

DATED

13th APRIL

2022

(1) CAMDEN PROPERTY HOLDINGS LIMITED

-and-

(2) INVESTEC BANK PLC

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

DEED OF VARIATION

Relating to the Agreement dated 24th December 2020
Between the Mayor and the Burgesses of the
London Borough of Camden and
Camden Property Holdings Limited
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as

St Pancras Commercial Centre, 63 Pratt Street, London, NW1 0BY

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

G:\case files\culture & env\planning\hm\s106 Agreements\St Pancras Commercial Centre 63 Pratt
Street (DoV)
CLS/COM/JO 1800. 2094
DoV FINAL

THIS DEED is made on the 13th day of April 2022

BETWEEN

1. **CAMDEN PROPERTY HOLDINGS LIMITED** (incorporated in Guernsey) of Kingsway House, Havilland Street, St Peter Port, Guernsey, GY1 2QE whose registered office is at 8 Richmond Mews, London W1D 3DH (hereinafter called "the Owner") of the first part
2. **INVESTEC BANK PLC** (Co. Regn. No 00489604) whose registered office is 30 Gresham Street, London EC2V 7QP (hereinafter called "Mortgagee") of the second part
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 third part

WHEREAS:

- 1.1 The Owner is registered at the Land Registry as the freehold proprietor with Title Absolute under title number NGL160613 subject to a charge to the Mortgagee.
- 1.2 The Owner is the freehold owner of and is interested in the Property for the purposes of Section 106(9) of the Act.
- 1.3 The Mortgagee as mortgagee under legal charge registered under Title Number NGL160613 and dated 19th July 2021 is willing to enter into this Agreement to give its consent to the same.
- 1.4 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.
- 1.5 The Council and Camden Property Holdings Limited entered into the Existing Agreement on 24th December 2020 in order to secure the Original Planning Permission.

- 1.6 The NMA to the Original Planning Permission was granted on 18th August 2021.
- 1.7 A New Planning Application in respect of the Property and to amend the Original Planning Permission as amended by the NMA was submitted to the Council by the Owner and validated on 27th September 2021 for which the Council resolved to grant permission conditionally under reference 2021/4720/P subject to the conclusion of this Deed.
- 1.8 This Deed of Variation 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.
- 1.9 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 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 and Mortgagee 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" means this Deed of Variation made pursuant to Section 106A of the Act

2.7.2 "Existing Agreement" means the Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) dated 24th December 2020 in relation to the Original Planning Permission made between the Council and Camden Property Holdings Limited

2.7.3 "NMA" means the non-material amendment to the Original Planning Permission granted on 18th August 2021 referenced 2021/3447/P for *"changes to openings and elevational details; alteration to plant screen on 6th floor of affordable housing block; internal changes at basement, ground, mezzanine, 1st, 5th and 6th floor levels, including reorganised layouts; adjustment to perimeter of basement; revised commercial cycle store layout; change of M(4)3 unit in market residential block"*;

2.7.4 "Original Planning Permission" means the planning permission granted by the Council on 24th December 2020 referenced 2019/4201/P allowing the demolition of existing buildings (Class B1c/B8); erection of 3x buildings ranging in height from 5 to 7 storeys above ground and a single basement level comprising a mixed use development of light

industrial floorspace (Class B1c/B8), office floorspace (Class B1), 33x self-contained dwellings (Class C3), flexible retail floorspace (Class A1/A3); associated access and servicing, public realm, landscaping, vehicular and cycle parking, bin storage and other ancillary and associated works; as shown on drawing numbers: Supporting documents - Archaeological Assessment (August 2019); Affordable Housing Statement (August 2019); Air Quality Assessment (August 2019); Arboricultural Impact Assessment (August 2019); Construction Management Plan (August 2019); Daylight and Sunlight Assessment (amended October 2019); Delivery and Servicing Plan (August 2019); Ecology Report (August 2019); Flood Risk Assessment (August 2019); Noise, Vibration and Ventilation Assessment (August 2019); Planning Statement (August 2019); Planning Statement Addendum (October 2019); Proposed Area Schedule (Email from Gerald Eve dated 09/01/2020); Design & Access Statement (August 2019); Statement of Community Engagement (August 2019); Contaminated Land Assessment (August 2019); Interim Report by soiltechnics (22/10/2019); Sustainability and Energy Statement (August 2019); Sustainability and Energy Statement - Response to Greater London Authorities (GLA) comments (25 October 2019); Sustainability and Energy Statement - Response to Camden Council's comments (25 October 2019); Response to Planning Application Comments (October 2019); Response to Greater London Authority Water & Green Infrastructure Memo Stage 1 - Final (12/11/2019); Noise Impact Assessment

Report (23 October 2019); Transport Assessment (August 2019); Supplementary Transport Assessment Note (25 November 2019); Servicing Management Plan (August 2019); Waste Strategy Response (undated); Tree Strategy Statement Rev P3 (amended 28/11/2019); Townscape, Visual Impact and Heritage Assessment (August 2019); Basement Impact Assessment Rev D (09/12/2019); Proposed Tree Matrix (SP108_Doc01_TM Rev P3) (28.11.19); SP108_Doc03_CFW Rev P1. Proposed- 477-CSJ-00-GF-RP-A-2000-S1-P02; 477-CSJ-00-B1-FP-A-3101-S1-P02; 477-CSJ-00-GF-FP-A-3102-S1-P04; 477-CSJ-00-M1-FP-A-3103-S1-P02; 477-CSJ-00-01-FP-A-3104-S1-P02; 477-CSJ-00-02-FP-A-3105-S1-P02; 477-CSJ-00-03-FP-A-3106-S1-P02; 477-CSJ-00-04-FP-A-3107-S1-P02; 477-CSJ-00-05-FP-A-3108-S1-P02; 477-CSJ-00-06-FP-A-3109-S1-P03; 477-CSJ-00-07-FP-A-3110-S1-P03; 477-CSJ-00-ZZ-SC-A-3200-S1-P03; 477-CSJ-00-ZZ-SC-A-3201-S1-P02; 477-CSJ-00-ZZ-SC-A-3202-S1-P02; 477-CSJ-00-ZZ-SC-A-3203-S1-P02; 477-CSJ-00-ZZ-SC-A-3204-S1-P02; 477-CSJ-00-ZZ-EL-A-3300-S1-P02; 477-CSJ-00-ZZ-EL-A-3301-S1-P02; 477-CSJ-M1-01-FP-A-5103-S1-P01; 477-CSJ-M1-04-FP-A-5105-S1-P01; 477-CSJ-A1-01-FP-A-5202-S1-P01; 477-CSJ-A1-05-FP-A-5206-S1-P01; 477-CSJ-C1-ZZ-DE-A-7001-S1-P02; 477-CSJ-C1-ZZ-DE-A-7002-S1-P02; 477-CSJ-C1-ZZ-DE-A-7003-S1-P02; 477-CSJ-C1-ZZ-DE-A-7004-S1-P02; 477-CSJ-C1-ZZ-DE-A-7005-S1-P02; 477-CSJ-C1-ZZ-DE-A-7006-S1-P02; 477-CSJ-M1-ZZ-DE-A-7020-S1-P02; 477-CSJ-M1-ZZ-DE-A-7021-S1-P02; 477-CSJ-M1-ZZ-DE-A-7022-S1-P02; 477-CSJ-A1-ZZ-DE-A-7030-S1-P01; 477-CSJ-C1-

ZZ-SK-A-360-S1; 477-CSJ-A1-GF-SK-A-081-S1-C; 477-CSJ-M1-GF-SK-A-071-S1-C; SP108_00_ET Rev P2; SP108_01_GP Rev P3; SP108_02_GM Rev P3; SP108_03_RF Rev P3; SP108_11_01 rev P2; SP108_12_02 Rev P3; SP108_31_PP Rev P2; SP108_32_PT Rev P1; SP108_51_A1 Rev P2; SP108_51_A2 Rev P2; SP108_52_BB Rev P2; SP108_53_CD Rev P2; SP108_54_EF Rev P2; SP108_61_RT Rev P1; SP108_JCLA_191114_Public Space Views. Existing- 477-CSJ-00-ZZ-SI-A-0001-S1-P02; 477-CSJ-00-ZZ-SI-A-0002-S1-P02; 477-CSJ-00-GF-SI-A-0003-S1-P01; 477-CSJ-00-GF-FP-A-0100-S1-P01; 477-CSJ-00-M1-FP-A-0101-S1-P01; 477-CSJ-00-ZZ-SC-A-0200-S1-P02; 477-CSJ-00-ZZ-EL-A-0300-S1-P01; 477-CSJ-00-ZZ-EL-A-0301-S1-P01; 477-CSJ-00-ZZ-EL-A-0302-S1-P01.

2.7.5 "New Planning Application" means the section 73 application with reference 2021/4720/P submitted to vary conditions 2 (approved plans), 9 (externally mounted fittings) and 15 (cycle storage) of the Original Planning Permission (as amended by the NMA), namely to *"allow changes at 6th and 7th floor levels of the office building to accommodate plant and additional amenity space; to allow installation of lighting to the residential balconies and entrances and to the retail unit; and to update the conditioned cycle parking requirements"*

3. VARIATION TO THE EXISTING AGREEMENT

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

3.1.1 "Development"

variation of planning permission dated 24th December 2020 to vary conditions 2 (approved plans), 9 (externally mounted fittings) and 15 (cycle storage) of planning permission 2019/4201/P, dated 24/12/2020 (as amended by approval 2021/3447/P, dated 18/08/2021) (for: Demolition of existing buildings and erection of new buildings to re-provide light industrial floorspace, provision of office space, self-contained dwellings, flexible retail space, associated access and servicing, public realm, landscaping, vehicular and cycle parking, bin storage and other ancillary and associated works), namely to allow changes at 6th and 7th floor levels of the office building to accommodate plant and additional amenity space; to allow installation of lighting to the residential balconies and entrances and to the retail unit; and to update the conditioned cycle parking requirements as shown on drawing numbers : Revised plans:

477-CSJ-00-ZZ-EL-A-3301-D2-P04; 477-CSJ-00-ZZ-SC-A-3200-D2-P05; 477-CSJ-00-ZZ-SC-A-3201-D2-P04; 477-CSJ-00-ZZ-SC-A-3202-D2-P04; 477-CSJ-00-ZZ-SC-A-3203-D2-P04; 477-CSJ-00-ZZ-SC-A-3204-D2-P04; 477-CSJ-00-ZZ-SI-A-2000-S1-P04; 477-CSJ-00-06-FP-A-3109-D2-P05; 477-CSJ-00-07-FP-A-3110-D2-P05; 477-CSJ-00-08-FP-A-3111-D2-P01; 477-CSJ-00-ZZ-EL-A-3300-D2-P04

"Planning Permission"

the planning permission for the Development under reference number 2021/4720/P granted by the Council in the form of the draft annexed hereto, or the planning permission with

reference 2019/4201/P (as the context requires);

"Planning Application" the application for Planning Permission in respect of the Property submitted on 27th September 2021 by the Owner and given reference number 2021/4720/P, or the application for the planning permission with reference 2019/4201/P (as the context requires).

3.2 The references at clause 4.2, 4.6, 4.7, and 5.1, and paragraph 1.9 of Schedule 4 of the Existing Agreement to "*Planning Permission reference 2019/4201/P*", "*planning reference 2019/4201/P*" or "*planning reference number 2019/4201/P*" shall be replaced with "*planning permission reference 2019/4201/P or 2021/4720/P* (as applicable)".

3.3 Schedule 1 to the Existing Agreement shall be replaced with the draft decision notice annexed to this Deed at Schedule 1.

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

4. OBLIGATIONS DISCHARGED UNDER THE ORIGINAL PLANNING PERMISSION

4.1 It is agreed by the Parties that the Owner's obligations set out in clause 3 of the Existing Agreement which have already been satisfied prior to the date of this Deed do not have to be revisited and any obligations not yet satisfied but partially met are only to be revisited to the extent that they remain outstanding.

5. COMMENCEMENT

5.1 Without prejudice to the effect of Clause 2.5 in the Existing Agreement the provisions in this Deed shall take effect on the Implementation of the planning permission referenced 2021/4720/P.

6 PAYMENT OF THE COUNCIL'S LEGAL COSTS

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

7. REGISTRATION AS LOCAL LAND CHARGE

This Deed shall be registered as a Local Land Charge

8. MORTGAGEE EXEMPTION

8.1 No mortgagee shall have liability under this Agreement except in the event that it becomes a mortgagee in possession of the Property.

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

**CONTINUATION OF DEED OF VARIATION OF SECTION 106 AGREEMENT
RELATING TO ST PANCRAS COMMERCIAL CENTRE 63 PRATT STREET
LONDON**

EXECUTED AS A DEED by)
CAMDEN PROPERTY HOLDINGS LIMITED)
a company incorporated in Guernsey,)
acting by: *RASQUALE PALMIERO*)


and

Joanna Redding


who, in accordance with the laws
of that territory, are acting under the authority of
the company.

Signature in name of Company: **Camden Property Holdings Limited**

Authorised signatory:


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Authorised signatory:


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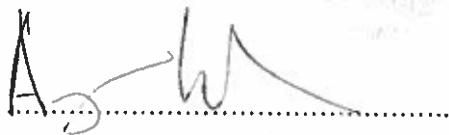
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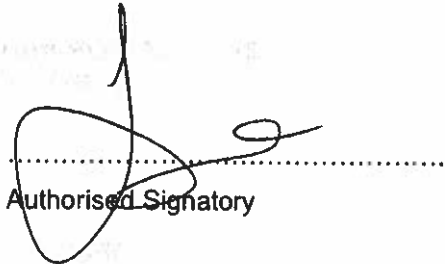
**CONTINUATION OF DEED OF VARIATION OF SECTION 106 AGREEMENT
RELATING TO ST PANCRAS COMMERCIAL CENTRE 63 PRATT STREET
LONDON**

EXECUTED AS A DEED by INVESTEC BANK PLC

acting by its duly appointed authorised signatories under a power of attorney dated 20 May 2019 as follows:

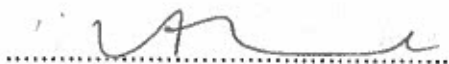


Authorised Signatory



Authorised Signatory

In the presence of:



Witness

In the presence of:



Witness

Witness Name: HELEN LARNDON

Witness Name: HELEN LARNDON

Witness Address:

Witness Address:

Investec Bank plc
30 Gresham Street
London EC2V 7QP

Investec Bank plc
30 Gresham Street
London EC2V 7QP

DATED

2022

(1) CAMDEN PROPERTY HOLDINGS LIMITED

-and-

(2) INVESTEC BANK PLC

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

DEED OF VARIATION

Relating to the Agreement dated 24th December 2020
Between the Mayor and the Burgesses of the
London Borough of Camden and
Camden Property Holdings Limited
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as

St Pancras Commercial Centre, 63 Pratt Street, London, NW1 0BY

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

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Street (DoV)
CLS/COM/JO 1800. 2094
DoV FINAL

**CONTINUATION OF DEED OF VARIATION OF SECTION 106 AGREEMENT
RELATING TO ST PANCRAS COMMERCIAL CENTRE 63 PRATT STREET
LONDON**

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

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)



A handwritten signature in black ink, appearing to read 'Andrew Maughan', written over a dotted line.

.....
Duly Authorised Officer

**Andrew Maughan
Borough Solicitor**

SCHEDULE 1

10/10/2017
10/10/2017

10/10/2017
10/10/2017

Application ref: 2021/4720/P

Contact:

Tel: 020 7974

Date: 24th March 2022

Gerald Eve LLP
72 Welbeck Street
London
W1G 0AY

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

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:

St Pancras Commercial Centre
63 Pratt Street
London
NW1 0BY

Proposal:

Variation of conditions 2 (approved plans), 9 (externally mounted fittings) and 15 (cycle storage) of planning permission 2019/4201/P, dated 24/12/2020 (as amended by approval 2021/3447/P, dated 18/08/2021) (for: Demolition of existing buildings and erection of new buildings to re-provide light industrial floorspace, provision of office space, self-contained dwellings, flexible retail space, associated access and servicing, public realm, landscaping, vehicular and cycle parking, bin storage and other ancillary and associated works), namely to allow changes at 6th and 7th floor levels of the office building to accommodate plant and additional amenity space; to allow installation of lighting to the residential balconies and entrances and to the retail unit; and to update the conditioned cycle parking requirements

Drawing Nos: Revised plans:

477-CSJ-00-ZZ-EL-A-3301-D2-P04; 477-CSJ-00-ZZ-SC-A-3200-D2-P05; 477-CSJ-00-ZZ-SC-A-3201-D2-P04; 477-CSJ-00-ZZ-SC-A-3202-D2-P04; 477-CSJ-00-ZZ-SC-A-3203-D2-P04; 477-CSJ-00-ZZ-SC-A-3204-D2-P04; 477-CSJ-00-ZZ-SI-A-2000-S1-P04; 477-CSJ-00-06-FP-A-3109-D2-P05; 477-CSJ-00-07-FP-A-3110-D2-P05; 477-CSJ-00-08-FP-A-3111-D2-P01; 477-CSJ-00-ZZ-EL-A-3300-D2-P04

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 permission granted on 24/12/2020 under reference 2019/4201/P.

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Existing-477-CSJ-00-ZZ-SI-A-0001-S1-P02; 477-CSJ-00-ZZ-SI-A-0002-S1-P02; 477-CSJ-00-GF-SI-A-0003-S1-P01; 477-CSJ-00-GF-FP-A-0100-S1-P01; 477-CSJ-00-M1-FP-A-0101-S1-P01; 477-CSJ-00-ZZ-SC-A-0200-S1-P02; 477-CSJ-00-ZZ-EL-A-0300-S1-P01; 477-CSJ-00-ZZ-EL-A-0301-S1-P01; 477-CSJ-00-ZZ-EL-A-0302-S1-P01.
Proposed-477_CSJ_00_ZZ_SI_A_2000_S1_P04; 477-CSJ-00-B1-FP-A-3101-S1-P03; 477-CSJ-00-GF-FP-A-3102-S1-P05; 477-CSJ-00-M1-FP-A-3103-S1-P03; 477-CSJ-00-01-FP-A-3104-S1-P03; 477-CSJ-00-02-FP-A-3105-S1-P03; 477-CSJ-00-03-FP-A-3106-S1-P03; 477-CSJ-00-04-FP-A-3107-S1-P03; 477-CSJ-00-05-FP-A-3108-S1-P03; 477-CSJ-00-06-FP-A-3109-D2-P05; 477-CSJ-00-07-FP-A-3110-D2-P05; 477-CSJ-00-08-FP-A-3111-D2-P01; 477-CSJ-00-ZZ-SC-A-3200-D2-P05; 477-CSJ-00-ZZ-SC-A-3201-D2-P04; 477-CSJ-00-ZZ-SC-A-3202-D2-P04; 477-CSJ-00-ZZ-SC-A-3203-D2-P04; 477-CSJ-00-ZZ-SC-A-3204-D2-P04; 477-CSJ-00-ZZ-EL-A-3300-D2-P04; 477-CSJ-00-ZZ-EL-A-3301-SD2-P04; 477_CSJ_M1_04_FP_A_5005_S1_P00; 477-CSJ-C1-ZZ-DE-A-7001-S1-P02; 477-CSJ-C1-ZZ-DE-A-7002-S1-P02; 477-CSJ-C1-ZZ-DE-A-7003-S1-P02; 477-CSJ-C1-ZZ-DE-A-7004-S1-P02; 477-CSJ-C1-ZZ-DE-A-7005-S1-P02; 477-CSJ-C1-ZZ-DE-A-7006-S1-P02; 477-CSJ-M1-ZZ-DE-A-7020-S1-P02; 477-CSJ-M1-ZZ-DE-A-7021-S1-P02; 477-CSJ-M1-ZZ-DE-A-7022-S1-P02; 477-CSJ-A1-ZZ-DE-A-7030-S1-P01; 477-CSJ-C1-ZZ-SK-A-360-S1; 477-CSJ-A1-GF-SK-A-081-S1-C; 477-CSJ-M1-GF-SK-A-071-S1-C; SP108_00_ET Rev P2; SP108_01_GP Rev P3; SP108_02_GM Rev P3; SP108_03_RF Rev P3; SP108_11_01 rev P2; SP108_12_02 Rev P3; SP108_31_PP Rev P2; SP108_32_PT Rev P1; SP108_51_A1 Rev P2; SP108_51_A2 Rev P2; SP108_52_BB Rev P2; SP108_53_CD Rev P2; SP108_54_EF Rev P2; SP108_61_RT Rev P1; SP108_JCLA_191114_Public Space Views; 477_CSJ_M1_B1_FP_A_5000_S1_P00; 477_CSJ_M1_GF_FP_A_5001_S1_P00; 477_CSJ_M1_01_FP_A_5002_S1_P00; 477_CSJ_A1_B1_FP_A_5000_S1_P00; 477_CSJ_A1_GF_FP_A_5001_S1_P00; 477_CSJ_A1_01_FP_A_5002_S1_P00; 477_CSJ_A1_05_FP_A_5006_S1_P00; 477_CSJ_M1_06_FP_A_5007_S1_P00; 477_CSJ_A1_07_FP_A_5008_S1_P00

Supporting documents-Archaeological Assessment (August 2019); Affordable Housing Statement (August 2019); Air Quality Assessment (August 2019); Arboricultural Impact

Assessment (August 2019); Construction Management Plan (August 2019); Daylight and Sunlight Assessment (amended October 2019); Delivery and Servicing Plan (August 2019); Ecology Report (August 2019); Flood Risk Assessment (August 2019); Noise, Vibration and Ventilation Assessment (August 2019); Planning Statement (August 2019); Planning Statement Addendum (October 2019); Proposed Area Schedule (Email from Gerald Eve dated 09/01/2020); Design & Access Statement (August 2019); Statement of Community Engagement (August 2019); Contaminated Land Assessment (August 2019); Interim Report by soiltechnics (22/10/2019); Sustainability and Energy Statement (August 2019); Sustainability and Energy Statement - Response to Greater London Authorities (GLA) comments (25 October 2019); Sustainability and Energy Statement - Response to Camden Council's comments (25 October 2019); Response to Planning Application Comments (October 2019); Response to Greater London Authority Water & Green Infrastructure Memo Stage 1 - Final (12/11/2019); Noise Impact Assessment Report (23 October 2019); Transport Assessment (August 2019); Supplementary Transport Assessment Note (25 November 2019); Servicing Management Plan (August 2019); Waste Strategy Response (undated); Tree Strategy Statement Rev P3 (amended 28/11/2019); Townscape, Visual Impact and Heritage Assessment (August 2019); Basement Impact Assessment Rev D (09/12/2019); Proposed Tree Matrix (SP108_Doc01_TM Rev P3) (28.11.19); SP108_Doc03_CFW Rev P1; JCC Lighting details JC17005 (undated); BEGA Lighting details (undated); Noise Impact Assessment Report Rev 2 (dated 10/09/2021)

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

- 3 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

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.

- 4 Prior to use, plant or equipment and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration-isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 The noise level in residential rooms at the development hereby approved shall meet the noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration, in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 Units M_01_01, M_01_02, M_01_03, M_01_05, A_01_01, A_01_02, A_01_03, M_02_01, M_02_02, M_02_03, M_02_04, M_02_05, A_02_01, A_02_02, A_02_03, M_03_01, M_03_02, M_03_03, M_03_04, M_03_05, A_03_01, A_03_02, A_03_03, M_04_01, M_04_02, M_04_03, M_04_04, A_04_01, A_04_02, A_04_03 and A_05_01, as indicated on the plans hereby approved, 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 policy H6 of the Camden Local Plan 2017.

- 7 Units M_01_02 and A_05_02, as indicated on the plans hereby approved, shall be designed and constructed in accordance with Building Regulations Part M4 (3). 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 policy H6 of the Camden Local Plan 2017.

- 8 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

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 of the London Borough of Camden Local Plan 2017.

- 9 No lights (other than those shown on the approved plans as listed above), 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.

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

- 10 Prior to the commencement of above-ground works, full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. 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 A2, A3 and D1 of the London Borough of Camden Local Plan 2017.

- 11 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details 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 A2, A3 and D1 of the London Borough of Camden Local Plan 2017.

- 12 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing. Fruiting species shall be included in the proposed mix of replacement trees.

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

- 13 Prior to the commencement of above-ground works, details of a lighting strategy for the site shall be submitted to and approved in writing by the local planning authority. Such details shall include lighting to serve the public open space, and the entrances to the buildings. The approved scheme shall be implemented as part of the development and thereafter retained and maintained.

Reason: To maintain a high quality of amenity and a safe environment, in accordance with policies D1, A1 and A3 of the Camden Local Plan 2017.

- 14 Before the relevant uses commence, details of secure and covered cycle storage areas for the individual retail (5 spaces) and light industrial units (15 spaces) shall be submitted to and approved by the local planning authority. The approved facilities shall thereafter be provided in their entirety prior to the first occupation of any relevant units, 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.

- 15 The approved cycle storage facilities for the residential (26 for the affordable block and 35 for the market block) and office uses (234 spaces) shall be provided in their entirety prior to the first occupation of any of the new residential units / commencement of the commercial uses (as appropriate), and permanently retained thereafter.

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

- 16 Prior to commencement of above-ground development, full details of the mechanical ventilation system including air-inlet locations shall be submitted to and approved by the local planning authority in writing. Air-inlet locations should be located away from busy roads, any kitchen extracts or other pollution sources and as close to roof level as possible, to protect internal air quality. The development shall thereafter be constructed and maintained in accordance with the approved details.

Reason: To protect the amenity of residents in accordance with policy CC4 of the London Borough of Camden Local Plan 2017.

- 17 Prior to commencement of above-ground works, drawings and data sheets showing the location, extent and predicted energy generation of photovoltaic cells and associated equipment to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells 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.

- 18 The biodiverse roofs hereby approved shall be fully installed on the building(s) prior to their occupation.

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 Camden Local Plan 2017.

- 19 The development hereby approved shall achieve a maximum internal water use of 110 litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 20 Prior to first occupation of the development, 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 the occupation of the development 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 policies A3 and CC2 of the London Borough of Camden Local Plan 2017.

- 21 Prior to commencement of above-ground works, details, drawings and data sheets showing the location, Seasonal Performance Factor of at least 2.5 and Be Green stage carbon saving of the air source heat pumps and associated equipment to be installed on the building, shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a metering details 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.

- 22 No properties shall be occupied until confirmation has been provided that either: all water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development, in accordance with the requirements of policy CC3 of the Camden Local Plan 2017.

- 23 No construction shall take place within 5m of a clean water trunk main or 3m of a clean water distribution main. If there is an existing building within the 'no construction' zone stated, a new structure can be construction, but no closer than the existing building, as long as an impact assessment (through the Thames Water asset protection team) is approved which proved that the demolition, construction and long term loading do not negatively impact the existing clean water mains. If the 'no construction' clearances cannot be achieved, information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure and the works have the potential to impact on local underground water

utility infrastructure, in accordance with the requirements of policy CC3 of the Camden Local Plan 2017.

- 24 Any piling must be undertaken in accordance with the terms of the piling method statement approved under application reference 2021/1430/P, dated 18/06/2021, or other such details which have been submitted to and approved in writing by the local planning authority in consultation with Thames Water.

Reason: The proposed works will be in close proximity to underground water utility infrastructure and piling has the potential to impact on local underground water utility infrastructure, in accordance with the requirements of policy CC3 of the Camden Local Plan 2017.

- 25 Air quality monitoring shall be undertaken in accordance with the details approved under application reference 2021/0992/P, dated 27/05/2021, or other such details which have been submitted to and approved in writing by the local planning authority. The monitors shall be retained and maintained on site for the duration of the development in accordance with the details thus approved.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4 and CC4 of the Camden Local Plan 2017.

- 26 All Non-Road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the GLA 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any successor document, shall comply with the low emission zone requirements therein and be registered for use on the NRMM register (or any superseding register).

Reason: To ensure that air quality is not adversely affected by the development in accordance with policy CC4 of the Camden Local Plan 2017.

- 27 AKT II Limited shall inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body, in accordance with the details approved by permission reference 2021/0309/P dated 09/04/2021. Should there be a subsequent change or reappointment, the replacement shall be a suitably qualified chartered engineer with membership of the appropriate professional body and details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the continuation of basement construction works. Any subsequent change or reappointment shall also be confirmed forthwith for the duration of the construction works.

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 and A5 of the London Borough of Camden Local Plan 2017.

- 28 The development hereby approved shall be undertaken in accordance with the details approved by permission reference 2021/0308/P dated 12/04/2021 (asbestos removal), or other such details which have been submitted to and approved in writing by the local planning authority.

Reason To protect future occupiers of the development from the possible contamination arising in connection with the buildings on the site in accordance with policies A1, C1 and CC5 of the London Borough of Camden Local Plan 2017.

- 29 The development hereby approved shall be undertaken in accordance with the details approved by permission reference 2021/1431/P dated 20/05/2021 (A: Conceptual Site Model of plausible Pollution Linkages pre Remediation; B: Remediation strategy).

After the remediation strategy (part B) has been carried out, the following shall be submitted to and approved in writing by the LPA.

C) A verification report providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete.

Any investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11). In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the LPA.

For the avoidance of doubt, this condition can be discharged on a section by section basis.

Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policies D1 and A1 of the London Borough of Camden Local Plan 2017.

- 30 The sustainable drainage system shall accord with the details approved by permission reference 2021/0815/P dated 13/08/2021, or other such details which have been submitted to and approved in writing by the local planning authority. Systems shall thereafter be retained and maintained in accordance with the approved details.

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

- 31 The development shall accord with the Fire Statement approved by permission reference 2022/0860/P, dated 16/03/2022, or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: In order to provide a safe and secure development in accordance with policy C5 of the Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission-

This application seeks to make three changes to planning permission reference 2019/4201/P dated 24/12/2020 (as amended by NMA approval 2021/3447/P dated 18/08/2021).

It is proposed to install lights to the residential entrances at ground floor level, to the residential balconies and to the entrance of the retail unit facing onto Royal College Street. Condition 9 of the original permission prohibits the installation of, amongst other items, lights on the external face of the buildings, which is why the lights are being applied for through this application. The proposed lights to the residential entrances are considered to be acceptable, particularly as they are required to enable faces of visitors to be visible in the entryphone system and the lighting fixtures themselves are unobtrusive. The lights to the residential balconies are also considered to be acceptable on the basis that the fixtures are unobtrusive and they direct light downwards, illuminating the surface of the walls. The light at the retail entrance is to deter anti-social behaviour in this recessed space and is also considered to be acceptable given its unobtrusive appearance.

It is proposed to increase the size of the 6th floor amenity space by 54 sqm to allow for the creation of a more useful space to be shared by users of the building. This would involve the creation of additional openings on the southern elevation but would not involve any changes to the existing screening. This change is considered to be acceptable, particularly as it is unlikely to be discernible from street level and the additional openings do not detract from the character and appearance of the host building. Lighting is also proposed to the 6th floor terrace, which is considered to be acceptable.

At 7th floor it is proposed to re-organise the proposed plant, which will involve an extension to the northern edge of the plant screen by 2.5 metres. Extending the plant screen to the north would have the least impact in terms of long-range views of the building. Updated verified views have been provided. On balance, this change is considered to be acceptable.

Condition 15 of the original permission relates to cycle parking. A NMA approval, reference 2021/3447/P dated 18/08/2021, increased cycle parking provision for the office use from 228 to 234 long stay spaces. This application seeks to amend the wording of condition 15 to specify the revised number of spaces.

It is not considered that the proposed changes to the approved development would cause undue harm to the residential amenities of nearby and neighbouring properties.

The application has been referred to the Greater London Authority (GLA), under the terms of the Mayor of London Order 2008, and it does not consider that the proposed changes raise any new strategic planning issues. The Council is therefore able to proceed to determine the application without further reference to the GLA.

No objections have been raised in relation to the works. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Condition 2 will be revised to list the updated plan numbers; condition 9 will be revised to allow for the proposed lighting; and condition 15 will be revised to specify the revised number of cycle parking spaces.

The proposed development is in general accordance with policies G1, H1, H2, H4, H6, H7, C1, C2, C5, C6, E1, E2, A1, A2, A3, A4, A5, D1, D2, D3, D4, CC1, CC2, CC3, CC4, CC5, TC1, T1, T2, T3, T4 and DM1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the provisions of the National Planning Policy Framework 2021.

- 2 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.
- 3 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, 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.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 6 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 for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.
- 7 Thames Water have provided this advice:

Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-largesite/Planning-your-development/Working-near-or-diverting-our-pipes>.

Should you require further information please contact Thames Water.
Email: developer.services@thameswater.co.uk

Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes>

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<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes>

- 8 The applicant is advised that they will need to enter into a Section 38 Agreement with the Council for the adoption of sections of new footway. You are advised to liaise with the Council's Transport Team on this matter.
- 9 Non-road mobile machinery (NRMM) is any mobile machine or vehicle that is not solely intended for carrying passengers or goods on the road. The Emissions requirements are only applicable to NRMM that is powered by diesel, including diesel hybrids. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit "<http://nrmm.london/>".

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