

DATED 8<sup>TH</sup> OCTOBER 2001

**(1) PAUL ANTHONY O'CONNELL and ANGELA MARY COYNE**

-and-

**(2) BARCLAYS BANK PLC**

-and-

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

**AGREEMENT**

Relating to land known as  
80 Westbere Road NW2 3RU

pursuant to Section 106 of the  
Town and Country Planning Act 1990 (as amended)

Alison Lowton  
Borough Solicitor  
London Borough of Camden  
Town Hall  
Judd Street  
London WC1H 9LP

Tel: 020 7974 1918  
Fax: 020 7974 2713

THIS AGREEMENT is made the 8<sup>th</sup> day of OCTOBER 2001

**BETWEEN:**

- (1) **PAUL ANTHONY O'CONNELL and ANGELA MARY COYNE** both of 80 Westbere Road NW2 3RU (hereinafter together called "the Owners") of the first part
- (2) **BARCLAYS BANK PLC (Co No 1026167)** whose registered office is situate at Barclays Mortgage Administration Service PO Box HK444 Leeds, LS11 8DD
- (3) **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Council") of the second part

**WHEREAS**

1. The Owners are registered at HM Land Registry under title number NGL114535 as the freehold proprietors with Title absolute free from encumbrances of the Property.
- 1.1 The Council is the local planning authority for the purposes of the Act and is also the Highway Authority under the Highways Act 1980 for such area.
- 1.2 The Owners are interested in the Property for the purposes of Section 106(9) of the Act.
- 1.3 A Planning Application in respect of the Property was submitted to the Council on 27<sup>th</sup> April 2000 under reference number PW9902877/R1 and the Council resolved on 8<sup>th</sup> June 2000 to grant permission conditionally subject to this Agreement having first been entered into.
- 1.4 The Mortgagee registered its charge over the property on 22 May 1992.
- 1.5 The Council 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 Agreement.
- 1.6 For that purpose the Owners and the Mortgagee are willing to enter into this Agreement pursuant to the provisions of Section 106 of the Act.
- 1.7 The Council is satisfied that the works to be undertaken pursuant to this Agreement are of benefit to the public.

**2. DEFINITIONS**

In this Agreement the following expressions (arranged in alphabetical order) shall unless the context otherwise requires have the following meanings:-

2.1	"the Act"	the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991)
2.2	"the Agreement"	this Planning Obligation made pursuant to Section 106 of the Act.
2.3	"the Planning Application"	the planning application submitted to the Council on 27 April 2000 and given reference number PW9902877/R1.
2.4	"the Development"	Additions and alterations to existing garage building to provide additional accommodation for 8 extra children for the existing nursery school, allowing a total of 28 children. As shown on drawing numbers 80/WBR/SK/3,4,6 & 7 and 80/WPR/PH/3 & 4 (photographs) Transport survey data and covering letter dated 27 April 2000.
2.5	"the Green Travel Plan"	A plan setting out a package of workplace measures to be adopted by the Owners in the management of the Property incorporating, as appropriate to a small scale development, provisions addressing those elements applicable to the operation of a nursery school at the Property set out in the Schedule hereto with a view to reducing commuting and work related trips by promoting the use of environmentally friendly forms of transport.
2.6	"the Implementation Date"	the date of implementation of the Development by the carrying out of a material operation as defined in Section 56 of the Act and references to "Implementation" herein shall be taken to mean implementation by the carrying out of a material operation as defined in Section 56 of the Act
2.7	"Occupation Date"	the first date when any part of the Property is either occupied or opened for business
2.8	the Parties	The Mayor and Burgesses of the London Borough of Camden (the Council) Paul Anthony O'Connell and Angela Mary Coyne (the Owners) and Barclays Bank (the Mortgagee) or, as the case may be, a person deriving title from Paul Anthony O'Connell and Angela Mary Coyne
2.9	"the Planning Permission"	a planning permission granted for the Development substantially in the draft form annexed hereto in respect of the Property



ALL and on behalf of  
POLARIS BANK PLC

its duly appointed Attorney  
under a Power of Attorney dated 11 June 2011  
in the presence of:

Witness

*Christine Ward*  
*Arena*



- 2.10 "the Property" 80 Westbere Road NW2 3RU as the same is shown edged in red for identification purposes only on Plan attached hereto.

**NOW THIS DEED WITNESSETH as follows:-**

- 3.1 This Agreement is made in pursuance of Section 106 of the Act, and is a planning obligation for the purposes of Section 106 as aforesaid, and shall be enforceable by the Council against the Owners and Mortgagee as provided herein and against any person deriving title to the Property from the Owners and Mortgagee and to the extent that its provisions are not planning obligations they shall be enforceable under any other relevant powers of the Council.
- 3.2 It is hereby agreed between the Parties that save for the provisions of clauses 1, 2, 3, 5.1, 5.3, and 6 hereof which shall come into effect on the date hereof covenants undertakings and obligations contained within this Agreement shall only become binding upon the parties upon the Implementation Date.
- 3.3 The Council hereby agrees to grant the Planning Permission on the date hereof.

**THE OWNERS HEREBY JOINTLY COVENANT WITH THE COUNCIL**

4. THE GREEN TRAVEL PLAN

- 4.1 To ensure that the Property is managed in strict accordance with a Green Travel Plan as approved by the Council in accordance with the principles set out in the Schedule hereto or as otherwise varied by agreement in writing with the Council, such agreement not to be unreasonably withheld.

5. NOTICE TO THE COUNCIL/OTHER MATTERS

- 5.1 The Owners shall give written notice to the Council on or prior to the Implementation Date specifying that implementation of the Development has taken or is about to take place.
- 5.2 The Owners shall give written notice to the Council on or prior to the Occupation Date specifying that occupation of the premises to be created by the carrying out of the Development has taken or is about to take place.
- 5.3 The Owners agree declare and covenant with the Council that they shall observe and perform the conditions restrictions and other matters mentioned herein and that they shall not make any claim for compensation in respect of any condition restriction or provision imposed by this Agreement and further shall indemnify the Council for any expenses or liability directly arising to the Council in respect of breach by the Owners of any obligations contained herein.



**6. AGREEMENT AND DECLARATION**

**IT IS HEREBY AGREED AND DECLARED** by the parties hereto that:-

- 6.1 The provisions of Section 196 of the Law of Property Act 1925 (as amended) shall apply to any notice or approval to be served under or in connection with this Agreement and any such notice or approval shall be in writing and shall specifically refer to the name, date and parties to the Agreement and shall cite the clause of the Agreement to which it relates and in the case of notice to the Council shall be addressed to the London Borough of Camden, Planning Obligations Officer, Sites and Projects Team, Planning Division Environment Department, Town Hall Annex, Argyle Street, London WC1H 8EQ and in the case of notice or approval to the Owners shall be addressed to the Owners' address
- 6.3 This Agreement shall be registered as a Local Land Charge.
- 6.4 The Owners agrees to pay the Council its proper and reasonable legal costs incurred in preparing this Agreement on or prior to the date of completion of this Agreement.
- 6.5 The Owners hereby covenant with the Council that they will within 28 days from the date hereof lodge their Land or Charge Certificates in relation to the Property with HM Land Registry and apply to the Chief Land Registrar to register this Agreement in the Charges Register thereof and will furnish the Council forthwith on written demand with office copies of such titles to show the entry of this Agreement in the Charges Register of the title to the Property.
- 6.6 All consideration given in accordance with the terms of this Agreement shall be exclusive of any value added tax properly payable in respect thereof and the Owners shall pay and indemnify the Council against any such value added tax properly payable on any sums paid to the Council under this Agreement upon presentation of an appropriate value added tax invoice addressed to the Owners.
- 6.9 The Owners shall act in good faith and shall co-operate with the Council to facilitate the discharge and performance of all obligations contained herein and the Owners shall comply with any reasonable requests of the Council to have access to any part of the Property or any reasonable requests to provide documentation (at the Owners' expense) for the purposes of monitoring compliance with the obligations contained herein.
- 6.10 Nothing contained or implied in this Agreement shall prejudice or affect the Council's powers to enforce any specific obligation term or condition nor shall anything contained or implied herein prejudice or affect any provisions, rights, powers, duties and obligations of the Council in the exercise of its functions as Local Planning Authority for the purposes of the Act or as a local authority generally and its rights, powers, duties and obligations under all public and private statutes, bye laws and regulations may be as fully and effectually exercised as if the Council were not a party to this Agreement.

6.11 Without prejudice to the liability of any person pursuant to this Agreement in respect of any breach of the terms hereof which occurs before or during the period in which he has an interest on the Property, no person shall have any liability to the Council hereunder in respect of any such breach which occurs after he has disposed of the whole of his interest in the Property.

6.12 Any covenants made hereunder

if made by more than one person as joint owners of the land or a defined part of it are made jointly and severally and

are to the intent that the same shall bind whomsoever shall become a successor or successors in title to the land and

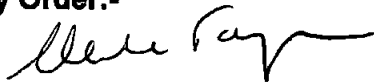
insofar as different parts of the land are owned by different persons and the term "the Owner" consequently comprises more than one person each person who is an owner covenants with the Council and with one another to co operate insofar as they are able to ensure that the covenants herein expressed to be made on behalf of "the Owner" are fulfilled as expeditiously as possible

6.13 The Contracts (Rights of Third Parties) Act shall not apply to this agreement and no person or persons other than the parties to this agreement shall have any rights under it nor shall it be enforceable by any other party other than those parties to this agreement for the purposes of that Act.

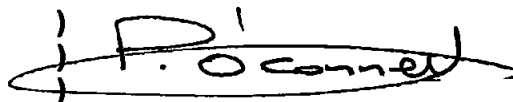
6.14 The Mortgagee hereby consents to the giving of the obligations on the part of the Owners herein contained and the Mortgagee hereby agrees to be bound by the said obligations. .

**IN WITNESS** whereof the Owners and Mortgagee have executed this Agreement as a deed and the Council has caused its common seal to be affixed the day and year first above written.

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



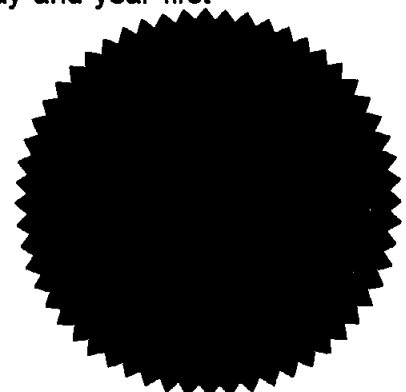
SIGNED AS A DEED by  
PAUL ANTHONY O'CONNELL  
In the presence of



Witness



HR ROBERTS



SIGNED AS A DEED by  
ANGELA MARY COYNE  
In the presence of

) A G



HR ROBERTS

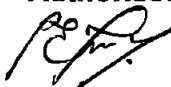
.....  
Witness

SIGNED AS A DEED as ATTORNEY  
on behalf of BARCLAYS BANK PLC

.....

Authorised Signatory

SIGNED for and on behalf of  
BARCLAYS BANK PLC



Pamela Elaine Frick

its duly appointed Attorney

Under a Power of Attorney dated 18 June 2001  
presence of:

Christine Ward

Page 30

Ward



## **SCHEDULE**

### **THE GREEN TRAVEL PLAN**

The Owners shall ensure that the Green Travel Plan incorporates provisions addressing the matters set out below, subject to clause 4.1 of this Agreement

#### **Specific Requirements**

Commitment of Montessori Nursery School to implement reasonable measures to return the number of private cars used for transportation of children attending the nursery to the level surveyed before implementation of the Planning Permission (15 private cars between 08.00-10.00hr). This should be achieved within 2 years of occupation of the new space.

#### **Review, management and promotion**

- 1) ongoing senior management commitment and consultation with staff
- 2) annual staff travel surveys and management systems to monitor the effectiveness of the plan
- 3) a designated staff travel co-ordinator within the Development to be responsible for implementing the green travel plan
- 4) a communications strategy within the Development about the benefits of the green travel plan

#### **Public Transport Initiatives**

- 1) Provide in-house public transport information (both London Transport and National Rail travel information is available from their respective websites: [www.londontransport.co.uk](http://www.londontransport.co.uk)/[www.railtrack.co.uk](http://www.railtrack.co.uk))
- 2) Liase with the Council and public transport operators to improve routes and services

#### **Cycling Initiatives**

workplace cycling measures - include providing:

- 1) secure and well-lit workplace cycle parking
- 2) Changing and showering facilities and clothing and storage lockers
- 3) Provide work related insurance and loans for cycle use

- 4) Cycle pool for work-related journeys
- 5) Liase with the Council to improve cycle routes to/from worksite

#### **Other initiatives**

- 1) Encourage walking through the provision of information on the best pedestrian routes to and from the worksite for staff and visitors
- 2) The use of vehicle sharing schemes based on home addresses for reducing the need for individual private car travel.
- 3) Provision of storage facilities for parents to leave buggies with children, making walking more accessible.
- 4) Provision of interest-free season ticket loans/subsidy for staff.

#### **Review Mechanisms**

To report to the Council at least once every three years such review to deal with the following matters:-

- details documenting the effectiveness of the existing plan including reports of staff travel surveys, operation of monitoring mechanisms and initiatives implemented
- proposals for appropriate amendments to the Plan

In considering any amendments to the Plan the Council will have regard to the information submitted, the developing context of Green Transport and any changes to the operating needs of the Development

**Development Control  
Planning Services**  
London Borough of Camden  
Town Hall  
Argyle Street  
London WC1H 8ND  
Tel 020 7278 4444  
Fax 020 7974 1975

Mr G Ellis-Ricketts  
Portcullis Architecture  
165B Brent Street  
Hendon  
London  
NW4

Application No: PW9902877/R1  
Case File:F2/10/8

**DRAFT**

Dear Sir(s)/Madam

**DECISION**

Town and Country Planning Act 1990  
Town and Country Planning (General Development Procedure)  
Order 1995  
Town and Country Planning (Applications) Regulations 1988

PERMISSION FOR DEVELOPMENT - Subject to Conditions

Address :  
80 WESTBERE ROAD, NW2

Date of Application : 27/04/2000

Proposal :

Additions and alterations to existing garage building to provide additional accommodation for 8 extra children for the existing nursery school, allowing a total of 28 children,  
As shown on drawing numbers; 80/WBR/SK/3, 4, 6 & 7 and 80/WPR/PH/3 & 4 (photographs) Transport survey data and covering letter dated 27 April 2000.

The Council has considered your application and decided to grant permission subject to the following conditions:

Standard condition:

The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.

Standard Reason:

In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.



**DRAFT**

**Additional conditions:**

- 1 The use of the converted garage building hereby permitted as part of the day nursery shall not be carried out otherwise than between the hours of 08.00 and 18.00 on **Mondays to Fridays only**. It shall not be carried out at any time on Saturdays, Sundays and Bank Holidays
- 2 The use of the converted garage building hereby permitted shall be as a day nursery and for no other purpose within Class D1 of the Schedule of the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking that Order.
- 3 This permission shall be personal to **Ms. Angela Coyne** during her occupation and shall not enure for the benefit of the land. On her vacating the premises the use shall revert to the lawful use for garage space ancillary to the existing residential accommodation.
- 4 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, including the new wall
- 5 The doors and windows shall be timber framed and painted, and permanently retained as such thereafter.

**Reasons for additional conditions:**

- 1-2 To safeguard the amenities of the adjoining premises and the area generally.
- 3 In granting this permission the Council has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over any subsequent use in the event of **Ms A Coyne** vacating the premises.
- 4-5 To ensure that the Council may be satisfied with the external appearance of the building.



**Development Control  
Planning Services**  
London Borough of Camden  
Town Hall  
Argyle Street  
London WC1H 8ND

Tel 020 7278 4444  
Fax 020 7974 1975

**DRAFT**

Informatives (if applicable)

- 1 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.

This application was dealt with by Vanessa Leddra on 020 7974 2078.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

*M.W. Gilks*

Environment Department

(Duly authorised by the Council to sign this document)

DecfplanWC/TPFU



DATED

8<sup>TH</sup> OCTOBER

2001

**(1) PAUL ANTHONY O'CONNELL and ANGELA MARY COYNE**

**-and-**

**(2) BARCLAYS BANK PLC**

**-and-**

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

.....

**AGREEMENT**

Relating to land known as  
80 Westbere Road NW2 3RU

pursuant to Section 106 of the  
Town and Country Planning Act 1990 (as amended)

.....

**Allison Lowton  
Borough Solicitor  
London Borough of Camden  
Town Hall  
Judd Street  
London WC1H 9LP**

**Tel: 020 7974 1947  
Fax: 020 7974 2713**

**S:/plan/pss/S106s/Westbere**

**20218**

# Camden

Borough Solicitor's Branch

## memo

<b>To: Phil Mills B.S.U.</b>	<b>From: Pritpal Singh Swarn</b>
<b>Date: 12th October 2001</b>	<b>Ext: 1918</b>
	<b>Ref: PW9902877</b>

**RE: TOWN AND COUNTRY PLANNING ACT 1990  
SECTION 106 AGREEMENT  
PROPERTY: 80 WESTBERE ROAD, LONDON NW2**

I should be grateful if you would replace the attached planning permission with the one you have with the above Section 106 Agreement which was completed on 8<sup>th</sup> October.

Thanks

**PRITPAL SINGH SWARN  
ASSISTANT SOLICITOR  
PLANNING/COMMERICAL LAW TEAM  
FOR BOROUGH SOLICITOR**

# Camden

Borough Solicitor's Branch



**Development Control  
Planning Services**  
London Borough of Camden  
Town Hall  
Argyle Street  
London WC1H 8ND

Tel 020 7278 4444  
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Mr G Ellis-Ricketts  
Portcullis Architecture  
165B Brent Street  
Hendon  
London  
NW4

Application No: PW9902877/R1  
Case File:F2/10/8

8th October 2001

Dear Sir(s)/Madam

**DECISION**

Town and Country Planning Act 1990  
Town and Country Planning (General Development Procedure)  
Order 1995  
Town and Country Planning (Applications) Regulations 1988

PERMISSION FOR DEVELOPMENT - Subject to Conditions

Address :  
80 WESTBERE ROAD, NW2

Date of Application : 27/04/2000

Proposal :

**Additions and alterations to existing garage building to provide additional accommodation for 8 extra children for the existing nursery school, allowing a total of 28 children,**

**As shown on drawing numbers; 80/WR/SK/3, 4, 6 & 7 and 80/WPR/PH/3 & 4 (photographs) Transport survey data and covering letter dated 27 April 2000.**

The Council has considered your application and decided to grant permission subject to the following conditions:

Standard condition:

The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.

Standard Reason:

In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.



INVESTOR IN PEOPLE

Director Peter Bishop

**Development Control**

**Planning Services**

London Borough of Camden  
Town Hall

Argyle Street  
London WC1H 8ND

Tel 020 7278 4444  
Fax 020 7974 1975

Additional conditions:

- 1 The use of the converted garage building hereby permitted as part of the day nursery shall not be carried out otherwise than between the hours of **08.00 and 20.00 on Mondays to Fridays only**. It shall not be carried out at any time on Saturdays, Sundays and Bank Holidays
- 2 The use of the converted garage building hereby permitted shall be as a day nursery and for no other purpose within **Class D1** of the Schedule of the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking that Order.
- 3 This permission shall be personal to **Ms. Angela Coyne** during her occupation and shall not enure for the benefit of the land. On her vacating the premises the use shall revert to the lawful use for garage space ancillary to the existing residential accommodation.
- 4 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, including the new wall
- 5 The doors and windows shall be timber framed and painted, and permanently retained as such thereafter.

Reasons for additional conditions:

- 1-2 To safeguard the amenities of the adjoining premises and the area generally, in accordance with the requirements of policies RE6 and EN1 of the London Borough of Camden Unitary Development Plan 2000
- 3 In granting this permission the Council has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over any subsequent use in the event of **Ms A Coyne** vacating the premises in accordance with policy HG1 of the London Borough of Camden Unitary Development Plan 2000
- 4 To ensure that the Council may be satisfied with the external appearance of the building, in accordance with the requirements of policies EN1 and EN16 of the London Borough of Camden Unitary Development Plan 2000.



**Development Control  
Planning Services**

London Borough of Camden  
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Argyle Street  
London WC1H 8ND

Tel 020 7278 4444  
Fax 020 7974 1975

- 5 To ensure that the Council may be satisfied with the external appearance of the building, in accordance with the requirements of policies EN1 and EN21 of the London Borough of Camden Unitary Development Plan 2000.

Standard Informative: You are advised that any references in this decision to specific policies in the adopted Unitary Development Plan are references to the policy numbers in the final published version of the Plan, dating from April 2nd 2001. The reference number is likely to be different from the reference number to the same policy in the published version of the Plan before that date.

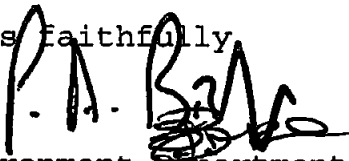
Informatives (if applicable)

- 1 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.

This application was dealt with by Vanessa Leddra on 020 7974 2078.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully



Environment Department  
(Duly authorised by the Council to sign this document)

DecfplanWC/TPFU



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Mr G Ellis-Ricketts  
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165B Brent Street  
Hendon  
London  
NW4

Application No: PW9902877/R1  
Case File: F2/10/8

8<sup>TH</sup> OCTOBER 2001

Dear Sir(s)/Madam

**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**

Town and Country Planning Act 1990  
Town and Country Planning (General Development Procedure)  
Order 1995  
Town and Country Planning (Applications) Regulations 1988

**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address :  
80 WESTBERE ROAD, NW2

Date of Application : 27/04/2000

Proposal :

Additions and alterations to existing garage building to provide additional accommodation for 8 extra children for the existing nursery school, allowing a total of 28 children,

As shown on drawing numbers; 80/WBR/SK/3, 4, 6 & 7 and 80/WPR/PH/3 & 4 (photographs) Transport survey data and covering letter dated 27 April 2000.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below AND 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 Aiden Brooks in the Legal Department on 0207 314 1947.



**Development Control  
Planning Services**

London Borough of Camden  
Town Hall  
Argyle Street  
London WC1H 8ND

Tel 020 7278 4444  
Fax 020 7974 1975

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

Conditions and informatives (if applicable)

Standard condition:

The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.

Standard Reason:

In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

Additional conditions:

- 1 The use of the converted garage building hereby permitted as part of the day nursery shall not be carried out otherwise than between the hours of **08.00 and 18.00 on Mondays to Fridays only**. It shall not be carried out at any time on Saturdays, Sundays and Bank Holidays
- 2 The use of the converted garage building hereby permitted shall be as a day nursery and for no other purpose within **Class D1** of the Schedule of the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking that Order.
- 3 This permission shall be personal to **Ms. Angela Coyne** during her occupation and shall not enure for the benefit of the land. On her vacating the premises the use shall revert to the lawful use for garage space ancillary to the existing residential accommodation.
- 4 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, including the new wall
- 5 The doors and windows shall be timber framed and painted, and permanently retained as such thereafter.





**Development Control  
Planning Services**  
London Borough of Camden  
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Argyle Street  
London WC1H 8ND  
Tel 020 7278 4444  
Fax 020 7974 1975

Reasons for additional conditions:

- 1-2 To safeguard the amenities of the adjoining premises and the area generally, in accordance with the requirements of policies RE2 and EN1 of the London Borough of Camden Unitary Development Plan 2000
- 3 In granting this permission the Council has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over any subsequent use in the event of **Ms A Coyne** vacating the premises in accordance with policy HG1 of the London Borough of Camden Unitary Development Plan 2000
- 4-5 To ensure that the Council may be satisfied with the external appearance of the building, in accordance with the requirements of policies EN1 and EN21 of the London Borough of Camden Unitary Development Plan 2000.

Informatives (if applicable)

- 1 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.

This application was dealt with by Vanessa Leddra on 020 7974 2078.

Yours faithfully

Environment Department  
(Duly authorised by the Council to sign this document)

Legal106



## **STATEMENT OF APPLICANTS RIGHT OF APPEAL FOLLOWING REFUSAL OF LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT OR CONSENT SUBJECT TO CONDITIONS, AND OTHER INFORMATION**

### **1. Appeals to the Secretary of State**

If you are unhappy about the Council's decision to refuse listed building consent or conservation area consent for the proposed works or to grant consent subject to conditions, you may appeal to the Secretary of State for the Environment under Section 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

You must appeal within 6 months of the date of the decision notice using a form which is only available from. **The Planning Inspectorate at Tollgate House, Houlton Street, Bristol BS2 9DJ.** The Secretary of State can allow a longer period for giving notice of an appeal, but will not usually use this power unless there are special circumstances which excuse any delay in giving notice of appeal.

### **2 Purchase Notice**

If listed building consent or conservation area consent is refused or granted subject to conditions whether by the local planning authority or the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of works which have been, or would be permitted, the owner may serve on the Council a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **3 Compensation**

In certain circumstance a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. These circumstances are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **4 Further Information**

This permission is given subject to due compliance with the Town and Country Planning Act, any local Acts, regulations, by-laws and general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance or be deemed to be a consent by the Council thereunder.

You attention is drawn to the London Building Acts 1930-39 (as amended), and the Building Regulations 1985 which must be complied with to the satisfaction of the Council's Building Control Section, 6<sup>th</sup> Floor, Camden Town Hall, Argyle Street, London WC1H 8ND (tel: 020 974 6941).

I would also remind you that the Council's permission does not modify or affect any personal or restrictive covenants, easements, etc. applying to, or affecting, either this land or any other land or the rights of any persons (including the London Borough of Camden) entitled to the benefits thereof or holding an interest in the property concerned in this development or in any adjoining property. The granting of listed building consent does not remove the necessity of also obtaining planning permission where such permission is required.