

DATED

17 March

2021

**(1) ELEBRO LIMITED**

and

**(2) OAKNORTH BANK PLC**

and

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

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**DEED OF VARIATION**

Relating to the Agreement dated 11 May 2016  
Between the Mayor and the Burgesses of the  
London Borough of Camden and the British Transport Police Authority and Elebro Limited  
under section 106 of the Town and  
Country Planning Act 1990 (as amended)  
Relating to development at premises known as  
**140-146 CAMDEN STREET, LONDON NW1 9PF**

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

Tel: 020 7974 5826

CLS/COM/SW/1800.1656  
DoV Engrossment

THIS DEED is made on the 17<sup>th</sup> day of March 2021

**BETWEEN**

1. **ELEBRO LIMITED** (Co. Regn. No. 916101) whose registered office is at Bath House, 16 Bath Row, Stamford PE9 2QU (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
3. **OAKNORTH BANK PLC** (Co. Regn. No. 08595042) of 3rd Floor, 57, Broadwick Street, Soho, London, England, W1F 9QS (hereinafter called the "Chargee") of the third part

**WHEREAS:**

- 1.1 The Council and the British Transport Police Authority and the Owner entered into the Original Agreement dated 11 May 2016 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended).
- 1.2 The Council and the Owner entered into the First Deed of Variation and the Second Deed of Variation and the Third Deed of Variation to amend the Original Agreement.
- 1.3 The Owner is registered at the Land Registry as the freehold proprietor with Title absolute of the Property under Title Number LN156935.
- 1.4 The Owner is the freehold owner of and is interested in the Property for the purposes of Section 106 of the Act.
- 1.5 The Chargee holds a registered charge over the Property dated 8 July 2020 and has agreed to join into this Agreement in the manner hereinafter provided.

- 1.6 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.
- 1.7 A new Planning Application in respect of the Property under Section 73 of the Act for variation of conditions of the Existing Planning Permission was submitted to the Council by the Owner and validated on 20 July 2020 for which the Council resolved to grant permission conditionally under reference 2020/3219/P subject to the conclusion of this Deed.
- 1.8 This Deed is made by virtue of the Town and Country Planning Act 1990 Section 106 (as amended) and is a planning obligation for the purposes of that section.
- 1.9 Without prejudice to the terms of the other covenants contained in the Original Agreement the parties hereto have agreed to vary the terms of the Original Agreement as hereinafter provided.

## **2 INTERPRETATION**

- 2.1 All words and phrases defined in the Original Agreement shall have the same meaning in this Deed save where the context otherwise dictates and for the avoidance of any doubt the Original 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 Original Agreement are to clauses within the Original Agreement.
- 2.3 Where in this Deed reference is made to a clause schedule or recital such reference (unless the context otherwise requires) is a reference to a clause schedule or recital of this Deed.
- 2.4 Headings are for ease of reference only and are not intended to be construed as part of this Deed and shall not be construed as part of this Deed and shall not 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.

2.7.1 "Deed" this Deed of Variation made pursuant to Section 106A of the Act

2.7.2 "Original Agreement" the Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) dated 11 May 2016 made between the Owner and the Council and the British Transport Police Authority as amended by the First Deed of Variation and the Second Deed of Variation and the Third Deed of Variation

2.7.3 "the Existing Planning Permission" means the planning permission granted by the Council on 10 July 2020 referenced 2019/5155/P

2.7.4 "the First Deed of Variation" the Deed of Variation under the Town and Country Planning Act 1990 (as amended) dated 28 November 2017 made between the Council and the Owner

2.7.6 "the Second Deed of Variation" the Deed of Variation under the Town and Country Planning Act 1990 (as amended) dated

10 September 2019 made between the Council and the Owner

2.7.6 "the Third Deed of Variation"

the Deed of Variation under the Town and Country Planning Act 1990 (as amended) dated 10 July 2020 made between the Council and the Owner

**3 VARIATION TO THE ORIGINAL AGREEMENT**

3.1 The following definitions contained in the Original Agreement shall be varied as follows:

3.1.1 "Development"

variation of condition 2 (approved plans) of planning permission ref. 2014/7908/P (as later amended by planning permission ref. 2017/1407/P dated 28/11/19, 2019/3403/P dated 10/09/2019 and 2019/5155/P dated 10/07/2020) for demolition of the existing buildings and erection of 1 - 8 storey building (plus basement excavation) comprising 2,026sqm of commercial floorspace (flexible B1 use class) and 52 residential units with associated landscaping, namely to introduce projecting balconies on the southern (canalside) and eastern (courtyard) elevations only as shown on drawing numbers: revised drawings: A111-Rev H; A113-Rev. N; A114-Rev N; A115-Rev M; A116-Rev O; A117-Rev O; A118-Rev O; A119-Rev N; A120-Rev M; A121-Rev O; A211-Rev L; A212-Rev O; A213-Rev N; A214-Rev M; A215-Rev O; A216-Rev N; A311-Rev J; A312-Rev J; A313-Rev L; A314-Rev O

Superseded: A110-Rev G; A111-Rev G; A113-Rev.M A114-Rev L; A115-Rev K; A116-Rev M; A117-Rev M; A118-Rev M; A119-Rev L; A120; Rev K; A121-Rev M; A211-Rev K; A212-Rev M; A213-Rev M; A214-Rev L; A215-Rev M; A216-Rev M; A311-Rev.H; A312-Rev G; A313-Rev J; A314-Rev M; A315-Rev F

3.1.2 "Planning Permission" the planning permission for the Development pursuant to the Planning Application in the form of the draft annexed hereto

3.1.3 "Planning Application" the application for Planning Permission in respect of the Property validated on 20 July 2020 and given reference number 2020/3219/P

3.2 All planning permission references in Clause 5 and Clause 6 of the Original Agreement shall be to reference 2020/3219/P.

3.3 A new clause 7.5 shall be added to the Original Agreement as follows:

"7.5 The Chargee acknowledges and declares that this Agreement has been entered into by the Owner with its consent and that subject to as herein provided the Property shall be bound by the obligations contained in this Agreement and that the security of the charge over the Property shall take effect subject to this Agreement provided that the Chargee (and any future mortgagee) shall otherwise have no liability under this Agreement unless it takes possession of the Property or part thereof in which case it too will be bound by the obligations as if it were a person deriving title from the Owner as appropriate."

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

**4. COMMENCEMENT**

4.1 Without prejudice to the effect of Clause 3.5 in the Original Agreement the provisions in this Deed shall take effect on the Implementation of the Planning Permission referenced 2020/3219/P.

**5. PAYMENT OF THE COUNCIL'S LEGAL COSTS**

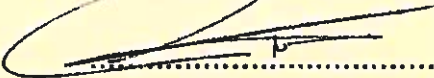
5.1 The Owner agrees to pay the Council (on or prior to completion of this Deed) its reasonable legal costs incurred in preparing this Deed.

**6. REGISTRATION AS LOCAL LAND CHARGE**

6.1 This Deed shall be registered as a Local Land Charge.


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

EXECUTED AS A DEED BY )  
ELEBRO LIMITED )  
acting by a Director )

  
.....

Director

In the presence of:


Witness signature:  
  
.....

Witness Name:  
Emma Steyn  
.....

Witness Address:  
9 Spencer Hill, Sun 194PA  
.....



EXECUTED AS A DEED BY  
OAKNORTH BANK PLC  
acting by a ~~Director~~ an Authorised Signatory )

)  
)  
  
ANKUR SINGH

.....  
~~Director~~ Ankur Singh (Authorised Signatory)

In the presence of:

Witness signature:

  
.....

Witness Name:

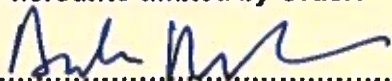
Jodie Miller  
.....

Witness Address:

57 Broadwick Street, London W1F 9QS  
.....

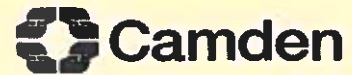
THE COMMON SEAL OF THE  
MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF CAMDEN  
was hereunto affixed by Order:-

)  
)  
)  
)



.....  
Authorised Signatory





Application ref: 2020/3219/P  
Contact:  
Tel: 020 7974  
Date: 25 February 2021

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

Phone: 020 7974 4444

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

ROK Planning  
16 Upper Woburn Place  
London  
WC1H0AF

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:  
**140-146**  
**Camden Street**  
**London**  
**NW1 9PF**

**PROPOSAL**  
**DECISION**

Proposal:  
Variation of condition 2 (approved plans) of planning permission ref. 2014/7908/P (as later amended by planning permission ref. 2017/1407/P dated 28/11/19, 2019/3403/P dated 10/09/2019 and 2019/5155/P dated 10/07/2020) for Demolition of the existing buildings and erection of 1 - 8 storey building (plus basement excavation) comprising 2,026sqm of commercial floorspace (flexible B1 use class) and 52 residential units with associated landscaping, namely to introduce projecting balconies on the southern (canalside) and eastern (courtyard) elevations only and remove green wall

Drawing Nos:

Revised drawings: A111-Rev H; A113-Rev. N; A114-Rev N; A115-Rev M; A116-Rev O; A117-Rev O; A118-Rev O; A119-Rev N; A120-Rev M; A121-Rev O; A211-Rev L; A212-Rev O; A213-Rev N; A214-Rev M; A215-Rev O; A216-Rev N; A311-Rev J; A312-Rev J; A313-Rev L; A314-Rev O

Superseded drawings: A110-Rev G; A111-Rev G; A113-Rev.M A114-Rev L; A115-Rev K; A116-Rev M; A117-Rev M; A118-Rev M; A119-Rev L; A120; Rev K; A121-Rev M; A211-Rev K; A212-Rev M; A213-Rev M; A214-Rev L; A215-Rev M; A216-Rev M; A311-Rev.H; A312-Rev G; A313-Rev J; A314-Rev M; A315-Rev F

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 2014/7908/P (dated 11/05/2016).

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, condition no.2 of planning permission 2019/5155/P dated 10/07/2020 shall be replaced with the following condition:

**REPLACEMENT CONDITION 2**

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

Drawings: D-CSC3-A100; D-CSC3-A101; D-CSC3- A102; D-CSC3A103; D-CSC3-A104; D-CSC3-A105; D-CSC3-A201; D-CSC3-A202; D- CSC3-A203; DCSC3-A204; D-CSC3-A205; D-CSC3-A206; D-CSC3-A207; D-CSC3- A208; D-CSC3A209; A110-Rev G; A112-Rev J; A113-Rev L; A311-Rev G; A315-Rev C; A111-Rev H; A113-Rev. N; A114-Rev N; A115-Rev M; A116-Rev O; A117-Rev O; A118-Rev O; A119-Rev N; A120-Rev M; A121-Rev O; A211-Rev L; A212-Rev O; A213-Rev N; A214-Rev M; A215-Rev O; A216-Rev N; A311-Rev J; A312-Rev J; A313-Rev L; A314-Rev O

Documents: Affordable Housing Statement including Planning Obligations by Douglas Birt Consulting dated Feb 2015; Air Quality Assessment Update by Air Quality Consultants dated 20/02/15; Arboricultural Impact Assessment Ref: CHL/CMD/AIA/03a by Landmark Trees dated 08/12/14; Basement Impact Assessment v7 by Price & Myers dated May 2015; Biodiversity and Ecological Assessment June by The Ecology Consultancy dated 04/06/14; BREEAM Report v3 by Price and Myers dated 26/06/14; Camden Street Materials Statement by Price & Myers undated; Code of Sustainable Homes Pre-Assessment Report v2 by Price and Myers dated 16/12/14; Construction Management Plan by Chassay + Last dated 09/12/14; Daylight within the Proposed Development by Anstey Horne dated 08/12/14; Daylight & Sunlight Report by Anstey Horne dated 09/12/14; Daylight & Sunlight Report Addendum Letter by Anstey Horne dated 19/02/15; Design & Access Statement (Including Waste Storage & Collection Strategy) by Chassay + Last dated Dec 2014; Existing Commercial Employment and Marketing Report by Goldstein Leigh dated 01/06/14; Existing Commercial Schedule of Accommodation by Chassey & Last dated 15/12/14; Independent Review of Assessment of Viability by BPS Chartered Surveyors dated 09/03/15; Independent Review of Assessment of Viability Addendum by BPS Chartered Surveyors dated 14/05/15; Landscape Design & Access Statement by Turkington Martin dated Dec 2014; Letter Replying to Viability Analysis from Allsop dated 11/05/15; Letter Replying to Review of Viability from Douglas Birt Consulting dated 01/07/15; Letters Replying to BIA review from Price & Myers dated 14/05/15 & 10/06/15; Lifetime Homes Statement and Wheelchair Accessibility Rev A by Chassay + Last dated Feb 2015; Marketing Letter from Roy Hayim dated 06/11/13; Revised Independent Assessment of Re-revised Basement Excavation Justification for Planning Application 2014/7908/P by Chelmer dated July 2015; Statement of Community involvement by Bellenden dated Dec 2014; Secured by Design by Chassay + Last dated Dec 2014; Service Strategy by KUT Associates dated 15/07/13; Services Strategy for the Provision of Building Services v5 by KUT Associates dated 02/02/15; Structural Engineering Design Summary by Price & Myers dated May 2015; Townscape, Heritage and Visual Impact Assessment by City Designer dated 10/12/14; Townscape, Heritage and Visual Impact Assessment Addendum by City Designer dated 19/02/15; Townscape, Heritage and Visual Impact Assessment Addendum 2 by City Designer dated 03/07/15; Transport Statement by TTP Consulting dated Dec 2014; and Viability Report relating to Employment Floorspace by Currell Commercial dated 17/12/14; Planning statement (dated June 2019); Energy Strategy Justification document prepared by Whitecode Design Associates (24 January 2020); Acoustic Assessment prepared by RBA Acoustics; Energy Strategy Revision 1 3/10/19 by Whitecode Design Associates; Energy Strategy Addendum 3/10/19 by Whitecode Design Associates; Covering letter by ROK 17/1/20; Cover letter dated 20th July

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

- 3 Prior to commencement of the relevant phase of the works, detailed drawings, and/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 development is begun:
  - a) Plan, elevation and section drawings, including jambs, head and cill, of all new external windows and doors including shopfronts at a scale of 1:10;
  - b) Typical details of railings and balustrades at a scale of 1:10, including method of fixing;

- c) Details elevations and section showing typical facing brick arrangement including expansion joints and brick detailing;
- d) Samples and manufacturer's details of new facing materials including brickwork, windows and door frames, balustrades, glazed tiles and faience and any other facing materials;
- e) A sample panel of brickwork for each brick colour and brick pattern (incl. 'hit-and-miss' elements and textured feature walls) being no less than 1m by 1m including junction with window opening demonstrating the proposed colour, texture, face-bond, pointing, expansion joints and vertical and horizontal banding. Submission in respect of this sample means erection on site for inspection and approval by the local planning authority.

The relevant part of the development 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 Camden Local Plan 2017.

- 4 Prior to the commencement of work on the superstructure, full details of hard and soft landscaping and means of enclosure of all un-built, open areas shall have been submitted to and approved by the local planning authority in writing. Such details shall include details of proposed screening, roof terrace design, roof terrace planting, and canal side planting and a programme for implementation. The development 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 A1, D1 and D2 of the Camden Local Plan 2017.

- 5 The following schedule of cycle parking facilities shall be provided in their entirety prior to the first occupation of any of the new units and permanently retained thereafter-

Commercial: 24 spaces  
Social Rented: 12 spaces  
Shared Ownership: 28 spaces  
Private: 64 spaces  
Total: 128 spaces

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policies T1 and T2 of the Camden Local Plan 2017.

- 6 Prior to the commencement of work on the superstructure, a plan showing details of the green roof (including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance) shall be submitted to and approved in writing by the local planning authority.

The green roof shall be fully provided in accordance with the approved details prior to first occupation and shall be retained and maintained in accordance with the approved scheme of maintenance thereafter.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CC1, CC2, CC3, CC4, D1, D2, A2 and A3 of the Camden Local Plan 2017.

- 7 Prior to the commencement of work on the superstructure, full details of a sustainable urban drainage system, detailing any on and/or off site drainage works shall be submitted to and approved in writing by the local planning authority. Such a system should be designed to accommodate all storms up to and including a 1:100 year storm with a 30% provision for climate change, and shall demonstrate a 50% reduction in run off rate from the existing condition. This shall also include details of how the system shall be maintained and managed after completion.

The system shall be completed before the development is occupied and thereafter retained and maintained.

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 A1, D1, D2, CC1, CC2, CC3 and CC4 of the Camden Local Plan 2017.

- 8 The noise level in rooms at the development hereby approved shall meet the noise standard specified in British Standard BS8233:2014 for internal rooms and external amenity areas. Details of noise protection measures within the development shall be submitted to and approved by the local planning authority prior to the commencement of work on the superstructure. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure the occupiers of the proposed flats are not unduly disturbed by nuisance from traffic noise, in accordance with policies A1 and A4 of the Camden Local Plan 2017.

- 9 Prior to the commencement of work on the superstructure, details shall be submitted to and approved in writing by the local planning authority of an enhanced sound insulation value  $D_{nT,w}$  and  $L_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings (namely the living room and kitchen above the bedroom of a separate dwelling). Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure the occupiers of the proposed flats are not unduly disturbed by nuisance from traffic noise, in accordance with policies A1 and A4 of the Camden Local Plan 2017.

- 10 Prior to the commencement of work on the superstructure, a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to first occupation of the development and permanently retained thereafter.

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 policies A2 and A3 of the Camden Local Plan 2017.

- 11 No part of the flat roof areas hereby approved, other than those specifically indicated as such on the approved drawings, shall be used as roof terraces. Other than the approved roof terraces, the use of these flat roof areas shall be for maintenance purposes only.

Reason: In order to prevent any detrimental impacts of overlooking and/or noise and disturbance of the neighbouring premises in accordance with the requirement of policies A1 and A4 of the Camden Local Plan 2017.

- 12 All trees growing on adjoining sites and public land shall be retained and protected from damage prior to commencement of works on site in accordance with the approved protection details in Arboricultural Impact Assessment Ref: CHL/CMD/AIA/03a by Landmark Trees dated 08/12/14.

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 Camden Local Plan 2017.

- 13 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, 'man-safe' rails or satellite dishes shall be fixed or installed on the external face of the buildings hereby permitted, 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, D2 and C6 of the Camden Local Plan 2017.

- 14 At least 28 days before building of the superstructure commences:

(a) a written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas shall be submitted to and approved by the local planning authority; and

(b) following the approval detailed in paragraph (a), an investigation shall be carried out in accordance with the approved programme and the results and a written scheme of remediation measures [if necessary], shall be submitted to and approved by the local planning authority.

The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority prior to occupation.



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

- 15 At the end of the construction work, and prior to occupation of the development, the waterway wall should be resurveyed and a report submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust which outlines evidence of any damage caused to the waterway wall by the construction work and if necessary a method statement and repairs schedule (including a programme of implementation) to make good any damage.

Any such works shall be carried out in accordance with the approved method statement and repairs schedule prior to occupation of the development.

Reason: To protect the visual amenity and safety of the area in accordance with the requirements of policies A1, D1, D2, C5 and C6 of the Camden Local Plan 2017.

- 16 Prior to the commencement of work on the superstructure, details of measures (including privacy screens, non-trafficable areas and screen planting) to minimise the opportunities for overlooking of flats within the development from all private/communal terraces and balconies, shall be submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the details thus approved prior to occupation and maintained and permanently retained thereafter.

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

- 17 A contract for the carrying out the work on the development of the superstructure shall be provided and completed within 6 months of the demolition of the site commencing.

Reason: To protect the visual amenity of the area in accordance with the requirements of policies A1, D1 and D2 of the Camden Local Plan 2017.

- 18 The waste facility as approved shall be provided and available for use 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 policies CC5, A1 and A4 of the Camden Local Plan 2017.

- 19 Unit A.12, as indicated on plan number D-CSC3-A114-Rev.J hereby approved, shall be designed and constructed in accordance with Building Regulations Part M4 (3) (2b). Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the wheelchair units would be capable of providing adequate amenity in accordance with policies H6 and C6 of the Camden Local Plan 2017.

- 20 All units with the exception of unit A.12 shall be designed and constructed in accordance with Building Regulations Part M4 (2). Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policies H6 and C6 of the Camden Local Plan 2017.

- 21 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(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 15dB(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.

- 22 The impact piling shall be carried out in accordance with the piling method statement, prepared in consultation with Thames Water and approved on 13/03/2019 under reference 2017/6842/P, or other such details which have been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policies CC1 and CC3 of the Camden Local Plan 2017.

- 23 The development shall be carried out in accordance with the details of the suitably qualified chartered engineer approved on 12/04/2017 under reference 2017/1832/P, or other such details which have been submitted to and approved in writing by the local planning authority.

For the duration of the construction works details of any subsequent change or reappointment shall be submitted to and approved in writing by the local planning authority.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2, C6 and A5 of the Camden Local Plan 2017.

- 24 The development must be carried out in accordance with the Risk Assessment and Method Statement approved on 12/03/2019 under reference 2017/6833/P, or other such details which have been submitted to and approved in writing by the local planning authority. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To protect the visual amenity and safety of the area in accordance with the requirements of policies D1, D2, C5 and C6 of the Camden Local Plan 2017.

- 25 The development must be carried out in accordance with the survey of condition of the waterway wall prepared in consultation with the Canal & River Trust and approved on 12/03/2019 under reference 2017/2056/P, or other such details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the visual amenity and safety of the area in accordance with the requirements of policies A1, D1, D2, C5 and C6 of the Camden Local Plan 2017.

- 26 Prior to commencement of above-ground works, details of the Air Source Heat Pumps and associated equipment to be installed on the building (including drawings and data sheets showing their location, Seasonal Performance Factor of at least 2.5 and Be Green stage carbon saving) shall be submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a metering system including estimated costs to occupants and commitment to monitor performance of the system post construction. A site-specific lifetime maintenance schedule for each system, including safe access arrangements, shall be provided. The equipment shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 of the London Borough of Camden Local Plan 2017.

- 27 Prior to installation, full details of all plant equipment to be contained within the substation at ground floor level and plant room at lower ground floor level, including manufacturers specifications, noise levels and attenuation, shall be submitted to and approved by the Local Planning Authority in writing. The use shall not proceed other than in complete accordance with such scheme as has been approved. All such measures shall 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 the London Borough of Camden Local Plan 2017.

**Informative(s):**

- 1 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).

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 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.
- 4 Under Section 25 of the GLC (General Powers) Act 1983, the residential accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not be approved.
- 5 Prior approval must be sought from the TfL Road Directorate structural team for the construction of the basement floor prior to work commencing on site to ensure that the structural integrity of the TLRN public highway would not be adversely affected.
- 6 The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained (<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>).  
The applicant is advised that surface water discharge to the Navigation will require prior consent from the Canal & River Trust.
- 7 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at [www.camden.gov.uk/cil](http://www.camden.gov.uk/cil) for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

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

DATED

17 March

2021

**(1) ELEBRO LIMITED**

and

**(2) OAKNORTH BANK PLC**

and

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

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**DEED OF VARIATION**

Relating to the Agreement dated 11 May 2016  
Between the Mayor and the Burgesses of the  
London Borough of Camden and the British Transport Police Authority and Elebro Limited  
under section 106 of the Town and  
Country Planning Act 1990 (as amended)  
Relating to development at premises known as  
**140-146 CAMDEN STREET, LONDON NW1 9PF**

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Andrew Maughan  
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London WC1H 9LP

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DoV Engrossment