

DATED

20 April

2015

(1) THE UNIVERSITY OF LONDON

-and-

(2) THE SCHOOL OF ORIENTAL AND AFRICAN STUDIES

-and-

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

DEED OF VARIATION

Relating to the Agreement dated 30 June 2014
Between the Mayor and the Burgesses of the
London Borough of Camden,
The University of London and The School of Oriental and African Studies
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as

**Basement, Ground, First, Second and Third Floor being North Block, Senate House,
Malet Street, London WC1E 7HU**

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/ESA/1685.2998
FINAL



THIS DEED is made on the 20th day of April 2015

BETWEEN

1. **THE UNIVERSITY OF LONDON** of Senate House, Malet Street London WC1E 7HU (hereinafter called "the Freeholder") of the first part
2. **THE SCHOOL OF ORIENTAL AND AFRICAN STUDIES** of Thornhaugh Street London WC1H 0XG (hereinafter called "the Leaseholder") 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 University of London and The School of Oriental and African Studies entered into an Agreement dated 30 June 2014 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended).
- 1.2 The Freeholder is registered at the Land Registry as the freehold proprietor with Title Absolute under title number 325806.
- 1.3 The Freeholder is the freehold owner of and is interested in the Property for the purposes of Section 106(9) of the Act.
- 1.4 The Leaseholder is registered at the Land Registry as the leasehold proprietor with Title Absolute under title number NGL933666.
- 1.5 The Leaseholder is the leasehold owner of and is interested in the land Property for the purposes of Section 106 of the Act.
- 1.6 The Council is the local planning authority for the purposes of the Act and considers it expedient in the interests of the proper planning of its area that the Development of the Property should be restricted or regulated in accordance with this Deed.
- 1.7 A new Planning Application in respect of the Property and to amend the Original Planning Permission was submitted to the Council by the Owner and validated on 18

November 2014 for which the Council resolved to grant permission conditionally under reference 2014/7197/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 references 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 Agreement.

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 Agreement and shall not affect 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 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 30 June 2014 made between the Council and The University of London and The School of Oriental and African Studies

2.8.3 "the Original Planning Permission" means the planning permission granted by the Council on 30 June 2014 referenced 2013/4415/P allowing the external alterations to inner courtyard including erection of infill extension/atrium at basement & ground floor levels, new ramps and alterations to Torrington Square entrance, creation of external fire escape in west lightwell, alterations to east and west elevations, and installation of plant on main roof. as shown on drawing numbers (Prefix:SOAS-A-) PLN-SIT-XX-101 P2 (Site Location Plan); PLN-SIT-XX-102 P2 (Site Plan); PLN-SIT-XX-103 P2; PLN-GEN-B1-201 P2; PLN-GEN-00-202 P2; PLN-GEN-01-203 P2; PLN-GEN-02-204; PLN-GEN-03-205 P2; PLN-GEN-RF-206 P2; PLN-GEN-00-232 P4; PLN-GEN-01-233 P5; PLN-GEN-02-234 P5; PLN-GEN-03-235 P5; ELE-GEN-XX-301 P2; ELE-GEN-XX-302 P2; ELE-GEN-XX-303 P2; ELE-GEN-XX-304 P2; ELE-GEN-XX-305 P2; ELE-GEN-XX-306 P2; ELE-GEN-XX-321 P3; ELE-

GEN-XX-325 P2; SEC-GEN-XX-372 P3; SEC-GEN-XX-390 P3; SEC-GEN-XX-391 P3; SEC-GEN-XX-395 P1; XXX-GEN-XX-502 P2; XXX-GEN-01-503 P2; and XXX-GEN-XX-651 P2.

Supporting Documents: Business Case dated 04th July 2013 by SOAS University of London; Senate House North Clock Refurbishment Demolition & Construction Method Statement dated 15th April 2013 by Mace; Sustainability Statement dated 11th June 2013 by Mace; Energy Strategy Report dated 21 June 2013 by Mace; Environmental Noise Monitoring Report dated 12/03/2013 by WSP; External Plant Noise Assessment Report dated 24/07/2013 by WSP; Technical Specification of Kitchen Fan by Nuaire international; Planning Statement dated July 2013 by DP9; and Transport Statement dated July 2013 by Robert West

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" the development authorised by the Original Planning Permission as amended by the following:- variation of condition 3 (approved plans) of planning permission 2013/4415/P dated 30/06/2014 (for external alterations to inner courtyard including erection of infill extension/atrium at basement & ground floor levels, new ramps and alterations to Torrington Square entrance, creation of external fire escape in west lightwell, alterations to east and west elevations, and installation of plant on main roof) namely to allow a rainwater

harvesting tank to be installed under the proposed infill extension as shown on drawing numbers:-

Superseded: SEC-GEN-XX-372-P3

Proposed: SEC-GEN-XX-372-C2; DET-SKE-XX-005-C1; DET-SKE-XX-006-C1; DET-SKE-XX 500-C1; PLN-GEN-B1-221-C6; and PLN-GEN-B1-231-P2

3.1.2 "Planning Permission"

the Original Planning Permission amended by the planning permission granted for the Development under reference number 2014/7197/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 submitted on 18 November 2014 by the Owner and given reference number 2014/7197/P

3.2 All references in Clause 5 and Clause 6 of the Existing Agreement to "Planning Permission reference 2013/4415/P" shall be replaced with "Planning Permission reference 2014/7197/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 3.5 in the Existing Agreement and subject to clause 2.6 of this Deed the provisions in this Deed shall take effect on the Implementation of the Planning Permission referenced 2014/7197/P.

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

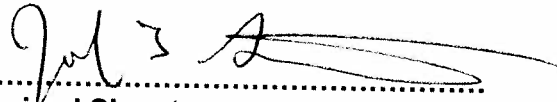
5.1 The Owner agrees to pay the Council (on or prior to completion of this Deed) its reasonable legal costs incurred in preparing this Deed

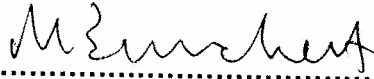
6. **REGISTRATION AS LOCAL LAND CHARGE**

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

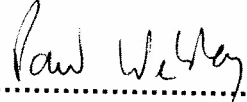
IN WITNESS WHEREOF the Council and the Owner has caused their respective Common Seals to be affixed to be executed as a Deed the day and year first above written.

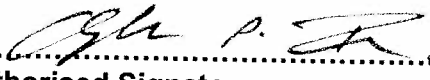
THE COMMON SEAL OF)
THE UNIVERSITY OF LONDON)
was hereunto affixed)
in the presence of:-)


.....
Authorised Signatory

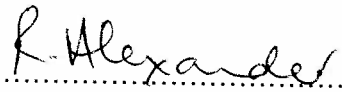

.....
Authorised Signatory

THE COMMON SEAL OF)
THE SCHOOL OF ORIENTAL AND AFRICAN STUDIES))
was hereunto affixed)
in the presence of:-)


.....
Authorised Signatory


.....
Authorised Signatory

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


.....
Duly Authorised Officer



DP9 Ltd
DP9 Ltd
100 Pall Mall
London
Greater London
SW1Y 5NQApplication Ref: **2014/7197/P**

04 March 2015

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:
Senate House - North Block
Malet Street
London
WC1E 7HU**DECISION**
Proposal:
Variation of condition 3 (approved plans) of planning permission 2013/4415/P dated 30/06/2014 (for erection of infill extension) namely to allow a rainwater harvesting tank to be installed under the infill extension.
Drawing Nos: Superseded: SEC-GEN-XX-372-P3

Proposed: SEC-GEN-XX-372-C2; DET-SKE-XX-005-C1; DET-SKE-XX-006-C1; DET-SKE-XX 500-C1; PLN-GEN-B1-221-C6; and PLN-GEN-B1-231-P2.

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 Condition 3 of planning permission reference 2013/4415/P granted 30/06/2014 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: PLN-SIT-XX-101-P2; PLN-SIT-XX-102-P2; PLN-SIT-XX-103-P2; PLN-GEN-B1-201-P2; PLN-GEN-00-202-P2; PLN-GEN-01-203-P2; PLN-GEN-02-204; PLN-GEN-03-205-P2; PLN-GEN-RF-206-P2; PLN-GEN-B1-221-C6; PLN-GEN-B1-231-P2; PLN-GEN-00-232-P4; PLN-GEN-01-233-P5; PLN-GEN-02-234-P5; PLN-GEN-03-235-P5; ELE-GEN-XX-301-P2; ELE-GEN-XX-302-P2; ELE-GEN-XX-303-P2; ELE-GEN-XX-304-P2; ELE-GEN-XX-305-P2; ELE-GEN-XX-306-P2; ELE-GEN-XX-321-P3; ELE-GEN-XX-325-P2; SEC-GEN-XX-372-C2; SEC-GEN-XX-390-P3; SEC-GEN-XX-391-P3; SEC-GEN-XX-395-P1; DET-SKE-XX-005-C1; DET-SKE-XX-006-C1; DET-SKE-XX-500-C1; XXX-GEN-XX-502-P2; XXX-GEN-01-503-P2; and XXX-GEN-XX-651-P2.

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

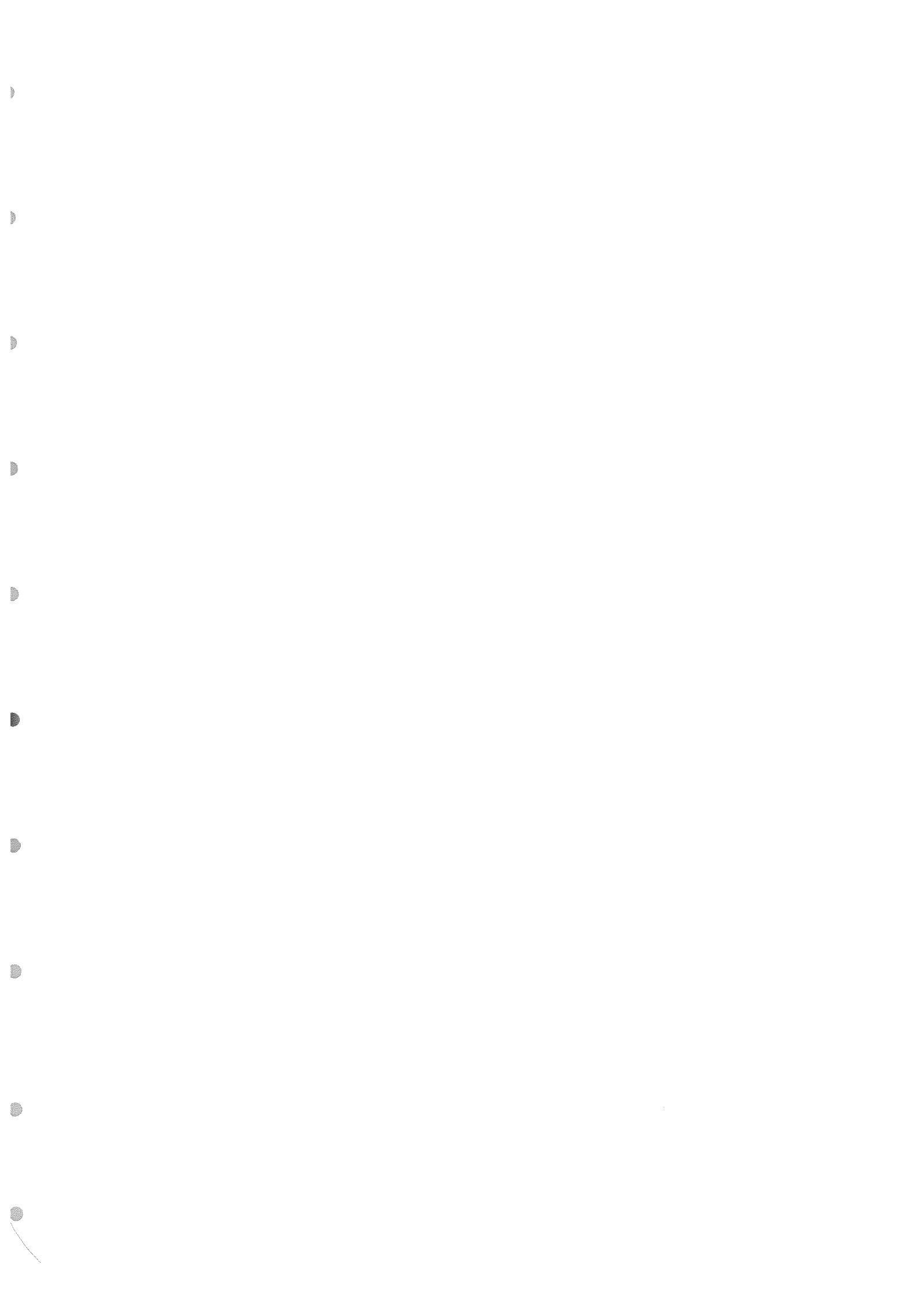
Informative(s):

- 1 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions and obligations as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

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



DATED

20 April

2015

(1) THE UNIVERSITY OF LONDON

-and-

(2) THE SCHOOL OF ORIENTAL AND AFRICAN STUDIES

-and-

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

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