

DATED

22ND FEBRUARY

2016

(1) TAYLOR WIMPEY UK LIMITED

-and-

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

**SECOND DEED OF VARIATION
UNDER S106A OF THE TOWN AND COUNTRY
PLANNING ACT 1990 (AS AMENDED)**

Relating to the Agreement dated 30 March 2015 between
the Mayor and the Burgesses of the London Borough of Camden
Regent Renewal Limited and Investec Bank PLC; and
the First Deed of Variation dated 20 November 2015
between the Mayor and the Burgesses of the London Borough of Camden
Regent Renewal Limited and Taylor Wimpey UK Limited
under section 106 of the Town and
Country Planning Act 1990 (as amended)
Relating to development at premises known as

102 CAMLEY STREET, LONDON N1C 4PF

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

G:\case files\culture & env\planning\pm\s106 Agreements\Camley Street 102 (2ndDoV)
CLS/COM/PM/1781.497
2nd DoV 010216



THIS DEED OF AGREEMENT is made on the *22nd* day of *FEBRUARY* 2016

BETWEEN

1. **TAYLOR WIMPEY UK LIMITED** a Company registered in England and Wales (Company No. 1392762) whose registered office is Gate House, Turnpike Road, High Wycombe, Buckinghamshire, HP12 3NR (hereinafter referred to as the "Owner") of the first part
2. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Council") of the second part

WHEREAS:

- 1.1 The Council, Regent Renewal Limited and Investec Bank PLC entered into an Agreement dated 30 March 2015 pursuant to Section 106 of the Act.
- 1.2 The Council, Regent Renewal Limited and the Owner entered into a Section 106 Agreement First Deed of Variation dated 20 November 2015 pursuant to Section 106A of the Town and Country Planning Act 1990 (as amended).
- 1.3 Regent Renewal Limited and Investec Bank PLC no longer retain an interest in the Property.
- 1.4 The Owner is registered at the Land Registry as the freehold proprietor with Title Absolute under title number NGL950332 and leasehold proprietor with Title Absolute under title number NGL364312 and is interested in the Property for the purposes of Section 106(9) of the Act and agrees to be bound by this Deed.
- 1.5 The Council is the local planning authority for the purposes of the Act for the area in which the Property is situated 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 The application for Non Material Amendment was submitted on the 11 September 2015 by the Owner under section 96A of the Act under reference 2015/5185/P and

was granted conditionally by the Council on the 16 December 2015 in respect of the Property and amending the Original Planning Permission.

- 1.7 The Owner has agreed with the Council that the Existing Agreement be varied in accordance with the terms of this Deed.
- 1.8 This Deed is made by virtue of Section 106A of the Act 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 References in this Deed to the Owner shall include their successors in title.
- 2.4 In this Deed the following expression shall unless the context otherwise states have the following meaning now allocated to it.

2.4.1 “Non Material Amendments” the non-material amendments to the Original Planning Permission granted conditionally on 16th December 2015 in respect of the Property under reference number 2015/5185/P annexed hereto

2.3.2 “Deed” this Second Deed of Variation made pursuant to Section 106A of the Act

2.3.3 "Existing Agreement" the Section 106 Agreement under the Act dated 30 March 2015 made between Council, Regent Renewal Limited and Investec Bank PLC

2.3.4 "the First Deed of Variation" the Section 106 Agreement Deed of Variation under s106A of the Town and Country Planning Act 1990 (as amended) in respect of the Property dated 20 November 2015 made between the Council, Regent Renewal Limited and the Owner

2.5 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.

2.6 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.

2.7 Unless the context otherwise requires references to the singular shall include the plural and vice versa.

3. VARIATION TO THE EXISTING AGREEMENT

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

3.1.1 "Affordable Rented Housing Units"

the twenty one (21) units of Affordable Rented Housing forming part of the Development comprising six (6) x 1-bedroom units, five (5) x 2-bedroom units, eight (8) x 3-bedroom units, two (2) x 4-bedroom units as the same are shown shaded pink on Plan 2

3.1.2 "Development"

demolition of existing warehouse building (Class B8) and redevelopment for a mixed use building ranging from 8-12 storeys comprising 1,620sqm employment floorspace (Class B1), 154 residential flats, the provision of a public ramp access to the Regents Canal towpath, and associated landscaping and other works relating to the public realm. as shown on drawing numbers (prefix A-P-) 000, 010, 011, 012, 013, 100, 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 200, 201, 202, 203, 204, 300, 301, 302, 500, 501, 502, 503, 504, Area Schedule 4.2-Schd-01 rev L, Unit Schedule 4.2-Schd-02 rev F; Landscape drawings (prefix 157-) L01 rev B, L03 rev A, L04, L05, L07. Supporting docs: Covering letter by DP9 dated 30 June 2014, Planning Statement by DP9 dated July 2014, Gateway Sites - Employment Spaces Overview by Shaw Corporation dated June 2014, Design and Access Statement by Glenn Howells dated July 2014, Design and Access Statement Addendum on Lifetime Homes, Townscape Heritage and Visual Impact Assessment by KM Heritage dated June 2014, Verified Views by AVR London dated June 2014, Transport Assessment by TTP dated June 2014, Travel Plan by TTP dated June 2014, Ecological Assessment by Aspect dated June 2014, Ecological Assessment Addendum by Aspect dated September 2014, Sustainability Statement by McBains Cooper dated June 2014, Energy Strategy by McBains Cooper revised August 2014, Arboricultural summary report by Aspect Arboriculture dated June 2014, Wind Microclimate Assessment by RWDI dated June 2014, Daylight and Sunlight Report by GVA dated June 2014, Noise and Vibration Report by Sandy Brown dated February 2014, Air Quality Assessment by Arup dated June 2014, Geotechnical Desk Study by Arup dated June 2014, Construction Methodology by Arup dated June 2014, Basement Impact Assessment by Arup

dated June 2014, Statement of Community Involvement by Your Shout dated June 2014, Affordable Housing Viability Appraisal by Shaw Corporation dated June 2014 (Confidential) as amended by the Non-Material Amendments

3.1.3 "Intermediate Housing Units"

the sixteen (16) units of Intermediate Housing forming part of the Development comprising seven (7) x 1-bedroom, nine (9) x 2-bedroom units the same as shown shaded yellow on Plan 2

3.1.4 "Plan 2"

the plan marked "Plan 2" annexed hereto showing the Affordable Housing Units

3.1.5 "Planning Permission"

the Original Planning Permission as amended by the Non-Material Amendments granted conditionally under reference number 2015/5185/P by the Council in the form annexed hereto

3.2 The following definition shall be added to the Existing Agreement:-

3.2.1 "Non Material Amendments" shall mean the non-material amendments to the Development including the reduction and relocation of servicing at basement and roof level, rearrangement of commercial floorspace at mezzanine level (use class B1), relocation of the entrance of the affordable housing block to the western frontage, relocation of affordable units into northern block, relocation of the substation and parking and waste storage areas, alterations to the access points of the commercial units, amendments to landscape layout and introduction of residential amenity space at mezzanine level as approved under

planning permission (2014/4381/P) dated 30/03/2015.

3.2.2 “the Original Planning Permission”

means the planning permission granted by the Council on 30 March 2015 referenced 2014/4381/P allowing the Demolition of existing warehouse building (Class B8) and redevelopment for a mixed use building ranging from 8-12 storeys comprising 1,620sqm employment floorspace (Class B1), 154 residential flats, the provision of a public ramp access to the Regents Canal towpath, and associated landscaping and other works relating to the public realm

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

4. PAYMENT OF THE COUNCIL’S LEGAL COSTS

4.1 The Owner agrees to pay the Council its proper and reasonable legal costs incurred in preparing this Deed prior to the date of completion of the Deed.

5. REGISTRATION AS LOCAL LAND CHARGE

5.1 This Deed shall be registered as a Local Land Charge by the Council.

6. COMMENCEMENT

6.1 The provisions in this Deed shall take effect upon completion but for the avoidance of doubt without prejudice to the effect of Clause 3.5 in the Existing Agreement.

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

EXECUTED AS A DEED
BY TAYLOR WIMPEY UK LIMITED
acting by a Director in the presence of

.....
Director

Witness Signature:

Witness Name: CHRISTOPHER WALKER

Witness Address: 80 NEW BOND STREET, LONDON W1S 1SB

Witness Occupation: LAW GRADUATE

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

.....
Authorised Signatory



[Faint, illegible markings or text]

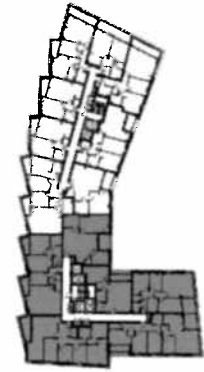
PLAN 2

AFFORDABLE HOUSING

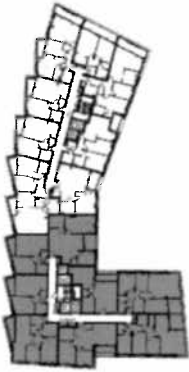
Key to Affordable Housing Units

■ Affordable Rent

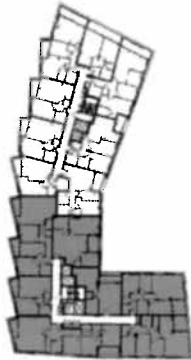
■ Intermediate Housing Units



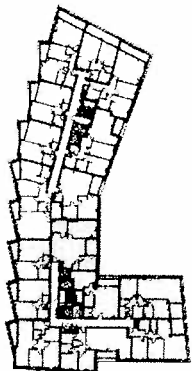
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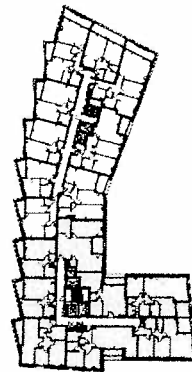
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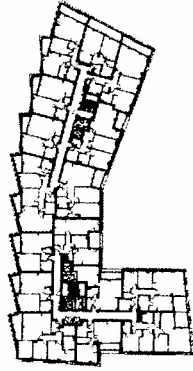
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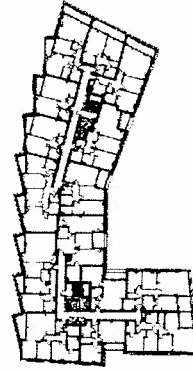
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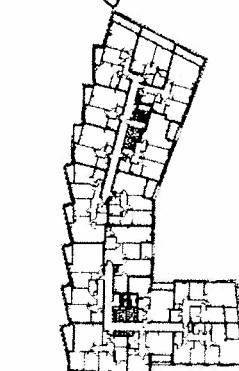
Level 05



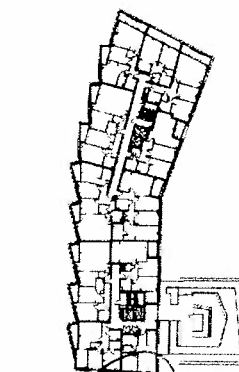
Level 06



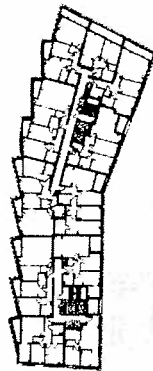
Level 07



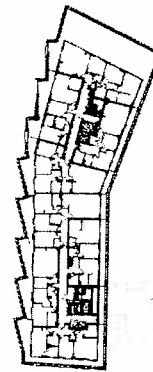
Level 08



Level 09



Level 10



Level 11

R. Alexander

This drawing shall not be used for any purpose other than that for which it was prepared. The user of this drawing shall be responsible for its use and for any errors or omissions. The user shall indemnify and hold the architect harmless from any and all claims, damages, costs and expenses, including reasonable attorneys' fees, arising from any such use.

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Registered Office: Powell Dobson Ltd, Chancery House, Little Bassett Park, St Albans, Hertfordshire, AL3 5JF. Powell Dobson is a trading name of Powell Dobson Ltd a company registered in England and Wales No: 3873842

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DESIGN	<input type="checkbox"/>
TENDER	<input type="checkbox"/>
CONSTRUCTION	<input type="checkbox"/>

powelldobson
ARCHITECTS

102 Camley Street
Regent
Plan 2

Scale	1:1000p3
Date	02/2/16
Drawn	PK
Checked	Chewer

Project No: 1007
Date: 16/7/16
Rev: 01





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

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

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

Miss Rachel Crick
DP9
100 Pall Mall
LONDON
SW1Y 5NQ

Application Ref: **2015/5185/P**
Please ask for: **Zenab Haji-Ismail**
Telephone: 020 7974 **3270**

16 December 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non Material Amendments to planning permission

Address:
102 Camley Street
London
NW1 0PF

Proposal:

Proposal: Amendments to the scheme including the reduction and relocation of servicing at basement and roof level, rearrangement of commercial floorspace at mezzanine level (use class B1), relocation of the entrance of the affordable housing block to the western frontage, relocation of affordable units into northern block, relocation of the substation and parking and waste storage areas, alterations to the access points of the commercial units, amendments to landscape layout and introduction of residential amenity space at mezzanine level as approved under planning permission (2014/4381/P) dated 30/03/2015.

Drawing Nos: Superseded: (prefix A-P-)100, 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 200, 201, 202, 203, 204, 300, 301, 302,.

Proposed:	14007_11_A_(05)113_RevC,	14007_12_A_(05)114_RevC,
	14007_B1_A_(05)101_RevC,	14007_10_A_(05)112_RevC,
	14007_ZZ_A_(05)200_RevC,	14007_ZZ_A_(05)201_RevC,
	14007_ZZ_A_(05)202_RevC,	14007_ZZ_A_(05)203_RevC,
	14007_ZZ_A_(05)204_RevC,	14007_ZZ_A_(05)300_RevC,



14007_ZZ_A_(05)301_RevC, 14007_ZZ_A_(05)302_RevC,
14007_00_A_(05)102_RevC, 14007_01_A_(05)103 Rev D, 14007_01_A_(05)104 Rev
D, 14007_01_A_(05)105 Rev D, 14007_01_A_(05)106 Rev D, 14007_01_A_(05)107
Rev D, 14007_06_A_(05)108_RevC, 14007_07_A_(05)109_RevC,
14007_08_A_(05)110_RevC and 14007_09_A_(05)111_RevC.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 For the purposes of this decision, condition no. 2 of planning permission 2014/4381/P dated 30/03/2015, shall be replaced with the following condition

REPLACEMENT CONDITION 2

The development hereby approved shall be carried out in accordance with the approved plans.

(prefix A-P-) 000, 010, 011, 012, 013, 500, 501, 502, 503, 504, Area Schedule 4.2-Schd-01 rev L, Unit Schedule 4.2-Schd-02 rev F; Landscape drawings (prefix 157-) L01 rev B, L03 rev A, L04, L05, L07; 14007_11_A_(05)113_RevC, 14007_12_A_(05)114_RevC, 14007_B1_A_(05)101_RevC, 14007_10_A_(05)112_RevC, 14007_ZZ_A_(05)200_RevC, 14007_ZZ_A_(05)201_RevC, 14007_ZZ_A_(05)202_RevC, 14007_ZZ_A_(05)203_RevC, 14007_ZZ_A_(05)204_RevC, 14007_ZZ_A_(05)300_RevC, 14007_ZZ_A_(05)301_RevC, 14007_ZZ_A_(05)302_RevC, 14007_00_A_(05)102_RevC, 14007_01_A_(05)103 Rev D, 14007_01_A_(05)104 Rev D, 14007_01_A_(05)105 Rev D, 14007_01_A_(05)106 Rev D, 14007_01_A_(05)107 Rev D, 14007_06_A_(05)108_RevC, 14007_07_A_(05)109_RevC, 14007_08_A_(05)110_RevC, and 14007_09_A_(05)111_RevC.

Supporting docs: Covering letter by DP9 dated 30 June 2014, Planning Statement by DP9 dated July 2014, Gateway Sites - Employment Spaces Overview by Shaw Corporation dated June 2014, Design and Access Statement by Glenn Howells dated July 2014, Design and Access Statement Addendum on Lifetime Homes, Townscape Heritage and Visual Impact Assessment by KM Heritage dated June 2014, Verified Views by AVR London dated June 2014, Transport Assessment by TTP dated June 2014, Travel Plan by TTP dated June 2014, Ecological Assessment by Aspect dated June 2014, Ecological Assessment Addendum by Aspect dated September 2014, Sustainability Statement by McBains Cooper dated June 2014, Energy Strategy by McBains Cooper revised August 2014, Arboricultural summary report by Aspect Arboriculture dated June 2014, Wind Microclimate Assessment by RWDI dated June 2014, Daylight and Sunlight Report by GVA dated June 2014, Noise and Vibration Report by Sandy Brown dated February 2014, Air Quality Assessment by Arup dated June 2014, Geotechnical Desk Study by Arup dated June 2014, Construction Methodology by Arup dated June 2014, Basement Impact Assessment by Arup dated June 2014, Statement of Community Involvement by Your Shout dated June 2014, Affordable Housing Viability Appraisal by Shaw Corporation dated June 2014 (Confidential); covering

letter dated 19 November 2015.

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

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

Informative(s):

1 Reason for granting non-material amendment:

The full impact of the proposed development has already been assessed by virtue of the original approval granted on 30/03/2015 reference 2014/4381/P. In the context of the permitted scheme, it is not considered that the amendments would have any material effect on the approved development, or impact on nearby occupiers.

The amendments includes the reduction in the area to that would be used for planting and maintains the same level of floorspace available for office (B1a) and a roof light would be introduced to allow more light into the office. The amendments would not impact the commercial offering of the proposed.

The amendments include the relocation of the entrance of the affordable housing block to a more prominent location on the frontage and the affordable units would be consolidated into one block. The amendment would not impact the quantum of affordable housing not the quality of the units and is therefore considered non-material.

The substation will be relocated due to access requirements, and therefore parking and waste storage areas have been relocated to a more appropriate location. Finally the access to the mezzanine and commercial units have been rearranged and the residential amenity space has been introduced at the mezzanine level.

The context of the overall scheme remains unchanged and it is not considered that the amendments would have any material effect on the approved development.

2 You are advised that this decision relates only to the changes highlighted on the plans and/or set out in the description and on the application form and shall only be read in the context of the substantive permission granted on 30/03/2015 under reference 2014/4381/P and is bound by all the conditions and obligations attached to that permission.

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



Ed Watson
Director of Culture & Environment

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.



DATED

22nd FEBRUARY

2016

(2) TAYLOR WIMPEY UK LIMITED

-and-

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

**SECOND DEED OF VARIATION
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