

DATED

14 January

2012

**(1) UK REAL ESTATE LIMITED**

-and-

**(2) LLOYDS TSB BANK PLC**

-and-

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

---

**DEED OF VARIATION**

Relating to the Agreement dated 8 April 2009  
Between the Mayor and the Burgesses of the  
London Borough of Camden,  
UK Real Estate Limited and Lloyds TSB Bank PLC  
under section 106 of the Town and  
Country Planning Act 1990 (as amended)  
Relating to development at premises known as  
**THE LIGHTHOUSE BLOCK**  
**283-297 PENTONVILLE ROAD and 370-380 GRAYS INN ROAD**  
**LONDON N1 9NP**

---

Andrew Maughan  
Head of Legal Services  
London Borough of Camden  
Town Hall  
Judd Street  
London WC1H 9LP

Tel: 020 7974 1918  
Fax: 020 7974 2962

THIS AGREEMENT is made on the 14 day of January 2013

**BETWEEN**

1. **UK REAL ESTATE LIMITED** (Co. Regn. No. 01996553) whose registered office is at Lanmor House, 370-386 High Road, Wembley Middlesex HA9 6AX (hereinafter called "the Owner") of the first part
2. **LLOYDS TSB BANK PLC** (Co. Regn. No. 2065) whose registered office is at 25 Gresham Street, London EC2V 7HN (hereinafter called "the 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

1. **WHEREAS:**

- 1.1 The Council the Owner and the Mortgagee entered into an Agreement dated 8 April 2009 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended).
- 1.2 The Owner is registered at the Land Registry as the freehold proprietor with Title Absolute under title number NGL380341 subject to a charge to the Mortgagee.
- 1.3 The Owner is the freehold owner of and is interested in the Property for the purposes of Section 106(9) of the Act.
- 1.4 The Mortgagee as mortgagee under a legal charge contained in a Debenture registered under Title Number NGL380341 and dated 23 May 2006 is willing to enter into this Agreement to give its consent to the same.
- 1.5 The Council is the local planning authority for the purposes of the Act and considers it expedient in the interests of the proper planning of its area that the Development of the Property should be restricted or regulated in accordance with this Agreement.

1.6 A new Planning Application in respect of the Property and to amend the Original Planning Permission was submitted to the Council by the Owner and validated on 26 October 2011 for which the Council resolved to grant permission conditionally under reference 2011/5314/P subject to the conclusion of this Agreement.

1.7 This Agreement 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.

1.8 Without prejudice to the terms of the other covenants contained in the Existing Agreement the parties hereto have agreed to vary the terms of the Existing Agreement as hereinafter provided.

## 2. INTERPRETATION

2.1 All words and phrases defined in the Existing Agreement shall have the same meaning in this Agreement 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 Agreement.

2.2 All reference in this Agreement to clauses in the Existing Agreement are to clauses within the Existing Agreement.

2.3 In this Agreement the following expression shall unless the context otherwise states have the following meaning now allocated to it.

2.3.1 "Agreement" this Deed of Variation

2.3.2 "Existing Agreement" the Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) dated 8 April 2009 made between the Council the Owner and the Mortgagee

2.3.3 "the Original Planning Permission" means the planning permission granted by the Council on 8 April 2009 referenced 2008/5358/P

allowing the demolition of existing ground plus three storey building with retention and refurbishment of the facades and "lighthouse" structure at 285-297 Pentonville Road and 372-380 Gray's Inn Road; erection of a 5-storey building, partly behind retained facades, to provide either retail or restaurant uses (Class A1 or A3) at ground floor level, supporting services located at basement level, and Class B1 offices on the 1st- 5th floors; creation of retail 'kiosk' units at ground floor of 283 Pentonville Road and 370 Gray's Inn Road; rebuilding and alterations to 283 Pentonville Road and 370 Grays Inn Road and the replacement of all shopfronts at ground floor level as shown on drawing numbers Site Location Plan; Site Plan; SR-E-X-SK101 A; E-P-SK102 A; M-P-Sk103 B; SK104 A; M-P-SK105; SK106; SK101 C; SK102 C; P02; P03; P04; P05; P06; P07; P08; P09; P10; P11 and P12; P20; P21; P22; P23; P24; P25; P26; P27; P28; P29; P30; P40 rev A; P41 rev A; P42; P43; P44 Rev A; P45 Rev A; P46 Rev A; P47 Rev A; P48 Rev A; P49 Rev A; P50 Rev A; P51 Rev A; P52 Rev A; P53 Rev A; P54 Rev A; P55 Rev A; P56 Rev A; P57; P58 Rev A

- 2.4 Where in this Agreement reference is made to a clause schedule or recital such reference (unless the context otherwise requires) is a reference to a clause schedule or recital of this Agreement.
- 2.5 Headings are for ease of reference only and are not intended to be construed as part of this Agreement and shall not be construed as part of this Agreement and shall not effect the construction of this Agreement.
- 2.6 Unless the context otherwise requires references to the singular shall include the plural and vice versa.

- 2.7 References in this Agreement to the Owner and Mortgagee shall include their successors in title.

### 3. VARIATION TO THE EXISTING AGREEMENT

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

3.1.1 "Development" revisions to planning permission ref 2008/5358/P and listed building consent ref: 2008/5366/L granted 8 April 2009 including relocation of the secondary escape stair and refuse/recycling store from Grays Inn Road to Pentonville Road; relocation of the entrance to retail unit 1 towards the apex of the building; alterations to roof finish, raised parapet to 283 Pentonville Road, installation of timber double glazed sash windows, and alterations to basement layout and cycle storage as shown on drawing numbers:- Site location plan; Drawing no: Prefix 15.1 08 REV C, 07 REV C, 06 REV G, 05 REV D, 04 REV E, 03 REV E, 02 REV E, 01 REV E, Prefix 15.3 01 REV F, 03 REV C, 04 REV C, 06 REV C, Prefix 10.1 01 REV B, 02 REV B, 03 REV B, 04 REV B, 05 REV B, 06 REV B, 10 REV B, 11 REV B, 12 REV B, 15 REV B, 16 REV B, Prefix 15.2 01 REV F, 02 REV F, 03 REV F, 04 REV A, Prefix 21.1 01 REV B, 09 REV B, 07 REV B, 05 REV B, 03 REV B, 11 REV B Prefix 20.1 01 REV B, 02 REV B, 03 REV B, 04 REV B, 05 REV B, 06 REV B, 07 REV B, 08 REV B, 09 REV B, 10 REV B, 11 REV B, 12 REV B, 13 REV B, 15 REV B, 17 REV B, 18 REV B, 19 REV B, 21 REV B, and SK01 REV A

3.1.2 "Planning Permission" the planning permission under reference number 2011/5314/P to be issued by the Council 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 26 October by the Owner and given reference number 2011/5314/P

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

#### 4. PAYMENT OF THE COUNCIL'S LEGAL COSTS

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

#### 5. REGISTRATION AS LOCAL LAND CHARGE

5.1 This Agreement shall be registered as a Local Land Charge

**IN WITNESS WHEREOF** the Council has caused its Common Seal to be affixed and the Owner and the Mortgagee have caused this Agreement to be executed as a Deed the day and year first above written.

EXECUTED AS A DEED BY  
UK REAL ESTATE LIMITED  
acting by a Director and its Secretary  
or by two Directors

.....  
Director

.....  
Director

CONTINUATION OF SECTION 106 AGREEMENT DEED OF VARIATION FOR  
THE LIGHTHOUSE BLOCK  
283-297 PENTONVILLE ROAD and 370-380 GRAYS INN ROAD  
LONDON N1 9NP

EXECUTED AS A DEED BY BRADLEY McALLISTER  
the Attorney Authorised on behalf of )  
LLOYDS TSB BANK PLC )

B. McAllister

Duly Authorised Signatory

WITNESS : MICHAEL KNIGHT

WITNESS Signature: [Signature]

Witness Address: 95 Lloyds Bank Plc  
3rd Floor, 25 Gresham St. London EC2V 7HN

THE COMMON SEAL OF THE MAYOR  
AND BURGESSES OF THE LONDON  
BOROUGH OF CAMDEN )  
)  
)  
)

was hereunto affixed by Order:-

[Signature]

Duly Authorised Officer



Latitude Architects  
15 Weller Street  
London  
SE1 1QU

Tel 020 7974 4444  
Fax 020 7974 1930  
Textlink 020 7974 6866

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

Application Ref: **2011/5314/P**

30 November 2012

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:

**The Lighthouse Block**  
**283-297 Pentonville Road & 370-380 Gray's Inn Road**  
**London**  
**WC1X 8BB**

Proposal:

**DECISION**  
Revisions to planning permission ref 2008/5358/P and listed building consent ref: 2008/5366/L granted 8 April 2009 including relocation of the secondary escape stair and refuse/recycling store from Grays Inn Road to Pentonville Road; relocation of the entrance to retail unit 1 towards the apex of the building; alterations to roof finish, raised parapet to 283 Pentonville Road, installation of timber double glazed sash windows, and alterations to basement layout and cycle storage.

Drawing Nos: Site location plan; Drawing no: Prefix 15.1 08 REV C, 07 REV C, 06 REV G, 05 REV D, 04 REV E, 03 REV E, 02 REV E, 01 REV E, Prefix 15.3 01 REV F, 03 REV C, 04 REV C, 06 REV C, Prefix 10.1 01 REV B, 02 REV B, 03 REV B, 04 REV B, 05 REV B, 06 REV B, 10 REV B, 11 REV B, 12 REV B, 15 REV B, 16 REV B, Prefix 15.2 01 REV F, 02 REV F, 03 REV F, 04 REV A, Prefix 21.1 01 REV B, 09 REV B, 07 REV B, 05 REV B, 03 REV B, 11 REV B Prefix 20.1 01 REV B, 02 REV B, 03 REV B, 04 REV B, 05 REV B, 06 REV B, 07 REV B, 08 REV B, 09 REV B, 10 REV B, 11 REV B, 12 REV B, 13 REV B, 15 REV B, 17 REV B, 18 REV B, 19 REV B, 21 REV B, and SK01 REV A

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.

Conditions and Reasons:

- 1 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, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

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

Site location plan; Drawing no: Prefix 15.1 08 REV C, 07 REV C, 06 REV G, 05 REV D, 04 REV E, 03 REV E, 02 REV E, 01 REV E, Prefix 15.3 01 REV F, 03 REV C, 04 REV C, 06 REV C, Prefix 10.1 01 REV B, 02 REV B, 03 REV B, 04 REV B, 05 REV B, 06 REV B, 10 REV B, 11 REV B, 12 REV B, 15 REV B, 16 REV B, Prefix 15.2 01 REV F, 02 REV F, 03 REV F, 04 REV A, Prefix 21.1 01 REV B, 09 REV B, 07 REV B, 05 REV B, 03 REV B, 11 REV B Prefix 20.1 01 REV B, 02 REV B, 03 REV B, 04 REV B, 05 REV B, 06 REV B, 07 REV B, 08 REV B, 09 REV B, 10 REV B, 11 REV B, 12 REV B, 13 REV B, 15 REV B, 17 REV B, 18 REV B, 19 REV B, 21 REV B, and SK01 REV A

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

- 3 Before any relevant part of the works commence samples of the materials to be used in the construction of the external surfaces of the new development and roof extension hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

A sample panel of all facing materials should be erected on-site and approved by the Council before the relevant parts of the work are commenced and the development and new roof extension shall be carried out in accordance with the approval given. The panel must include facing brickwork demonstrating the proposed colour, texture, face-bond and pointing.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 A method statement for the cleaning and re-pointing of the bricks shall be submitted to and approved in writing by the Council before the works of cleaning and repointing are commenced. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Before any relevant part of the works commence, details shall be submitted to and approved by the local planning authority of all external signage. The details to include:
- a) The number, size, location and level of illumination of all signage

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:

- a) Typical details of the new shopfronts at a scale of 1:20 with stallriser, cornice, glazing bar details at a scale of 1:2
- b) Plan, elevation and section drawings of all new external doors at a scale of 1:10 with typical moulding and architrave details at a scale of 1:2.
- c) Plan, elevation and drawings of all new windows including jambs, head and cill at a scale of 1:10 with typical glazing bar details at 1:2.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 7 A method statement for the repair and replacement of architectural features including but not limited to stone balustrade, cornice, pilasters, capitals brickworks and architraves to the retained facades shall be submitted to and approved in writing by the Council before works are commenced. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Before the development commences, details of the proposed cycle storage area for x 17 cycles (including x14 fold away bikes) shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies..

- 9 The Class A3 use hereby permitted shall not be carried out outside the following times 07:00 - 00:00 Mondays - Saturdays and 08:00 - 23:30 Sundays and Bank Holidays. The Class A1 use hereby permitted can be carried out 24 hours daily.

Reason: To safeguard the amenities of the premises and the area generally in accordance with the requirements of policies CS1, CS2, CS5 and CS17 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

#### Informatives:

- 1 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

- 2 Reasons for granting permission.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS5 Managing the impact of growth and development, CS14 Promoting high quality places and conserving our heritage, CS 17 Making Camden a safer place, CS18 Dealing with our waste and encouraging recycling, CS19 Delivering and monitoring the Core Strategy, and the London Borough of Camden Local

Development Framework Development Policies, with particular regard to policies DP17 Walking. Cycling and public transport, DP21 Development connecting to the highway network, DP24 Securing high quality design, DP25 Conserving Camden's heritage, DP26 Managing the impact of development on occupiers and neighbours, DP27 basements and lightwells, DP29 Improving access and DP30 Shopfronts. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

- 3 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 4 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning) or the Camden Contact Centre on Tel: 020 7974 4444 or email [env.devcon@camden.gov.uk](mailto:env.devcon@camden.gov.uk)
- 5 You are advised that all conditions relating to planning permission 2008/5358/P, listed building consent 2008/5366/L and Conservation Area Consent 2008/5367/C granted on 8 April 2009 are still relevant to this consent. For the avoidance of doubt the conditions attached to this consent specifically relate to the amended elements of the original permission.
- 6 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).
- 7 The Council supports schemes for the recycling of bottles and cans and encourages all hotels, restaurants, wine bars and public houses to do so as well. Further information can be obtained by telephoning the Council's Environment Services (Recycling) on 0207 974 6914/5 or on the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>
- 8 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

Yours faithfully

Culture and Environment Directorate

DATED

14 January

2012

**(1) UK REAL ESTATE LIMITED**

-and-

**(2) LLOYDS TSB BANK PLC**

-and-

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

---

**DEED OF VARIATION**

Relating to the Agreement dated 8 April 2009  
Between the Mayor and the Burgesses of the  
London Borough of Camden,  
UK Real Estate Limited and Lloyds TSB Bank PLC  
under section 106 of the Town and  
Country Planning Act 1990 (as amended)  
Relating to development at premises known as  
**THE LIGHTHOUSE BLOCK**  
**283-297 PENTONVILLE ROAD and 370-380 GRAYS INN ROAD**  
**LONDON N1 9NP**

---

Andrew Maughan  
Head of Legal Services  
London Borough of Camden  
Town Hall  
Judd Street  
London WC1H 9LP

Tel: 020 7974 1918  
Fax: 020 7974 2962