustainable urban drainage system approved under application reference 2016/5045/P dated 24/11/2016. Following implementation the system shall be retained and maintained thereafter.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 14 Notwithstanding the provisions of the Use Class Order (1995) (as amended), the development shall be used as a synagogue only (Use Class D1).

Reason: In order to control the use on site to accord with policy C2 of the London Borough of Camden Local Plan 2017.

- 15 The glazed screen of the external amenity area at third floor level shall be obscure glazed to a height of 1.8m, in accordance with drawing 882\_07\_526\_NE\_Section and shall be permanently retained.

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

- 16 The development hereby permitted shall be carried out in accordance with the following approved drawing no. 882\_90\_400 P6. The approved Electric Vehicle Charging Point shall thereafter be provided in its entirety prior to the first occupation of the development and permanently retained thereafter.

Reason: To ensure the development includes sustainable parking measures in accordance with the requirements of policy T2 of the London Borough of Camden Local Plan 2017.

- 17 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

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.

- 18 An appropriate automatic noise control device shall be used for any amplified sound. The device shall be set so that the volume of any amplified sound emanating from the premises is inaudible at the façade of any noise sensitive premises and shall be maintained at a level as agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 19 Automatic time clocks shall be fitted to the equipment/machinery hereby approved, prior to commencement of the use of the units, to ensure that the plant/equipment does not operate after the time to be agreed within the Events Management Plan. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 20 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and full planning permission has been granted for the redevelopment for which the contract provides.

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

- 21 Prior to the commencement of development, trial pits shall be dug to determine the extent of the roots of T1(False acacia) and T4 (Tree of Heaven) within the proposed basement area, to give a clearer indication of the Root Protection Area.

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.

- 22 All pruning carried out at the time of the scaffold installation shall be in accordance with the details approved under application reference: 2016/1245/P dated 23/05/2016. All approved works shall be carried out by trained arborists in accordance with the approved details.

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

- 23 All underground services/ utilities shall be in accordance with the details approved under application reference: 2016/1245/P dated 23/05/2016.

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.

- 24 The development shall be carried out in accordance with the Arboricultural Method Statement and auditable system of on-site monitoring of trees on and adjacent to the site details approved under application reference: 2016/1245/P dated 23/05/2016.

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.

- 25 The two disabled parking bay in the forecourt, hereby approved, shall be provided prior to first occupation of the building and retained and used for no other purpose than disabled parking thereafter.

Reason: To ensure that the use of the premises does not add to parking pressures in surrounding streets and to ensure access for all in accordance with policies C6 and T2 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 You are advised that this permission should be read in conjunction with the schemes approved on 09/11/2017 (ref: 2017/0478/P) and 28/01/2016 (ref: 2013/7887/P) and all other conditions and informative attached to the original decision are still applicable.
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 4 Drawing no. 882\_SK\_102 S2 is indicative only and have been submitted to demonstrate that should it ever be required a platform lift could be installed within the existing building envelope.
- 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 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.

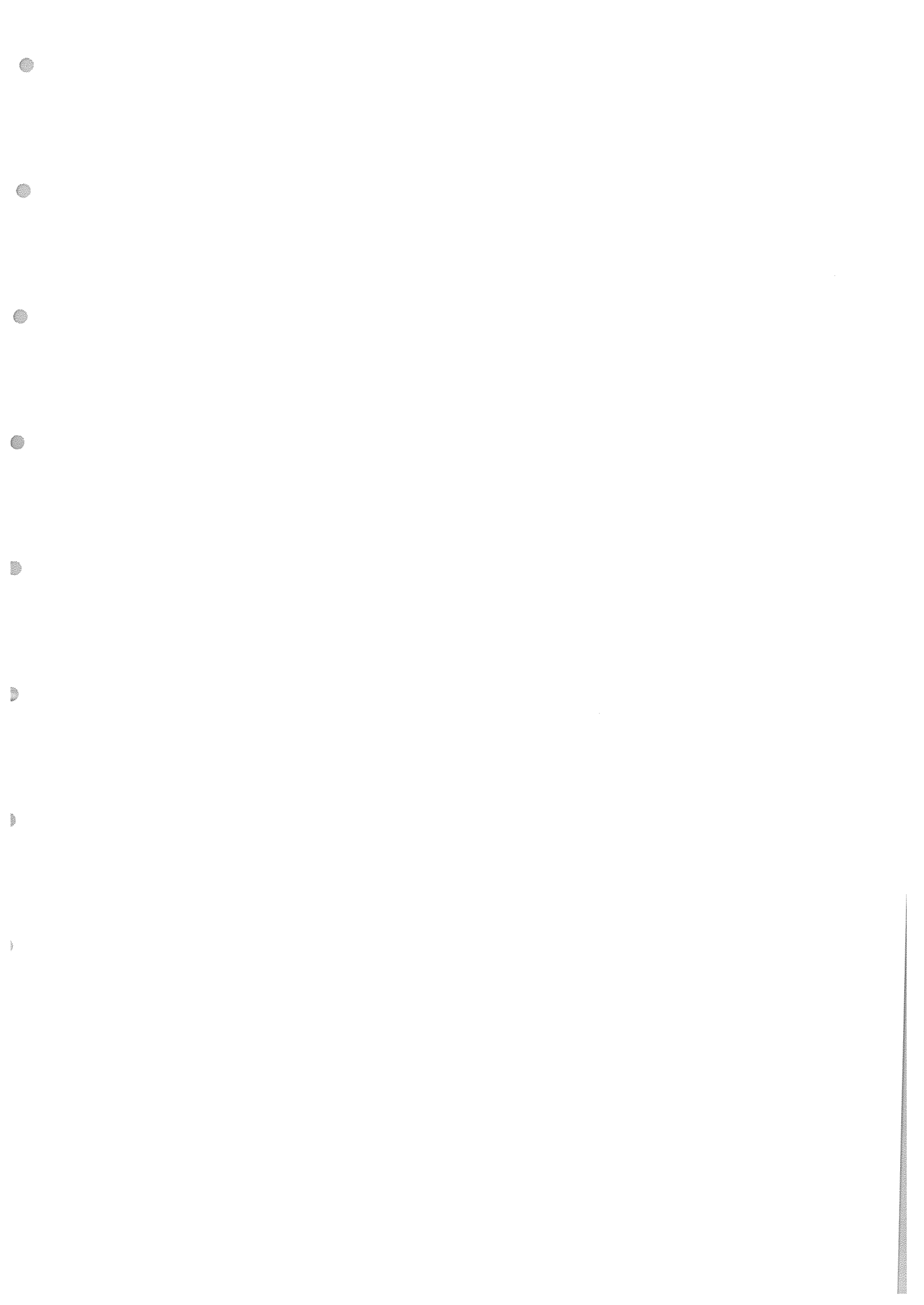
In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

David Joyce  
Director of Regeneration and Planning



DATED 27 SEPTEMBER 2018

(1) UNITED SYNAGOGUE TRUSTS LIMITED

and

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

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**SECOND DEED OF VARIATION**

Relating to the Agreement dated 28 January 2016 between  
(1) John Bryan Austin and Maurice Ostro and Richard Loftus and  
Simon Laurence Bernstein and Leon Saul Blitz  
(2) United Synagogue Trusts Limited and  
(3) the Mayor and the Burgesses of the London Borough of Camden  
as varied by the First Deed of Variation

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

**South Hampstead Synagogue  
21-22 Eton Villas  
London  
NW3 4SG**

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

Tel: 020 7974 5647  
Fax: 020 7974 2962

CLS/PK/1800.854 (final)