

DATED

3 December

2014

(1) HER MAJESTY THE QUEEN

-and-

(2) THE CROWN ESTATE COMMISSIONERS

-and-

(3) LONDON & REGIONAL (ST GEORGES COURT) LIMITED

-and-

(4) THE BANK OF NEW YORK MELLON

-and

(5) THE MAYOR AND THE BURGESSES OF
THE LONDON BOROUGH OF CAMDEN

DEED OF VARIATION

Relating to the Agreement dated 31st January 2013
Between the Mayor and the Burgesses of the
London Borough of Camden, Her Majesty the Queen, The Crown Estate
Commissioners, London & Regional (St George's Court) Limited and The Bank of
New York
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as
**ST GEORGE'S COURT, 2-12 BLOOMSBURY WAY AND 2-28 NEW OXFORD
STREET
LONDON WC1A 2SH**

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

CLS/COM/FP/1685.1489
Final 30.10.9.2014



THIS DEED is made on the 3 day of December

2014

BETWEEN

1. **HER MAJESTY THE QUEEN** (hereinafter called "Her Majesty")
2. **THE CROWN ESTATE COMMISSIONERS** on behalf of Her Majesty acting in the exercise of the powers conferred by the Crown Estate Act 1961 care of 16 New Burlington Place London W1S 2HX (hereinafter called "the Commissioners") of the second part.
3. **LONDON & REGIONAL (ST GEORGES COURT) LIMITED** (Co. Regn. No.03355433) whose registered office is at Quadrant House Floor 6 4 Thomas More Square London E1W 1YW (hereinafter called "the Leaseholder") of the third part
4. **THE BANK OF NEW YORK MELLON** (incorporated in the USA) of 48th Floor One Canada Square London E14 5AL (hereinafter call "the Mortgagee") of the fourth part
5. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Council") of the fifth part

WHEREAS:

- 1.1 The Council, Her Majesty, the Commissioners, the Leaseholder and the Mortgagee entered into an Agreement dated 31 January 2013 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended).
- 1.2 Her Majesty is registered at the Land Registry as the freehold proprietor with Title Absolute under Title Numbers NGL853167 and 423211 and the Commissioners manage the Property in accordance with their powers under the Crown Estate Act 1961.

- 1.3 The Leaseholder is registered at the Land Registry as the leasehold proprietor with Title Absolute of the Property under Title Numbers NGL802624 and NGL939658 subject to a charge to the Mortgagee.
- 1.4 Her Majesty and the Commissioners are the freehold owners and the Leaseholder is the leasehold owner of the Property and are interested in the Property for the purposes of Section 106(9) of the Act and shall hereinafter be referred to as "the Owner".
- 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 Deed.
- 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 2 June 2014 for which the Council resolved to grant permission conditionally under reference 2014/2783/P subject to the conclusion of this Deed.
- 1.7 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.
- 1.8 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 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 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 It is hereby agreed between the Parties that save for the provisions of clauses 1, 2, 3, 5, and 6 hereof all of which shall come into effect on the date hereof the covenants undertakings and obligations contained within this Deed shall become binding upon the Owner upon the Implementation Date.
- 2.7 References in this Deed to the Owner and Mortgagee shall include their successors in title.
- 2.8 In this Deed the following expression shall unless the context otherwise states have the following meaning now allocated to it.

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

2.8.2 "Existing Agreement" the Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) dated 31 January 2013 made between the Council and Her Majesty, the Commissioners, the Leaseholder and the Mortgagee

2.8.3 "the Original Planning Permission" means the planning permission granted by the Council on 31 January 2013

referenced 2012/1400/P allowing the erection of single storey glazed extension with associated roof terraces and new rooftop plant to provide additional office space (Class B1) at 9th floor level (following removal of existing 9th floor rooftop plant), change of use from offices to three flexible retail or restaurant units (Class A1/A3) at part ground floor level, reconfiguration of front entrance to corner of Bloomsbury Way and New Oxford Street, replacement of ground and first floor façade with double storey glazed frontages to all elevations and associated alterations for refurbishment of existing offices (Class B1) as shown on drawing numbers Site Location Plan 770_LOC_001 Rev P1; 770_EX_B1 Rev P1; 770_EX_00 Rev P1; 770_EX_01 Rev P1; 770_EX_02 Rev P1; 770_EX_03 Rev P1; 770_EX_04 Rev P1; 770_EX_05 Rev P1; 770_EX_06 Rev P1; 770_EX_07 Rev P1; 770_EX_08 Rev P1; 770_EX_09 Rev P1; 770_EX_020 Rev P1; 770_EX_021 Rev P1; 770_EX_022 Rev P1; 770_EX_025 Rev P1; 770_EX_026 Rev P1; 770_DEM_B1 Rev P4; 770_DEM_00 Rev P4; 770_DEM_01 Rev P4; 770_DEM_02 Rev P4; 770_DEM_03 Rev P4; 770_DEM_04 Rev P4; 770_DEM_05 Rev P4; 770_DEM_06 Rev P4; 770_DEM_07 Rev P4; 770_DEM_08 Rev P4; 770_DEM_09 Rev P4; 770_DEM_20 Rev P1; 770_DEM_21 Rev P1;

770_DEM_22 Rev P1; 770_GA_B1 Rev P3; 770_GA_00 Rev P7, as received 29/05/2012; 770_GA_01 Rev P3; 770_GA_02 Rev P3; 770_GA_03 Rev P3; 770_GA_04 Rev P3; 770_GA_05 Rev P3; 770_GA_06 Rev P3; 770_GA_07 Rev P3; 770_GA_08 Rev P3; 770_GA_09 Rev P3; 770_GA_RF Rev P3; 770_GE_01 Rev P3; 770_GE_02 Rev P3; 770_GE_03 Rev P3; 770_GE_004 Rev P1; 770_GS_001 Rev P3; 770_GS_002 Rev P3; 770_GS_003 Rev P3; Excerpt of Bury Place elevation, as received 29/05/2012; Design and Access Statement by BuckleyGrayYeoman dated 29/02/2012; Floorspace Rationale by BuckleyGrayYeoman dated 12/03/2012; Planning Statement by Savills dated March 2012, as received 29/03/2012; St Georges Court Transport Statement by Jacobs dated 28/02/2012 Ref B1747900 Rev 1; St Georges Court Draft Delivery & Servicing Management Plan by Jacobs dated 28/02/2012 Ref B1747900 Rev 1; St Georges Court Framework Workplace Travel Plan by Jacobs dated 28/02/2012 Ref B1747900 Rev 1; Construction Management Plan (Draft) dated February 2012; BREEAM Pre-Assessment Report by Jacobs dated 17/02/2012 Ref B1747900 v1; Environmental Noise Survey and Plant Noise Assessment by Hann Tucker Associates dated 08/02/2012 Ref 17797/PNA1; Energy Statement by Blyth + Blyth dated 28/02/2012 Ref LM20592

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" variation of condition 3 (approved plans) of planning permission 2012/1400/P dated 31/01/2013 (for erection of single storey glazed extension with associated roof terraces and new rooftop plant to provide additional office space (Class B1) at 9th floor level (following removal of existing 9th floor rooftop plant), change of use from offices to three flexible retail or restaurant units (Class A1/A3) at part ground floor level, reconfiguration of front entrance to corner of Bloomsbury Way and New Oxford Street, replacement of ground and first floor façade with double storey glazed frontages to all elevations and associated alterations for refurbishment of existing offices (Class B1)), namely to change use of part ground floor office (Class B1) to retail (Class A1), enlarged roof terrace at 9th floor level, provision of acoustic screen at roof level and associated external and internal alterations (part retrospective) as shown on Superseded drawings and documents: 770_GA_B1 Rev P3; 770_GA_00 Rev P7, as received 29/05/2012; 770_GA_01 Rev P3;

770_GA_02 Rev P3; 770_GA_03 Rev P3; 770_GA_04 Rev P3; 770_GA_05 Rev P3; 770_GA_06 Rev P3; 770_GA_07 Rev P3; 770_GA_08 Rev P3; 770_GA_09 Rev P3; 770_GA_RF Rev P3; 770_GE_01 Rev P3; 770_GE_02 Rev P3; 770_GE_03 Rev P3; 770_GS_001 Rev P3; 770_GS_002 Rev P3; 770_GS_003 Rev P3; Environmental Noise Survey and Plant Noise Assessment by Hann Tucker Associates dated 08/02/2012 Ref 17797/PNA1 Drawings and documents for approval: 770_GA_B1 Rev P9; 770_GA_00 Rev P12; 770_GA_01 Rev P10; 770_GA_02 Rev P9; 770_GA_03 Rev P9; 770_GA_04 Rev P9; 770_GA_05 Rev P9; 770_GA_06 Rev P9; 770_GA_07 Rev P9; 770_GA_08 Rev P9; 770_GA_09 Rev P10; 770_GA_RF Rev P11; 770_GE_01 Rev P7; 770_GE_02 Rev P7; 770_GE_03 Rev P7; 770_GE_004 Rev P1; 770_GS_01 Rev P5; 770_GS_02 Rev P5; 770_GS_03 Rev P5; Letter from Savills dated 29/05/2014; Amendments to Approved Scheme Planning Submission by BuckleyGrayYeoman dated May 2014; Roof Plant Screen Ref HT17797 dated 25/06/2013; Building Services Acoustic Specification Report 17797/BS (Rev E) by Hann Tucker Associates dated 09/05/2014; View Analysis by BuckleyGrayYeoman dated July 2014; Daylight and Sunlight Study on 34 Bloomsbury Way, by Delva Patman Redler Ref DW/dw/14286 dated

July 2014; Daylight and Sunlight Study on Neighbouring Properties, by Delva Patman Redler Ref DW/dw/14286 dated September 2014; Roof Plant Visibility by Cityscape, dated September 2014

3.1.2 "Planning Permission" the planning permission for the Development under reference number 2014/2783/P granted 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 2 June 2014 by the Council and given reference number 2014/2783/P

3.2 All references in Clause 5 and Clause 6 of the Existing Agreement to planning reference 2012/1400/P or any other variation of wording referring to the reference 2012/1400/P shall be replaced with the new reference number 2014/2783/P.

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

4. **COMMENCEMENT**

4.1 Without prejudice to the effect of Clause 3.9 in the Existing Agreement the provisions in this Deed shall take effect on the Implementation of the Planning Permission referenced 2014/2783/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 and the Commissioners have caused their respective Common Seals to be affixed and the Mortgagee and the Leaseholder have caused this instrument to be executed as a Deed the day and year first above written.

THE OFFICIAL SEAL OF THE)
CROWN ESTATE COMMISSIONERS)
was hereunto affixed and authenticated by)



[Signature]
.....
~~Director~~ James Country
Authorised by the Crown Estate Commissioners

.....
~~Director/Secretary~~

EXECUTED AS A DEED BY)
LONDON & REGIONAL (ST GEORGE'S COURT))
LIMITED)
Acting by a director)
in the presence of:-)

[Signature]
.....
Director

.....
~~Director/Secretary~~ Witnessed by: *[Signature]*
Jacqueline Jones
55 Baker Street
London W1U 8EW

EXECUTED AS A DEED by)
THE BANK OF NEW YORK MELLON in the presence of)

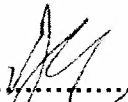
[Signature]
.....
Duly Authorised Signatory

Roisul Abedin
Authorised Signatory

[CONTINUATION OF DEED OF VARIATION IN RELATION TO ST GEORGE'S COURT, 2-12 BLOOMSBURY WAY AND 2-28 NEW OXFORD STREET, LONDON WC1A 2SH]

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




.....
Duly Authorised Officer



**Regeneration and Planning
Development Management**
London Borough of Camden
Town Hall
Judd Street
London
WC1H 8ND

Savills
33 Margaret Street
London
W1G 0JD

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

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

Application Ref: **2014/2783/P**

23 September 2014

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:

**St Georges Court
2-12 Bloomsbury Way and
2-28 New Oxford Street
London
WC1A 25L**

Proposal:

DECISION
Variation of condition 3 (approved plans) of planning permission 2012/1400/P dated 31/01/2013 (for erection of single storey glazed extension with associated roof terraces and new rooftop plant to provide additional office space (Class B1) at 9th floor level (following removal of existing 9th floor rooftop plant), change of use from offices to three flexible retail or restaurant units (Class A1/A3) at part ground floor level, reconfiguration of front entrance to corner of Bloomsbury Way and New Oxford Street, replacement of ground and first floor façade with double storey glazed frontages to all elevations and associated alterations for refurbishment of existing offices (Class B1)), namely to change use of part ground floor office (Class B1) to retail (Class A1), enlarged roof terrace at 9th floor level, provision of acoustic screen at roof level and associated external and internal alterations (part retrospective).

Drawing Nos:

Superseded drawings and documents: 770_GA_B1 Rev P3; 770_GA_00 Rev P7, as received 29/05/2012; 770_GA_01 Rev P3; 770_GA_02 Rev P3; 770_GA_03 Rev P3; 770_GA_04 Rev P3; 770_GA_05 Rev P3; 770_GA_06 Rev P3; 770_GA_07 Rev P3; 770_GA_08 Rev P3; 770_GA_09 Rev P3; 770_GA_RF Rev P3; 770_GE_01 Rev P3; 770_GE_02 Rev P3; 770_GE_03 Rev P3; 770_GS_001 Rev P3; 770_GS_002 Rev P3; 770_GS_003 Rev P3; Environmental Noise Survey and Plant Noise Assessment by Hann

Tucker Associates dated 08/02/2012 Ref 17797/PNA1.

Drawings and documents for approval: 770_GA_B1 Rev P9; 770_GA_00 Rev P12; 770_GA_01 Rev P10; 770_GA_02 Rev P9; 770_GA_03 Rev P9; 770_GA_04 Rev P9; 770_GA_05 Rev P9; 770_GA_06 Rev P9; 770_GA_07 Rev P9; 770_GA_08 Rev P9; 770_GA_09 Rev P10; 770_GA_RF Rev P11; 770_GE_01 Rev P7; 770_GE_02 Rev P7; 770_GE_03 Rev P7; 770_GE_004 Rev P1; 770_GS_001 Rev P5; 770_GS_002 Rev P5; 770_GS_003 Rev P5; Letter from Savills dated 29/05/2014; Amendments to Approved Scheme Planning Submission by BuckleyGrayYeoman dated May 2014; Roof Plant Screen Ref HT17797 dated 25/06/2013; Building Services Acoustic Specification Report 17797/BS (Rev E) by Hann Tucker Associates dated 09/05/2014; View Analysis by BuckleyGrayYeoman dated July 2014; Daylight and Sunlight Study on 34 Bloomsbury Way, by Delva Patman Redler Ref DW/dw/14286 dated July 2014; Daylight and Sunlight Study on Neighbouring Properties, by Delva Patman Redler Ref DW/dw/14286 dated September 2014; Roof Plant Visibility by Cityscape, dated September 2014.

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 dated 31/01/2013 (Ref: 2012/1400/P).

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

- 2 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 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 3 Condition 3 of the planning permission granted on 31/01/2013 under reference number 2012/1400/P shall be replaced by the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan 770_LOC_001 Rev P1; 770_EX_B1 Rev P1; 770_EX_00 Rev P1; 770_EX_01 Rev P1; 770_EX_02 Rev P1; 770_EX_03 Rev P1; 770_EX_04 Rev P1; 770_EX_05 Rev P1; 770_EX_06 Rev P1; 770_EX_07 Rev P1; 770_EX_08 Rev P1; 770_EX_09 Rev P1; 770_EX_020 Rev P1; 770_EX_021 Rev P1; 770_EX_022 Rev P1; 770_EX_025 Rev P1; 770_EX_026 Rev P1; 770_DEM_B1 Rev P4; 770_DEM_00 Rev P4; 770_DEM_01 Rev P4; 770_DEM_02 Rev P4; 770_DEM_03 Rev P4; 770_DEM_04 Rev P4; 770_DEM_05 Rev P4; 770_DEM_06 Rev P4; 770_DEM_07 Rev P4; 770_DEM_08 Rev P4; 770_DEM_09 Rev P4; 770_DEM_20 Rev P1; 770_DEM_21 Rev P1; 770_DEM_22 Rev P1; 770_GE_004 Rev P1; 770_GA_B1 Rev P9; 770_GA_00 Rev P12; 770_GA_01 Rev P10; 770_GA_02 Rev P9; 770_GA_03 Rev P9; 770_GA_04 Rev P9; 770_GA_05 Rev P9; 770_GA_06 Rev P9; 770_GA_07 Rev P9; 770_GA_08 Rev P9; 770_GA_09 Rev P10; 770_GA_RF Rev P11; 770_GE_01 Rev P7; 770_GE_02 Rev P7; 770_GE_03 Rev P7; 770_GE_04 Rev P1; 770_GS_001 Rev P5; 770_GS_002 Rev P5; 770_GS_003 Rev P5; Excerpt of Bury Place elevation, as received 29/05/2012; Design and Access Statement by BuckleyGrayYeoman dated 29/02/2012; Floorspace Rationale by BuckleyGrayYeoman dated 12/03/2012; Planning Statement by Savills dated March 2012, as received 29/03/2012; St Georges Court Transport Statement by Jacobs dated 28/02/2012 Ref B1747900 Rev 1; St Georges Court Draft Delivery & Servicing Management Plan by Jacobs dated 28/02/2012 Ref B1747900 Rev 1; St Georges Court Framework Workplace Travel Plan by Jacobs dated 28/02/2012 Ref B1747900 Rev 1; Construction Management Plan (Draft) dated February 2012; BREEAM Pre-Assessment Report by Jacobs dated 17/02/2012 Ref B1747900 v1; Energy Statement by Blyth + Blyth dated 28/02/2012 Ref LM20592 Issue 2; Addendum to Energy Statement by Blyth + Blyth dated 15/03/2012 Ref LM20592; Amendments to Approved Scheme Planning Submission by BuckleyGrayYeoman dated May 2014; Roof Plant Screen Ref HT17797 dated 25/06/2013; Building Services Acoustic Specification Report 17797/BS (Rev E) by Hann Tucker Associates dated 09/05/2014; View Analysis by BuckleyGrayYeoman dated July 2014; Daylight and Sunlight Study on 34 Bloomsbury Way, by Delva Patman Redler Ref DW/dw/14286 dated July 2014; Daylight and Sunlight Study on Neighbouring Properties, by Delva Patman Redler Ref DW/dw/14286 dated September 2014; Roof Plant Visibility by Cityscape, dated September 2014.

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

- 4 All new glazing shall match the existing glazing used in the existing glass infill on the building.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of

Camden Local Development Framework Development Policies.

- 5 The Class A3 use hereby permitted shall not be carried out outside the following times: 08:00 to 23:30 Monday to Thursdays, 08:00 to 00:00 on Fridays and Saturdays and 08:00 to 22:30 on Sundays and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 (Managing the impact of growth and development) and CS7 (Promoting Camden's centres and shops) of the London Borough of Camden Local Development Framework Core Strategy and policies DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 6 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(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 facade shall be at least 10dB(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 policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.

- 7 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 (Managing the impact of growth and development) and CS7 (Promoting Camden's centres and shops) of the London Borough of Camden Local Development Framework Core Strategy and policies DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 8 No fixed ventilation plant and /or machinery associated with the specified following uses

[(a) The retail (Class A1) use at part ground floor level;
(b) The flexible retail or restaurant units (Class A1/A3) at part ground floor level]

shall come into operation until full details of the plant and machinery serving the relevant part of the development hereby permitted, and any mitigation measures to prevent odour nuisances where applicable, has been submitted to and approved in writing by the Council. The plant/machinery shall thereafter be maintained in effective order to the reasonable satisfaction of the Council. In the event of no satisfactory ventilation plant and / or machinery being provided, no primary cooking shall take place on the premises.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.

- 9 The waste storage facility hereby approved shall be provided in full prior to the first occupation of any of the refurbished Class B1 offices or Class A3 restaurant and cafe, whichever is the soonest, and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made and to safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 (Managing the impact of growth and development), CS7 (Promoting Camden's centres and shops) and CS18 (Dealing with our waste and encouraging recycling) of the London Borough of Camden Local Development Framework Core Strategy and policies DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses), DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.

- 10 Prior to the first occupation of the building 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 an initial 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 thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CS13 (Tackling climate change through promoting higher environmental standards), CS14 (Promoting high quality places and conserving our heritage) and CS15 (Protecting and improving our parks and open

spaces & encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 (Promoting sustainable design and construction), DP23 (Water) and DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.

- 11 Only the area specifically shown on the plans hereby approved as an external terrace shall be used for such purposes; and no other flat roofed areas shall be used as a roof terrace, and any access out onto this area 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 policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 12 The external terrace at 9th floor level hereby permitted shall not be used as an amenity space outside of the following times 0800-2100hrs Mondays to Saturdays and 1000-1800 Sundays and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 (Managing the impact of growth and development) and CS7 (Promoting Camden's centres and shops) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 13 The proposed development shall not be occupied until the whole of the 126 spaces of cycle parking provision shown on the approved drawings is provided. The whole of the cycle parking provision shall be permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 (Walking, cycling and public transport) of the London Borough of Camden Local Development Framework Development Policies.

- 14 The ground floor ancillary cafe to the Class B1 use at the site, as specified on the proposed ground floor plan hereby approved (770_GA_00 Rev P12), shall not be open to the public and shall remain in ancillary use to the main Class B1 use at the site.

Reason: In order to comply with the requirements of policy CS7 (Promoting Camden's centres and shops) of the London Borough of Camden Local Development Framework Core Strategy and policy DP10 (Helping and promoting small and independent shops) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 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 6941).
- 2 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.
- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 4 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 5 You are advised that condition 5 means that no customers shall be on the premises and no activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.
- 6 You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5. or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en>.
- 7 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 or the Camden Contact Centre on Tel: 020 7974 4444 or email planning@camden.gov.uk).
- 8 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 9 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.
- 10 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 11 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>.
- 12 You are advised that if implemented, the alternative use permission hereby granted

in relation to the Class A1/A3 elements gives flexibility of use for 10 years from the date of permission for application 2012/1400/P (granted on 31/01/2013). After 10 years the lawful use would revert to whichever of the uses is taking place at the time.

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

Culture and Environment Directorate

DRAFT

DECISION





DATED

3 December

2014

(1) HER MAJESTY THE QUEEN

-and-

(2) THE CROWN ESTATE COMMISSIONERS

-and-

(3) LONDON & REGIONAL (ST GEORGES COURT) LIMITED

-and-

(4) THE BANK OF NEW YORK MELLON

-and

(5) THE MAYOR AND THE BURGESSES OF
THE LONDON BOROUGH OF CAMDEN

DEED OF VARIATION

Relating to the Agreement dated 31st January 2013
Between the Mayor and the Burgesses of the
London Borough of Camden, Her Majesty the Queen, The Crown Estate
Commissioners, London & Regional (St George's Court) Limited and The Bank of
New York
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as
**ST GEORGE'S COURT, 2-12 BLOOMSBURY WAY AND 2-28 NEW OXFORD
STREET
LONDON WC1A 2SH**

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

CLS/COM/FP/1685.1489
Final 30.10.9.2014