

DATED

7<sup>TH</sup> NOVEMBER

2018

(1) MOUNT ANVIL (KIDDERPORE) LIMITED

(2) AVON GROUND RENTS LIMITED

(3) NEWLON HOUSING TRUST

(4) NATWEST MARKETS PLC

(5) BARCLAYS BANK PLC

-and-

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

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**FOURTH DEED OF VARIATION**

Relating to the Agreement dated 6 April 2016 between the Mayor and the Burgesses of the London Borough of Camden and Mount Anvil (Kidderpore) Limited under section 106 of the Town and Country Planning Act 1990 (as amended) as varied by the Deed of Variation dated 13 September 2016 the Deed of Variation dated 18 July 2017 and the Deed of Variation dated 26 March 2018 relating to development at premises known as

**KINGS COLLEGE HAMPSTEAD FORMER STUDENT RESIDENCE, KIDDERPORE  
AVENUE, LONDON NW3 7SU**

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

Tel: 020 7974 6007

Legal/ JL/ 1781.516  
DoV v FINAL

THIS DEED is made on the 7<sup>th</sup> day of November 2018

**BETWEEN**

- (1) **MOUNT ANVIL (KIDDERPORE) LIMITED** (Jersey company registration number 116255) of 44 The Esplanade, St Helier, Jersey, JE4 9WG and whose address for service in the UK is Mount Anvil Ltd, 140 Aldersgate Street, London, EC1A 4HY (hereinafter called "**the Owner**") of the first part;
- (2) **AVON GROUND RENTS LIMITED** (Co. Regn. No. 07399676) of 88 Edgware Way, Edgware HA8 8JS (hereinafter called "**the Freeholder**") of the second part;
- (3) **NEWLON HOUSING TRUST** (Industrial and Provident Society Number 18449R) whose head office is situated at Newlon House, 4 Daneland Walk, Hale Village, London N17 9FE (hereinafter called "**the Association**") of the third part;
- (4) **BARCLAYS BANK PLC** (Co Regn No. 01026167) of Head of Real Estate Asset management, Level 27, 1 Churchill Place, London E14 5HP (hereinafter called "**the First Mortgagee**") of the fourth part;
- (5) **NATWEST MARKETS PLC (formerly known as THE ROYAL BANK OF SCOTLAND PLC)** (Scot. Co. Regn. No. 090312) of 250 Bishopsgate, London EC2M 4AA (hereinafter called "**the Second Mortgagee**") of the fifth part; and
- (6) **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "**the Council**") of the sixth part.

together "the Parties"

**WHEREAS:**

- 1.1 The Council and the Owner entered into an agreement dated 6 April 2016 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) and entered into deeds of variation to vary the terms on 13 September 2016 18 July 2017 and 26 March 2018 ("the Existing Agreement").
- 1.2 On 7 October 2016 the Owner sold the freehold of the Property registered at the Land Registry with Title Absolute under title number NGL701723 to the Freeholder

and entered into a 999 year lease of the property registered at the Land Registry with Title Absolute under title number NGL964552. As at the date of this Deed the freehold title NGL701723 is subject to a charge in favour of the First Mortgagee and leasehold title NGL964552 is subject to a charge in favour of the Second Mortgagee.

- 1.3 The Association has entered into a lease of the Affordable Housing Units from the Owner registered under Title Numbers NGL974064 and NGL974065.
- 1.4 The Owner the Freeholder the Association the First Mortgagee and the Second Mortgagee are all interested in the Property for the purposes of Section 106 of the Planning Act.
- 1.5 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.
- 1.6 This Deed is made by virtue of the Town and Country Planning Act 1990 Section 106A (as amended) and is a planning obligation for the purposes of that section.
- 1.7 The Owner has submitted a new planning application in respect of the Property and to amend the Original Planning Permission and the Council has resolved to grant permission conditionally under reference 2018/2020/P subject to the conclusion of this Deed.
- 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 Agreement.
- 2.4 Headings are for ease of reference only and are not intended to be construed as part of this Deed and shall not be construed as part of this Agreement and shall not effect the construction of this Deed.
- 2.5 Unless the context otherwise requires references to the singular shall include the plural and vice versa.
- 2.6 References in this Deed to the Owner shall include their successors in title.
- 2.7 In this Deed the following expression shall unless the context otherwise states have the following meaning now allocated to it.

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| 2.7.1 “Deed”                             | this Deed of Variation made pursuant to Section 106A of the Act  |
| 2.7.2 “Existing Agreement”               | the agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) dated 6 April 2016 made between the Council and the Owner as varied by the First Deed of Variation the Second Deed of Variation and the Third Deed of Variation |
| 2.7.3 “First Deed of Variation”          | the agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) dated 13 September 2016 made between the Council and the Owner  |
| 2.7.4 “the Original Planning Permission” | means the planning permission granted by the Council on 6 April 2016 under reference number 2015/3936/P  |

2.7.5 "Second Deed of Variation" the agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) dated 18 July 2017 made between the Council the Owner and the Association

2.7.5 "Third Deed of Variation" the agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) dated 26 March 2018 made between the Council the Owner the Freeholder the Association and the Second Mortgagee

### 3. VARIATION TO THE EXISTING AGREEMENT

3.1 The Parties agree that from the date of this Deed the Existing Agreement shall be varied as follows:-

3.2 Clause 1.31 of the Existing Agreement shall be deleted and replaced with the following clause:-

<b>"Development"</b>	the development permitted by the variation of condition 2 (approved plans) of planning permission 2015/3936/P dated 06/04/2016 and amended by 2017/5835/P dated 26/03/2018 (for development of the site to provide 150 residential units involving demolition of Queen Mothers Hall, Lord Cameron and Rosalind Franklin building and replacement with flats in three 4 and 5 storey buildings, seven houses to the northern boundary, a single townhouse to the north western boundary and three houses between The Chapel and Queen Mothers Hall; relocation and refurbishment of the Summerhouse; alterations and extensions to retained buildings, including listed buildings; excavation of 2-storey basement to the western part of the site and a 1-storey basement to the replacement buildings for Lord Cameron and Rosalind Franklin, lower the level of lower
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	ground floor of Bay House; provision of 97 car parking spaces, associated cycle parking, refuse/recycling facilities, plant equipment and landscaping works including tree removal across the site) namely to reconfigure the arrangement of flats within Queen Mother's Hall to merge 2 units to 1, resulting in 149 units in total as shown on plans approved by the Planning Permission
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3.3 Clause 1.64 of the Existing Agreement shall be deleted and replaced with the following clause:-

<b>"Planning Application"</b>	a planning application in respect of the Development of the Property submitted to the Council and validated on 1 May 2018 for which a resolution to grant permission has been passed conditionally under reference number 2018/2020/P subject to conclusion of this Agreement
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3.4 Clause 1.66 of the Existing Agreement shall be deleted and replaced with the following clause:-

<b>"Planning Permission"</b>	the planning permission for the Development issued pursuant to the Planning Application
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3.5 References in Clause 5.5.3, Clause 33.3, Clause 33.4, Clause 38 and Clause 39.2 of the Existing Agreement to planning reference "2015/3936/P" shall be replaced with planning reference "2018/2020/P".

3.6 The draft planning permission reference 2015/3936/P annexed to the Existing Agreement at Schedule 8 shall be removed and replaced with draft planning permission reference 2018/2020/P annexed to this Agreement

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

**4 PAYMENT OF THE COUNCIL'S LEGAL COSTS**

4.1 The Owner and the Association agree to pay the Council (on or prior to completion of this Deed) its reasonable legal costs incurred in preparing this Deed

**5. REGISTRATION AS LOCAL LAND CHARGE**

5.1 This Deed shall be registered as a Local Land Charge

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

EXECUTED AS A DEED BY  
MOUNT ANVIL (KIDDERPORE) LIMITED  
acting by a Director and its Secretary  
or by two Directors

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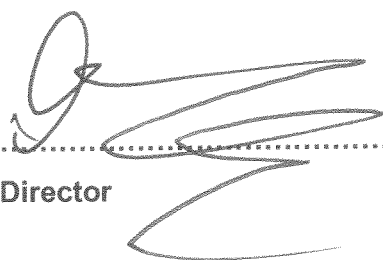
  
.....  
Director

  
.....  
Alt. Director

.....  
Director/Secretary

EXECUTED AS A DEED BY  
AVON GROUND RENTS LIMITED  
acting by a Director and its Secretary  
or by two Directors

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Director




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Director

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Director/Secretary




EXECUTED AS A DEED BY  
NEWLON HOUSING TRUST  
acting by a Director and its Secretary  
or by two Directors

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Director




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Director

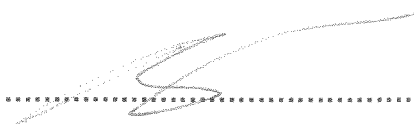


.....  
Director/Secretary



EXECUTED AS A DEED BY  
BARCLAYS BANK PLC  
acting by an authorised official  
In the presence of a witness

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)   
)  
) ..... GREG NEWMAN  
**Authorised Signatory**

.....  
  
**Witness** WARREN SANTI  
**Address:** level 27  
1 Churchill Place  
London E14 5HP  
**Occupation:** Banking

EXECUTED AS A DEED BY  
NATWEST MARKETS PLC  
acting by an authorised official  
In the presence of a witness

)  
)  
)  
) .....  MARK DAVIES  
**Authorised Signatory**

.....  
**Witness**  
**Address:**  
  
**Occupation:**

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



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)  
)

*APR 1*  
.....

Authorised Signatory

**APPENDIX**

draft planning permission reference 2018/2020/P





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

Tel 020 7974 4444

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

Montagu Evans  
5 Bolton Street  
London  
W1J 8BA

Application Ref: **2018/2020/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:

**Queen Mother Hall  
Kidderpore Avenue  
London  
NW3 7SU**

Proposal:

**DECISION**  
Variation of condition 2 (approved plans) of planning permission 2015/3936/P dated 06/04/2016 and amended by 2017/5835/P dated 26/03/2018 (for development of the site to provide 156 residential units and associated works) namely to reconfigure the arrangement of flats within Queen Mother's Hall to merge 2 units to 1, resulting in 149 units in total.

Drawing Nos: Superseded: 9000-DRG-03QM-VL902 Rev C

Revised: 9000-DRG-03QM-VL902 Rev D

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 2015/3936/P dated 06/04/2016.

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

- 2 For the purposes of this decision, conditions no.2 and 3 of planning permission 2015/3936/P shall be replaced with the following condition:

REPLACEMENT CONDITION 2 and 3

- 2 Part 1 of 2

The development hereby permitted shall be carried out in accordance with the following approved plans and supporting documents: 15778-PL-ST\_010 Rev 4, 15778-PL-ST\_050 Rev 2, 15778-PL-ST\_051 Rev 2, 15778-PL-EX ST\_100 Rev 2, 15778-PL BH EX 100 Rev 2, 15778-PL BH EX 101 Rev 2, 15778-PL BH EX 102 Rev 2, 15778-PL BH EX 200 Rev 2, 15778-PL CH EX 100 Rev 2, 15778-PL CH EX 101 Rev 2, 15778-PL CH EX 102 Rev 2, 15778-PL CH EX 200 Rev 2, 15778-PL DB EX 100 Rev 2, 15778-PL DB EX 101 Rev 2, 15778-PL DB EX 200 Rev 2, 15778-PL KH EX 100 Rev 2, 15778-PL KH EX 101 Rev 2, 15778-PL KH EX 102 Rev 2, 15778-PL KH EX 200 Rev 2, 15778-PL KH EX 201 Rev 2, 15778-PL LC EX 100 Rev 2, 15778-PL LC EX 101 Rev 2, 15778-PL LC EX 102 Rev 2, 15778-PL LC EX 200 Rev 2, 15778-PL MW EX 100 Rev 2, 15778-PL MW EX 101 Rev 2, 15778-PL MW EX 102 Rev 2, 15778-PL MW EX 200 Rev 2, 15778-PL MW EX 201 Rev 2, 15778-PL SK EX 100 Rev 2, 15778-PL SK EX 101 Rev 2, 15778-PL SK EX 102 Rev 2, 15778-PL SK EX 200 Rev 2, 15778-PL SH EX 100 Rev 2, MSL9992-LCH FP1-01 Rev A, MSL9992-LCH FP1-02 Rev A, MSL9992-LCH FP2-01 Rev A, MSL9992-LCH FP2-02 Rev A, MSL9992-LCH FP3-01 Rev A, MSL9992-LCH FP3-02 Rev A, MSL9992-LCH FPB-01 Rev A, MSL9992-LCH FPB-02 Rev A, MSL9992-LCH FPG-01 Rev A, MSL9992-LCH FPG-02 Rev A, MSL9992-LCH E1-01 Rev A, MSL9992-LCH E1-02 Rev A, MSL9992-LCH E2 Rev A, MSL9992-LCH E3 Rev A, MSL9992-LCH E4 Rev A, MSL9992-LCH E5 Rev A, MSL9992-LCH E6 Rev A, 15778-PL RFH EX 100 Rev 2, 15778-PL RFH EX 101 Rev 2, MSL9992-RF E1 Rev A, MSL9992-RF E2 Rev A, MSL9992-RF E3, Rev A, MSL9992-RF E4 Rev A, MSL9992-RF E5 Rev A, MSL9992-RF E6 Rev A, MSL9992-RF E7-01 Rev A, MSL9992-RF E7-02 Rev A, 15778-PL QMH EX 100 Rev 2, 15778-PL QMH EX 200 Rev 1. 15778-PL-ST\_105 Rev 3, 15778-PL-ST\_100 Rev 9, 15778-PL-ST\_110 Rev 9, 15778-PL-ST\_111 Rev 10, 15778-PL-ST\_112 Rev 10, 15778-PL-ST\_113 Rev 10, 15778-PL-ST\_114 Rev 11, 15778-PL-ST\_115 Rev 10, 15778-PL-ST\_119 Rev 9, 15778-PL-ST\_120 Rev 8, 15778-PL-ST\_121 Rev 5, 15778-PL-ST\_310 Rev 10, 15778-PL-ST\_311 Rev 8, 15778-PL-ST\_312 Rev 8, 15778-PL-ST\_313 Rev 8, 15778-PL-ST\_314 Rev 8, 15778-PL-ST\_315 Rev 4, 15778-PL-ST\_316 Rev 2, 15778-PL BH 100 Rev 2, 15778-PL BH 101 Rev 4, 15778-PL BH 102 Rev 2, 15778-PL BH 200 Rev 4, 15778-PL BH 300 Rev 2, 15778-PL BH 301 Rev 2, 15778-PL CH 100 Rev 6, 15778-PL CH 101 Rev 5, 15778-PL CH 102 Rev 4, 15778-PL CH 200 Rev 5, 15778-PL CH 300 Rev 4, 15778-PL CH 301 Rev 4, 15778-PL CH 302 Rev 4,

15778-PL DB 100 Rev 3, 15778-PL DB 101 Rev 3, 15778-PL DB 200 Rev 3, 15778-PL DB 300 Rev 3, 15778-PL KH 100 Rev 2, 15778-PL KH 101 Rev 4, 15778-PL KH 102 Rev 4, 15778-PL KH 200 Rev 5, 15778-PL KH 201 Rev 2, 15778-PL KH 300 Rev 2, 15778-PL KH 301 Rev 4, 15778-PL LC 100 Rev 3, 15778-PL LC 101 Rev 3, 15778-PL LC 102 Rev 3, 15778-PL LC 200 Rev 3, 15778-PL LC 300 Rev 3, 15778-PL MW 100 Rev 5, 15778-PL MW 101 Rev 2, 15778-PL MW 102 Rev 2, 15778-PL MW 200 Rev 2, 15778-PL MW 201 Rev 5, 15778-PL MW 300 Rev 2, 15778-PL MW 301 Rev 2, 15778-PL SK 100 Rev 4, 15778-PL SK 101 Rev 4, 15778-PL SK 102 Rev 4, 15778-PL SK 200 Rev 2, 15778-PL SK 300 Rev 4, 15778-PL SK 301 Rev 4, 15778-PL-LCH 400 Rev 6, 15778-PL-RFH 400 Rev 6, 15778-PL-QMH 400 Rev 6, 15778-PL-TWN 400 Rev 6, 15778-PL-PAV 400 Rev 6, 15778-PL-ST 505 Rev 9, 15778-PL-ST 600 Rev 10 and D2280 L 100 Rev D, Planning Statement by Montagu Evans dated July 2015, Heritage Statement by Montagu Evans dated July 2015, Design and Access Statement, Preliminary Ecological Appraisal & Preliminary Bat Roost Assessment by The Ecology Consultancy dated 29 July 2014.

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

3 Part 2 of 2

The development hereby permitted shall be carried out in accordance with the following approved plans and supporting documents: Bat Presence or Likely Absence Surveys by Ecology Consultancy dated September 2014, Daylight, Sunlight and Overshadowing Report by CHP Surveyors Ltd dated 03 July 2015. Transport Assessment by Momentum Transport Planning dated 03 July 2015, Draft Construction Management Plan by Momentum Transport Planning dated 03 July 2015, Energy Statement by NLG Associates dated 07 July 2015, Sustainability Statement by NLG Associates dated 03 July 2015, Acoustic Assessment 6486/EBF Rev 2 by RBA Acoustics dated 03 July 2015, Air Quality Assessment by Peter Brett dated July 2015, Basement Impact Assessment by Tully De'Ath Consultants dated July 2015, Flood Risk Assessment by WSP dated July 2015, Statement of Community Involvement by London Communications Agency dated July 2015, Archaeological Desk Based Assessment by CGMS dated July 2015, Student Housing Statement by King's College London dated July 2015, Fire Strategy by fds consult dated June 2015, Access Statement by David Bonnett Associated dated July 2015, Open Space Strategy by Mount Anvil and Addendum Report - Additional Biodiversity Enhancements by Fabik dated 18th January 2015, 9000-DRG-03RF-BO900 Rev A, 9000-DRG-03RF-GF901 Rev C, 9000-DRG-03RF-01902 Rev A, 9000-DRG-03RF-02903 Rev C, 9000-DRG-03RF-03904 Rev C, 9000-DRG-03RF-04905 Rev C, 9000-DRG-03RF-05906 Rev A, 9000-DRG-03RF-RF907 Rev A, 9000-DRG-02RF-EL901 Rev A, 9000-DRG-02RF-EL902 Rev B, 9000-DRG-03LD-BO900 Rev B, 9000-DRG-03LD-GF901 Rev B, 9000-DRG-03LD-01902 Rev B, 9000-DRG-03LD-02903 Rev B, 9000-DRG-03LD-03904 Rev B, 9000-DRG-03LD-04905 Rev B, 9000-DRG-02LD-EL901 Rev B, 9000-DRG-03LD-EL902 Rev B, 9000-DRG-03QM-VL900 Rev A, 9000-DRG-03QM-VL901 Rev C, 9000-DRG-03QM-VL902 Rev D, 9000-DRG-03QM-RF903 Rev A, 9000-DRG-02QM-EL901 Rev B, 9000-DRG-02QM-EL902 Rev C, 9000-DRG-04QM-SE902, 9000-DRG-03T1-AL900, 9000-DRG-02TI-EL901, 9000-DRG-02T1-EL902 Rev A, 9000-DRG-03T2-VL900, 9000-DRG-03T2-VL901, 9000-DRG-03T2-RF902, 9000-DRG-02T2-EL901 Rev A, 9000-DRG-03PV-AL900, 9000-DRG-02PV-EL901 Rev A, 9000-DRG-02LY-EL901 Rev A, 9000-DRG-02LY-EL903

Rev A, 9000-DRG-02LY- EL904 Rev A, 9000-DRG-03LY-RF011 Rev B, 9000-DRG-03CP-SB900, 9000-DRG-03CP-BO901 9000-DRG-02T2-EL902 Rev A, M000076-DP-001-C, M000076-DP-002-C, M000076-DP-003-C, M000076-DP-004-C, M000076-DP-005-C, M000076-DP-006-C, M000076-DP-007-C, M000076-DP-008-C, Technical Note by Momentum Transport Planning, 9000-DRG-03LY-01901 and 9000-DRG-03LY-VL902

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

- 4 The Phasing Plan shall be implemented in accordance with the plan approved under 2016/3211/P dated 25/07/2016.

Reason: To ensure that implementation of the development is undertaken in a planned manner with infrastructure and access to the site provided in association with occupation of development and to safeguard the amenity of future occupiers and existing residents in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 5 The detailed design in respect of Lord Cameron Hall shall be implemented in accordance with the following approved details:

a) Details of all windows, ventilation grills, external doors and gates in accordance with details approved by 2016/4072/P dated 25/08/17;

b) Details of all new external doors in accordance with details approved by 2016/4072/P dated 25/08/17;

c) Details of all new balustrade, railings and modifications to existing railings in accordance with details approved by 2017/0756/P dated 22/05/17;

d) All facing materials in accordance with details approved by 2016/4072/P dated 25/08/17;

e) All new external servicing, including but not restricted to vents, flues, rainwater goods, SVPS in accordance with details approved by 2017/2208/P dated 11/08/17;

f) All new dormers and alterations to existing dormers in accordance with details approved by 2016/4072/P dated 25/08/17;

g) Proposed roof works, including new coverings, vents and any works to chimneys in accordance with details approved by 2016/4072/P dated 25/08/17; and

h) Brickwork in accordance with details approved by 2016/4072/P dated 25/08/17 maintained for the duration of the works.

The relevant parts 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.

6 The detailed design in respect of Rosalind Franklin shall be implemented in accordance with the following approved details:

a) Details of all windows, ventilation grills, external doors and gates in accordance with details approved by 2016/4072/P dated 25/08/17;

b) Details of all new external doors in accordance with details approved by 2016/4072/P dated 25/08/17;

c) Details of all new balustrade, railings and modifications to existing railings in accordance with details approved by 2017/0756/P dated 22/05/17;

d) All facing materials in accordance with details approved by 2016/4072/P dated 25/08/17;

e) All new external servicing, including but not restricted to vents, flues, rainwater goods, SVPS in accordance with details approved by 2017/2208/P dated 11/08/17;

f) All new dormers and alterations to existing dormers in accordance with details approved by 2016/4072/P dated 25/08/17;

g) Proposed roof works, including new coverings, vents and any works to chimneys in accordance with details approved by 2016/4072/P dated 25/08/17; and

h) Brickwork in accordance with details approved by 2016/4072/P dated 25/08/17 maintained for the duration of the works.

The relevant parts 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.

7 The detailed design in respect of Queen Mother's Hall shall be implemented in accordance with the following approved details:

a) Details of all windows, ventilation grills, external doors and gates in accordance with details approved by 2016/4072/P dated 25/08/17;

b) Details of all new external doors in accordance with details approved by 2016/4072/P dated 25/08/17;

c) Details of all new balustrade, railings and modifications to existing railings in accordance with details approved by 2017/0756/P dated 22/05/17;

d) All facing materials in accordance with details approved by 2016/4072/P dated 25/08/17;

e) All new external servicing, including but not restricted to vents, flues, rainwater goods, SVPS in accordance with details approved by 2017/2208/P dated 11/08/17;

f) All new dormers and alterations to existing dormers in accordance with details approved by 2016/4072/P dated 25/08/17;

g) Proposed roof works, including new coverings, vents and any works to chimneys in accordance with details approved by 2016/4072/P dated 25/08/17; and

h) Brickwork in accordance with details approved by 2016/4072/P dated 25/08/17 maintained for the duration of the works.

The relevant parts 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.

8 The detailed design in respect of Dudin Brown shall be implemented in accordance with the following approved details:

a) Details of all windows, ventilation grills, external doors and gates in accordance with details approved by 2017/0191/P dated 05/04/17;

b) Details of all new external doors in accordance with details approved by 2017/0191/P dated 05/04/17;

c) Details of all new balustrade, railings and modifications to existing railings in accordance with details approved by 2017/0756/P dated 22/05/17;

d) All facing materials in accordance with details approved by 2016/3993/P dated 13/10/16;

e) All new external servicing, including but not restricted to vents, flues, rainwater goods, SVPS in accordance with details approved by 2017/2208/P dated 11/08/17;

f) Proposed roof works, including new coverings, vents and any works to chimneys in accordance with details approved by 2016/3993/P dated 13/10/16; and

g) Brickwork in accordance with details approved by 2017/5322/P dated 05/10/17 and the sample maintained for the duration of the works.

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.

- 9 The detailed design in respect of Lady Chapman Hall shall be implemented in accordance with the following approved details:
- a) Details of all windows, ventilation grills, external doors and gates in accordance with details approved by 2016/2861/P dated 16/09/16;
  - b) A report and methodology statement demonstrating the extent of materials to be salvaged from the demolition of the rear façade of Lady Chapman and a schedule demonstrating where these are to be reused in the proposed rebuilt structure in accordance with details approved by 2016/2861/P dated 16/09/16;
  - c) Details of all windows, ventilation grills, external doors and gates in accordance with details approved by 2016/4072/P dated 25/08/17;
  - d) Details of all new external doors in accordance with details approved by 2016/4072/P dated 25/08/17;
  - e) Details of all new balustrade, railings and modifications to existing railings in accordance with details approved by 2017/0756/P dated 22/05/17;
  - f) All facing materials in accordance with details approved by 2016/4072/P dated 25/08/17;
  - g) All new external servicing, including but not restricted to vents, flues, rainwater goods, SVPS in accordance with details approved by 2017/2208/P dated 11/08/17;
  - h) Proposed roof works, including new coverings, vents and any works to chimneys in accordance with details approved by 2016/4072/P dated 25/08/17; and
  - i) Brickwork in accordance with details approved by 2017/4275/P dated 11/08/17 and maintained onsite for the duration of the works.

All external architectural features to the proposed rear elevation of Lady Chapman shall match those of the existing rear façade. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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

10 The detailed design in respect of the Townhouses shall be implemented in accordance with the following approved details:

a) Details of all windows, ventilation grills, external doors and gates in accordance with details approved by 2016/4072/P dated 25/08/17;

b) Details of all new external doors in accordance with details approved by 2016/4072/P dated 25/08/17;

c) Details of all new balustrade, railings and modifications to existing railings in accordance with details approved by 2017/0756/P dated 22/05/17;

d) All facing materials in accordance with details approved by 2016/4072/P dated 25/08/17;

e) All new external servicing, including but not restricted to vents, flues, rainwater goods, SVPS in accordance with details approved by 2017/2208/P dated 11/08/17;

f) All new dormers and alterations to existing dormers in accordance with details approved by 2016/4072/P dated 25/08/17;

g) Brickwork in accordance with details approved by 2016/4072/P dated 25/08/17 maintained for the duration of the works.

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.

11 The detailed design in respect of the Pavillions shall be implemented in accordance with the following approved details:

a) Details of all windows, ventilation grills, external doors and gates in accordance with details approved by 2016/4072/P dated 25/08/17;

b) Details of all new external doors in accordance with details approved by 2016/4072/P dated 25/08/17;

c) Details of all new balustrade, railings and modifications to existing railings in accordance with details approved by 2017/0756/P dated 22/05/17;

d) All facing materials in accordance with details approved by 2016/4072/P dated 25/08/17;

e) All new external servicing, including but not restricted to vents, flues, rainwater goods, SVPS in accordance with details approved by 2017/2208/P dated 11/08/17;

f) All new dormers and alterations to existing dormers in accordance with details approved by 2016/4072/P dated 25/08/17;

g) Curtain walling in accordance with details approved by 2017/3848/P dated 26/07/17.

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.

- 12 All boundary treatment shall be implemented in accordance with 2017/2480/P dated 11/08/17. 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 application site 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.

- 13 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails 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 policies D1 and D2 of the London Borough of Camden Local Plan.

- 14 All landscaping details shall be undertaken in accordance with 2017/4290/P dated 16/04/2018. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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 D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 15 All hard and soft landscaping including replacement tree planting 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 or any phase of the development or prior to the occupation for the permitted use 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 local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and

to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 16 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. Details of tree protection shall be in accordance with those approved by 2016/2991/P dated 09/08/16.

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 A3 of the London Borough of Camden Local Plan 2017.

- 17 Details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, shall be implemented in accordance with details approved by 2016/2991/P dated 09/08/16.

Reason: To ensure 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 A3 of the London Borough of Camden Local Plan 2017.

- 18 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 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 at any of the hereby approved single dwellings without the grant of planning permission having first been obtained from the local planning authority.

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 D1, D2, A1 and A3 of the London Borough of Camden Local Plan 2017.

- 19 Details of the location, design and method of waste storage and removal including recycled materials, shall be implemented in accordance with 2017/0909/P dated 28/09/17. 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 CC5 of the London Borough of Camden Local Plan 2017.

- 20 The two designated spaces for vehicles making deliveries to or collections from the site (as shown on Drawing 157780 PL-ST-105 Rev 3) shall be permanently retained and not used for any other purpose. All vehicles making routine deliveries to / collections from the site shall do so within those spaces. 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 policies A1 and T4 of the London Borough of Camden Local Plan 2017.

- 21 Cycle storage as approved by 2017/4291/P dated 21/09/17 shall be provided in its entirety for each phase prior to the first occupation of any of the new units in that phase, 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.

- 22 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 protect the visual amenity of the area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 23 Prior to final occupation of the development bird and bat boxes as approved by 2017/4290/P dated 16/04/2018 shall be installed and thereafter retained.

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 the London Plan (Consolidated with Alterations Since 2004) and Camden Planning Guidance 2006 and policy A3 of the London Borough of Camden Local Plan 2017.

- 24 Any piling must be undertaken in accordance with the terms of the approved piling method statement approved by 2016/4725/P dated 08/12/2016.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policy CC3 of the London Borough of Camden Local Plan 2017.

- 25 The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted and approved by the Local Planning Authority.

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

- 26 The sustainable drainage system as approved by 2016/2463/P dated 12/08/16 shall be implemented and maintained in accordance with the details approved.

The sustainable drainage system as approved (Drainage Strategy Statement and appendices, Tully De'Ath Consultants, June 2015) shall be installed as part of the development to achieve at least a 50% reduction in run off rate for all storms up to and including a 1:100 year storm with a 30% provision for climate change. The system shall include permeable paving, green roofs, and a total of 307m<sup>3</sup> attenuation storage, as stated in the approved details and shall thereafter retained and maintained in accordance with the approved maintenance plan.

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 CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 27 Prior to occupation, evidence that the drainage system including permeable paving, green roofs, and a total of 307m<sup>3</sup> attenuation storage has been implemented in accordance with the approved details (Drainage Strategy Statement and appendices, Tully De'Ath Consultants, June 2015) as part of the development shall be submitted to the Local Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan.

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 CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 28 The development shall be implemented in accordance with the lighting strategy approved by 2017/4290/P dated 16/04/2018. The lighting strategy shall be fully implemented before the premises are first occupied.

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

- 29 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 policies A1 and A4 of the London Borough of Camden Local Plan 2017.



- 30 Before the use commences, the extract ventilating system and air-conditioning plant, shall be provided with acoustic isolation, sound attenuation and anti-vibration measures in accordance with 2017/4963/P dated 12/10/17. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

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

- 31 Prior to first occupation of the Pavilion buildings and the Skeel Library, green roofs shall be implemented in accordance with details approved by 2017/4290/P dated 16/04/2018 and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies A3 and D1 of the London Borough of Camden Local Plan 2017.

- 32 Prior to occupation of The Chapel, Townhouses, Pavilions and Queen Mothers Hall the pond as approved by 2017/4290/P dated 16/04/2018 shall be implemented and 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 London Borough of Camden Local Plan 2017.

- 33 The precautionary working approach to demolition and construction shall be implemented in accordance with 2016/3069/P dated 09/08/16. All site operatives must be made aware of the possible presence of protected species during works. If any protected species or signs of protected species are found, works should stop immediately and an ecologist should be contacted. The applicant may need to apply for a protected species licence from Natural England, evidence of which should be submitted to the Local Authority.

Reason: To ensure the development contributes towards the protection and creation of habitats and valuable areas for biodiversity in accordance with policy A3 of the London Borough of Camden Local Plan 2017.

- 34 Noise and vibration mitigation shall be implemented in accordance with 2017/4962/P dated 12/10/17. The mitigation measures shall be implemented prior to occupation and remain in place for the lifetime of the development.

Reason: To safeguard the amenities of occupiers of the proposed use in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 35 Passive electric vehicle charging points shall be implemented in accordance with 2017/0059/P dated 25/01/17. The charging points shall be provided in their entirety prior to occupation of any units, in accordance with the details thus approved and thereafter be permanently maintained and retained.

Reason: To encourage the uptake of electric vehicles, in accordance with Policy 6.13 of the London Plan.

- 36 The rainwater recycling as approved by 2016/2463/P dated 12/08/2016 shall be implemented and maintained in accordance with the details approved.

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

- 37 All units within the new replacement buildings of Lord Cameron Hall, Rosalind Franklin Hall, Queen Mother's Hall, the Townhouses and Pavilion shall be designed and constructed in accordance with Building Regulations Part M 4(2) with the exception of 10% of units (no 15) which would be adaptable to M4(3)'. In accordance with details approved by 2017/2481/P dated 13/12/17.

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 C6 of the London Borough of Camden Local Plan 2017.

- 38 The drainage strategy shall be implemented in accordance with details approved by 2016/3993/P dated 13/10/16.

No discharge of foul or surface water from the site shall be made into the public sewer system until the drainage works identified in the strategy have been completed.

Reason: To ensure that sufficient capacity is made available for the new development and to avoid adverse environmental impact in accordance with Policy 5.13 of the London Plan 2011, consolidated with alterations since March 2015.

Informative(s):

- 1 The application is seeking to amalgamate 2 units into 1 within the building of Queen Mother's Hall no external alterations to the building is proposed. The proposal would result in 149 across the site.

The original planning permission allowed for 159 units, this was then reduced via a minor material amendment to 150 and permission is now sought to reduce it further to 149 units. The proposed changes would be to market units only and would not impact on the provision of affordable housing. In terms of unit mix, the proposed amendment would result in 57% of units being either 2 or 3 beds, which are in high demand in the private market and therefore the development would remain in accordance with Policy H7. The proposed unit would be generously sized, providing 3 bed units which are in high demand. As such no objection is raised to

the proposed amendment.

No objections have been received and the site's planning history was taken into account in coming to this decision.

As such, the proposed amendments are in general accordance with policies H1, H6, A1 and DM1 of the Camden Local Plan 2017.

- 2 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).
- 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 Environmental Health Service, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 2090 or by email [env.health@camden.gov.uk](mailto:env.health@camden.gov.uk) or on the website [www.camden.gov.uk/pollution](http://www.camden.gov.uk/pollution)) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 4 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

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

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

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

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

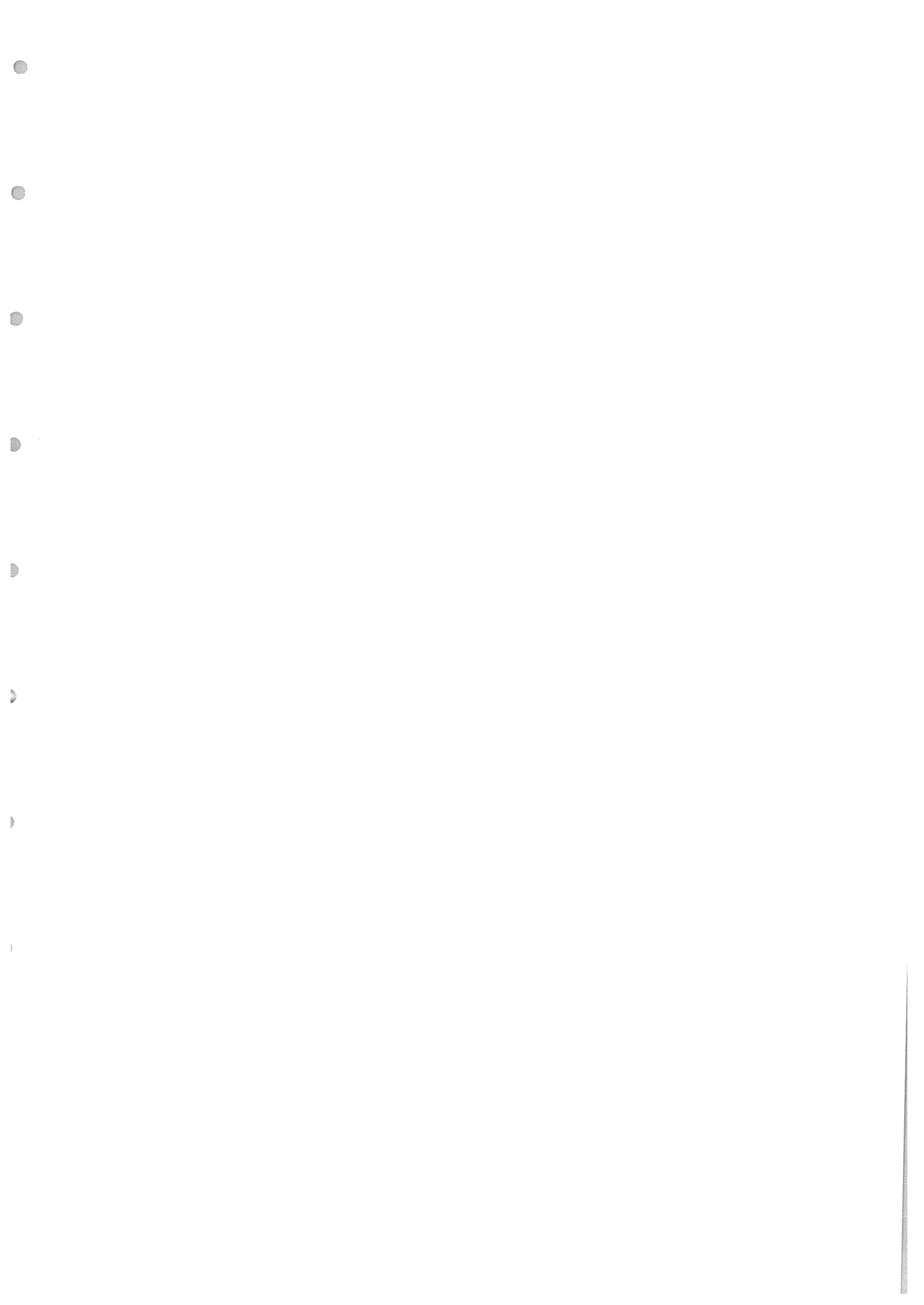
- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 6 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 7 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

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

**DECISION**



DATED

7<sup>TH</sup> NOVEMBER

2018

(1) MOUNT ANVIL (KIDDERPORE) LIMITED

(2) AVON GROUND RENTS LIMITED

(3) NEWLON HOUSING TRUST

(4) NATWEST MARKETS PLC

(5) BARCLAYS BANK PLC

-and-

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

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**FOURTH DEED OF VARIATION**

Relating to the Agreement dated 6 April 2016 between the Mayor and the Burgesses of the London Borough of Camden and Mount Anvil (Kidderpore) Limited under section 106 of the Town and Country Planning Act 1990 (as amended) as varied by the Deed of Variation dated 13 September 2016 the Deed of Variation dated 18 July 2017 and the Deed of Variation dated 26 March 2018 relating to development at premises known as

**KINGS COLLEGE HAMPSTEAD FORMER STUDENT RESIDENCE, KIDDERPORE  
AVENUE, LONDON NW3 7SU**

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Legal/ JL/ 1781.516  
DoV v FINAL