

812

DATED

3 November

2009

**THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF CAMDEN**

-and-

**SAMUEL LITHGOW YOUTH CENTRE**

-and-

**THE MAYOR AND THE BURGESSES OF  
THE LONDON BOROUGH OF CAMDEN**

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**DEED OF VARIATION**

Relating to the Agreement dated 25 October 2007  
Between the Mayor and the Burgesses of the  
London Borough of Camden  
and Samuel Lithgow Centre  
under section 106 of the Town and  
Country Planning Act 1990 (as amended) and  
section 278 of the Highways Act 1980  
Relating to development at premises known as  
69 – 75 Stanhope Street, NW1 3LD

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London Borough of Camden  
Town Hall  
Judd Street  
London WC1H 9LP

Tel: 020 7974 5647  
Fax: 020 7974 2962

THIS AGREEMENT is made on the

day of

2009

**BETWEEN**

1. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Owner") of the first part
2. **SAMUEL LITHGOW YOUTH CENTRE** of 69-75 Stanhope Street, Camden, London NW1 3LD (hereinafter called "the Lessee") 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 Council the Owner and The Lessee entered into an Agreement dated 25 October 2007 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) and section 278 of the Highways Act 1980
- 1.2 The Owner is registered at HM Land Registry as the freehold proprietor with Title Absolute under title number NGL16029.
- 1.3 The Lessee is registered at HM Land Registry as the leasehold proprietor under title number NGL289641.
- 1.4 The Council is the local planning authority for the purposes of the Act.
- 1.5 The Owner is interested in the Property for the purposes of Section 106(9) of the Act.
- 1.6 On the 4 February 2009 the Lessee submitted to the Council a new Application in respect of the Property and was given reference 2008/5010/P to amend: the Original Permission granted by the Council (Planning Permission reference 2006/4773/P) allowing the erection of a 2-storey front extension, installation of a projecting rooflight and alterations to form an integrated youth and community centre (Class D1).

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.

a. "Existing Agreement" the Section 106 agreement under the Town and Country Planning Act 1990 (as amended) dated 25 October 2007 made between the Council the Owner and the Lessee

b. "Agreement" this Deed of Variation

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**

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

**"Development"**

Amendments to planning permission dated 25/10/07 (2006/4773/P) for erection of 2-storey front extension, installation of a projecting roof light and alterations to the elevations of the youth centre to form an integrated youth and community centre (Class D1) namely, removal of overhang at first floor level, alterations to ground floor level entrance area including installation of roller shutters, elevational changes at ground and first floor level on all elevations, including removal of proposed mesh shutters at ground floor level and alterations to rooflights (includes details of first floor level polycarbonate cladding) as shown on drawings: 0402-101E; 102I; 103K; 104E; 121H; 122H; SK055; SK057; SK062; Feasibility Study 2 by Meadowcroft Griffin Architects dated March 2006; Access Statement by Meadowcroft Griffin Architects dated 07/11/08; Samuel Lithgow Youth Centre Client History dated 11/10/06; Green Travel Plan by Meadowcroft Griffin Architects dated 16/10/06; Details of Roller Shutter Brickbond Grilles by Hart Door Systems; Sample of Polycarbonate Cladding by Everlite (Danpalon 16 MC Ice Softlite); and Sample of Ketley Blue Brick

"Permission"

the Planning Permission under reference number 2008/5010/P to be issued by the Council in the form of the draft annexed hereto

- 3.1 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 and the Owner has caused their respective Common  
Seals to be affixed and the Mortgagee has caused this Agreement to be executed as a Deed  
the day and year first above written.

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

~~THE COMMON SEAL OF THE MAYOR~~ )

~~AND BURGESSES OF THE LONDON~~ )

~~BOROUGH OF CAMDEN was hereunto~~ )

~~Affixed by Order:-~~ )

.....  
Authorised Signatory

EXECUTED AS A DEED BY )  
SAMUEL LITHGOW YOUTH CENTRE )  
acting by a Director and its Secretary )  
or by two Directors )

.....  
Director

.....  
Director/Secretary

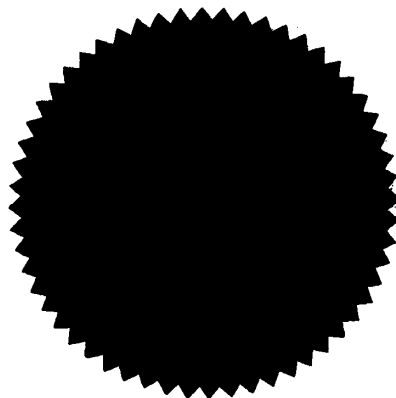
THE COMMON SEAL OF THE MAYOR )

AND BURGESSES OF THE LONDON )

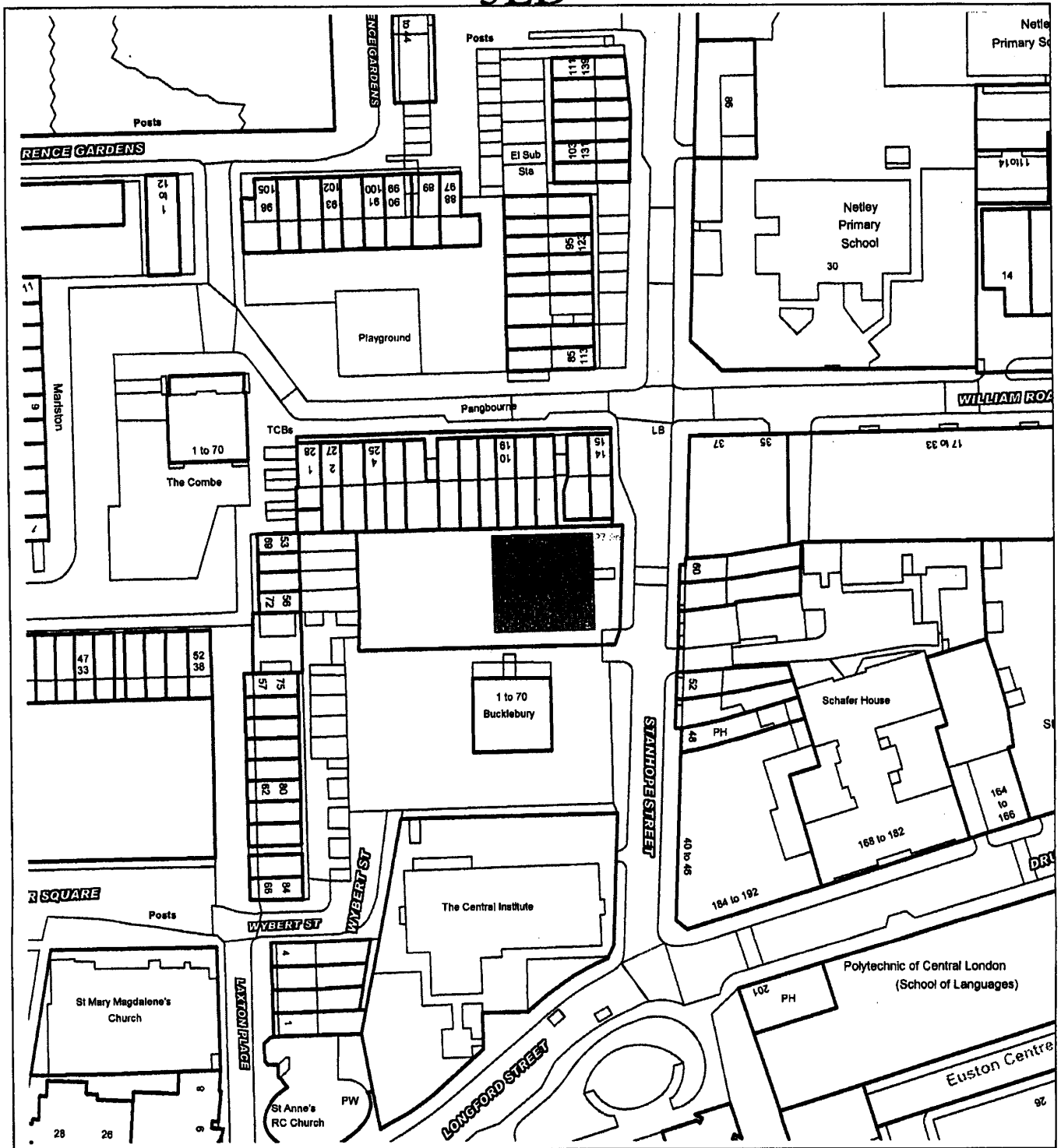
BOROUGH OF CAMDEN was hereunto )

Affixed by Order:- )

.....  
Authorised Signatory



# 69 – 75 Stanhope Street, London, NW1 3LD



*Peter Scorey*  
PETER SCOREY

*P. W. H.*  
PETER WATTS

TWO SIGNATURES  
& NAMES HERE  
AS WELL AS CAP

*Sharon L. Kelly*  
SHARON L. KELLY

Meadowcroft Griffin Architects  
Studio 1A  
Highgate Business Centre  
33 Greenwood Place  
LONDON  
NW5 1LB

Application Ref: **2008/5010/P**

22 July 2009

Dear Sir/Madam

**DRAFT**  
FOR INFORMATION ONLY - NOT A FORMAL DECISION  
Town and Country Planning Acts 1990 (as amended)

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

Address:  
**69 - 75 Stanhope Street**  
**London**  
**NW1 3LD**

**Proposal:**

**DECISION**  
Revisions to planning permission dated 22/10/06 (2006/0755/P) for extension of 2-storey front extension, installation of projecting roof, alterations to elevations of the youth centre to form an integrated youth and community centre (Class D1) namely, removal of overhang at first floor level, alterations to ground floor level entrance area including installation of roller shutters, elevational changes at ground and first floor level on all elevations, including removal of proposed mesh shutters at ground floor level and use of GRP cladding instead of polycarbonate cladding at first floor level and alterations to rooflights.

Drawing Nos: 0402-101E; 102I; 103I; 104E; 121G; 122G; 305C; SK055; SK057; SK062; Feasibility Study 2 by Meadowcroft Griffin Architects dated March 2006; Access Statement by Meadowcroft Griffin Architects dated 07/11/08; Manufacturers Details of Cladding; Samuel Lithgow Youth Centre Client History dated 11/10/06; Green Travel Plan by Meadowcroft Griffin Architects dated 16/10/06; Details of Roller Shutter Brickbond Grilles by Hart Door Systems; Sample of Corrugated Translucent Glass Reinforced Plastic (GRP) by Fibres du Hainaut; and Sample of Ketley Blue Brick.

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 this permission.

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

- 2 No music shall be played on the premises such as to be audible within any adjoining premises or on the highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 3 The cycle storage area for 8 cycles as shown on the drawings hereby approved shall be provided in its entirety prior to the first occupation of the Youth Centre and permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate parking facilities in accordance with the requirements of policy 3.9 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 4 All new external work to the existing building 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 policies B1 and B3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 5 The following windows shall be permanently obscure glazed and fixed shut (or provided with a 100mm restrictor for opening) prior to commencement of use of the building:

- " The first floor level windows on the east elevation;
- " The first floor level picture window on the north elevation; and
- " The ground and first floor level window on the north elevation serving the shower and WCs.

The windows shall be permanently retained and maintained as such thereafter:

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Informative(s):

1 Reasons for granting permission.

The proposed development is in general accordance with the policy requirements of the London Borough of Camden Replacement Unitary Development Plan 2006, with particular regard to policies S1, S2, SD1, SD6, SD7, B1, B3, T3, T12 and C1. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the Council's report.

2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover issues including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).

3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Environmental Health Service, Camden Town Hall, Argyle Street, London EC1A 3BB. Tel: 020 7974 2090 or by email [env.eph@camden.gov.uk](mailto:env.eph@camden.gov.uk) or on the website [www.camden.gov.uk](http://www.camden.gov.uk). If you anticipate any difficulty in carrying out construction other than within the hours stated above.

4 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 Sites Team, Urban Design and Regeneration.

Yours faithfully

Culture and Environment Directorate