

From: Reg.13
To: Reg.13 Reg.13
Cc: Reg.13
Subject: 419 Wick Lane Application
Date: 10 October 2012 08:04:45

Reg.13

I have changed your number for above application from 12/90164/FUMODA to 12/00165/FUM.

I have also saved the folder in O Drive for you.

Reg.13

Reg.13

Development Control Administrator
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13

Email: Reg.13 |@londonlegacy.co.uk

Web: www.londonlegacy.co.uk

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From: Reg.13
To: Reg.13
Subject: RE: 419 Wick Lane [PM-eShare.FID1089314]
Date: 29 October 2012 08:37:24

Hi Reg.13

I've asked Admin to form a new draft on the LLDC template. I'm still waiting on the draft committee minutes as well which I need for the reasons for approval – but I'll see how much progress I've made by the end of the day!

Reg.13

From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: 26 October 2012 10:18
To: Reg.13
Cc: Anthony Hollingsworth
Subject: FW: 419 Wick Lane [PM-eShare.FID1089314]

Reg.13

Are you please able to send me the draft planning permission?

Thanks

Reg.13

Reg.13
Solicitor
for Pinsent Masons LLP

D: +44 (0) Reg.13 M: +44 (0) Reg.13 Ext: Reg.13

*Pinsent Masons: combining the experience, resources and international reach
of McGrigors and Pinsent Masons*

From: Reg.13
Sent: 25 October 2012 22:31
To: Reg.13
Cc: Anthony Hollingsworth
Subject: RE: 419 Wick Lane [PM-eShare.FID1089314]

Reg.13

Thanks for your emails. I have amended the agreement and it is now attached. I have sent this back to the applicant and I think this shall now be in agreed form. I shall update you when I have confirmation in this respect.

Kind regards

Reg.13

Reg.13
Solicitor
for Pinsent Masons LLP

D: +44 (0) Reg.13 M: +44 (0) Reg.13 Ext: Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 19 October 2012 10:00
To: Reg.13
Cc: Anthony Hollingsworth
Subject: RE: 419 Wick Lane [PM-eShare.FID1089314]

Hi Reg.13

Could you have a look at the Recitals which confuse the LPA (now LLDC) with PDT who received the application - I think E and F need a bit of tweaking to say the application was submitted to the ODA PDT on 3rd April, went to ODA Planning Committee in July, but add in that it also went to the LLDC Planning Committee on 23rd October where Committee resolved to grant permission subject to the completion of this agreement. This also means that the Planning Application definition needs updating to the new reference number 12/00165/FUM – possibly setting out that the number did change from 12/90164/FUM since it was submitted.

In the recitals part G, section 4 and 5 of the Olympic Act are relevant any more to the LLDC – but there must be parts of the new LLDC Establishment Order 2012 that should go in there instead. That in turn means the Olympic Act probably doesn't need a definition, but the Establishment Order does. This also works into paras 2.1 and 2.4 – where section 4 and 5 of the Olympic Act can drop out and Establishment goes in, and 11.6

In 8.2 our LLDC address is now Level 10, 1 Stratford Place, Montfichet Road, London, E20 1EJ.

Please could you also check that Schedules 1, 2 and 3 are correct in terms of the flow of the Off-Site money as from my reading in Sch 1, 1.1 the money is paid to the LPA and the LPA passes the £ on to LBTH by Sch 3. In Sch 2, 1.1 though it reads to me as though the owner pays the £ direct to LBTH as it says “following receipt of the Off Site Affordable Housing Contribution from the Owner pursuant to paragraph 1 of Schedule 1”. Which isn't what para 1 of Sch 1 says. I think all that needs to change is Sch 2 1.1 to say “from the Local Planning Authority” rather than “from the Owner”.

I hope that's clear – I should be at my desk for most of the day if you want to talk it through

Reg.13

Reg.13

Planner, Planning Policy and Decisions Team
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13

Email: Reg.13@londonlegacy.co.uk
Web: www.londonlegacy.co.uk

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From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: 18 October 2012 20:15
To: Reg.13
Cc: Anthony Hollingsworth
Subject: 419 Wick Lane [PM-eShare.FID1089314]

Reg.13

The amended agreement is now attached reflecting recent amendments. I have sent this to the applicant's lawyer.

You will see I've amended references from ODA to LLDC. Where I have referred to the LLDC, could you please check that the address/contact details remain up to date, and let me know any changes required?

I am on leave on Friday and Monday, but back on Tuesday.

Thanks

Reg.13

Reg.13
Solicitor
for Pinsent Masons LLP

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From: Reg.13
To: Reg.13
Cc: Anthony.Hollingsworth
Subject: RE: 419 Wick Lane [PM-eShare.FID1089314]
Date: 30 October 2012 13:25:00

Thanks Reg.13 – happy to wait until Thursday.

Many thanks

Reg.13

Reg.13
Solicitor
for Pinsent Masons LLP

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 29 October 2012 14:03
To: Reg.13
Cc: Anthony Hollingsworth
Subject: RE: 419 Wick Lane [PM-eShare.FID1089314]

Hi Reg.13

Here's my draft decision notice – the paragraphs in red are based on the draft minutes which Viv/Anthony haven't checked yet, so if you are able to wait until Anthony's return on Thursday before circulating it, I can confirm whether it's a nearly final draft or not.

Reg.13

From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: 26 October 2012 10:18
To: Reg.13
Cc: Anthony Hollingsworth
Subject: FW: 419 Wick Lane [PM-eShare.FID1089314]

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Reg.13

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for Pinsent Masons LLP

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]

Sent: 19 October 2012 10:00

To: Reg.13

Cc: Anthony Hollingsworth

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In the recitals part G, section 4 and 5 of the Olympic Act are relevant any more to the LLDC – but there must be parts of the new LLDC Establishment Order 2012 that should go in there instead. That in turn means the Olympic Act probably doesn't need a definition, but the Establishment Order does. This also works into paras 2.1 and 2.4 – where section 4 and 5 of the Olympic Act can drop out and Establishment goes in, and 11.6

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the Owner”.

I hope that’s clear – I should be at my desk for most of the day if you want to talk it through

Reg.13

Reg.13

Planner, Planning Policy and Decisions Team
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Email: **Reg.13** [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.londonlegacy.co.uk

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Cc: Anthony Hollingsworth
Subject: 419 Wick Lane [PM-eShare.FID1089314]

Reg.13

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Reg.13

Reg.13
Solicitor
for Pinsent Masons LLP

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From: Reg 13
To: Tim Barber-Lomax@estategazette.com
Subject: FW: F.A.O. Reg 13
Date: 01 November 2012 09:14

Dear Tim

The Planning Decisions Committee agreed the recommendation in the Committee report for 419 Wick Lane – i.e. to delegate authority to the Director of Planning Policy and Decisions to grant planning permission subject to the completion of a section 106 legal agreement conditions and informatives. As the section 106 has not yet been signed the permission has not been issued although this should happen in the next couple of weeks.

You can view the decision once it has been issued on the following link by entering 12/00165/FUM;
<http://planningforms.newham.gov.uk/online-applications/>

Regards

Reg 13

3

Planner Planning Policy and Decisions Team
London Legacy Development Corporation
Level 10
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London
E20 1EJ

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Web: www.londonlegacy.co.uk

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From: Info
Sent: 01 November 2012 09:43
To: Reg 13
Subject: FW: F.A.O. Reg 13

Hi Reg 13

Please see email below.

Thanks,

Reg 13 Stonebridge

Communities and Business Executive
London Legacy Development Corporation
Level 10
1 Stratford Place Montfichet Road
London
E20 1EJ

Direct: 020 3288 1803

Email: Reg 13@londonlegacy.co.uk

Web: www.londonlegacy.co.uk

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From: Barber-Lomax, Tim (RBI-UK) [mailto:Tim.Barber-Lomax@estategazette.com]
Sent: 01 November 2012 09:29
To: Info
Subject: F.A.O. Reg 13

Dear Ms. Crosby

From my understanding you are the Case Officer for the application 419 Wick lane that went to committee last week. I was hoping you would be able to let me know the decision on the application?

Many thanks for your help with this.

Kind regards

Tim

Tim Barber Lomax
Researcher
www.estategazette.com
Direct line: 0207 911 1767
Fax: 020 7911 1798
Email: tim.barber-lomax@estategazette.com



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=====

From: Reg.13
To: Reg.13
Subject: 419 Wick Lane
Date: 01 November 2012 14:59:02
Attachments: [Draft Decision Notice \(2\).doc](#)

Hi Reg.13

Please find attached the “draft” permission now that Anthony has checked the top part of the reasons for approval where the Committee summary is.

Thanks

Reg.13

Reg.13

Planner, Planning Policy and Decisions Team
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13

Email: Reg.13 londonlegacy.co.uk
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London Legacy Development Corporation, Level 10, 1 Stratford Place, Montfichet Road, Olympic Park, London, E20 1EJ.

www.londonlegacy.co.uk.

From: Reg.13
To: [Anthony.Hollingsworth](#)
Cc: Reg.13 Reg.13 Reg.13
Subject: Draft Notes of pre-application presentation meeting on 23 October
Date: 02 November 2012 13:01:25
Attachments: [12-10-23-PDC briefing notes - draft for Anthony.doc](#)
[12-10-23-PDC minutes - draft v6.docx](#)

Dear Anthony

Please find attached Jo's notes from the pre-application presentation meeting held on 23 October. Please do let us know if you or your colleagues have any comments (I have just emailed them to you and Reg.13 in the first instance).

Thank you very much for your comments on the draft minutes. Please find the updated version attached but I will update them again if Reg.13 has further comments.

Best wishes

Reg.13

Reg.13

Senior Committee Officer (Wednesdays to Fridays)
Greater London Authority
City Hall
Queen's Walk
London SE1 2AA
020 7983 6559

(Job sharing with Reg.13 - Reg.13 - Mondays and Tuesdays)

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From: Reg.13
To: Reg.13 Reg.13
Cc: Anthony.Hollingsworth
Subject: RE: 419 Wick Lane s.106 agreement
Date: 02 November 2012 15:56:49

Thank you Reg.13 for clarifying the process with me this morning and the attached papers.

Reg.13 I will be away from 5 – 9 November and hope you can call this afternoon or on my return on 12 November so we can discuss the next stage of this process to finalise the section 2106 so that it can be signed by all relevant parties as a deed. I note there are 4 signatories to the section 106 agreement and we can discuss the best way to have the agreement signed by all parties, once the agreement is finalised. We can also discuss the contract/ deed authorisation form. Thank you.

Kind regards

Reg.13

Reg.13

Principal Public Law Lawyer
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13
Mobile: Reg.13

Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)
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From: Reg.13
Sent: 02 November 2012 10:41
To: Reg.13 Reg.13
Cc: Anthony.Hollingsworth
Subject: FW: 419 Wick Lane s.106 agreement

Hi Reg.13 and Reg.13

Reg.13 – please find attached the Committee report (and appendix 1 and appendix 2) to the LLDC Planning Decisions Committee on 23rd October 2012, as well as the draft minutes of the meeting confirming Committee’s resolution. I have also attached the draft decision notice.

To summarise the history of the application;

- The application to change the use of 112 live-work units to 112 residential units was submitted in April 2012 to ODA PDT and given ref number 12/90164/FULODA. It was reported to the ODA Planning Committee in July 2012, where the Committee agreed to delegate authority to the Director of Planning Decisions to grant permission subject to the completion of a section 106 agreement, conditions and informatives.
- As the s106 agreement wasn't finalised prior to the planning powers transferring to the LLDC, the application was carried over to PPDT (and given a new ref numbers 12/00165/FUM) referred to the LLDC Planning Decisions Committee on 23rd October. The Committee resolved to delegated authority to the Director of Planning Policy and Decisions to grant planning permission subject to the completion of the s106 agreement and the conditions and informatives. This agreement is nearly complete, and the draft decision notice is ready.

Reg.13 – please could you send **Reg.13** the latest draft of the s106 (the version which includes the amendments regarding removing the Olympic Act and adding in the LLDC formation), and complete the contract deed authorisation form attached. I'm not sure whether it is you or the applicant side who is organising the signatories/dates etc, but we will also need to discuss the number of copies of the final agreement nearer the time as well (e.g. I'll need a copy for the file, a copy for Land Charges, LLDC Legal need a copy). Please note that **Reg.13** is on leave next week.

Regards

Reg.13

From: **Reg.13**
Sent: 01 November 2012 11:59
To: Anthony Hollingsworth
Cc: **Reg.13**; **Reg.13**; Vivienne Ramsey; **Reg.13**
Subject: RE: 419 Wick Lane s.106 agreement

Hi Anthony

Thank you for the update on the 419 Wick Lane and the decision of the LLDC planning committee on 23rd October and Committee to approve the application subject to completing/signing a s.106 legal agreement. I will be happy to assist and ensure that the documents are sealed and signed. I attach the contract/deed authorisation form that will need to be completed in preparation for the signing and sealing of the documents.

Reg.13 I can be contacted on 0203 288 **Reg.13** to discuss further. **Reg.13** we can meet and discuss the next steps and will send you an invite.

Kindly note I will be on leave from 5 -9 November. Please advise me on the time scale for the completing and signing of the s106 agreement. Thank you.

Kind regards

Reg.13

Reg.13

Principal Public Law Lawyer

London Legacy Development Corporation

Level 10

1 Stratford Place, Montfichet Road

London

E20 1EJ

Direct: 020 3288 **Reg.13**

Mobile: **Reg.13**

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Web: www.londonlegacy.co.uk

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From: Anthony Hollingsworth

Sent: 01 November 2012 11:51

To: **Reg.13**

Cc: **Reg.13** **Reg.13** Vivienne Ramsey

Subject: 419 Wick Lane s.106 agreement

Hi **Reg.13** following on from your previous helpful advice, we reported 419 Wick Lane to the LLDC planning committee on 23rd October and Committee resolved to approve the application subject to completing/signing a s.106 legal agreement (as per the previous ODA resolution). Pinsent Masons has prepared the draft agreement which is now broadly agreed between the parties. We will need to make arrangements for the LLDC signing and sealing, which includes PM providing you with a short report which summaries the content and purpose of the agreement. Would you mind liaising with my colleague **Reg.13** in PPDT and **Reg.13** at Pinsents regarding the arrangements for signing and sealing the agreement.

Many thanks

Anthony

Anthony Hollingsworth

Chief Planner, Development Management

London Legacy Development Corporation

Level 10

1 Stratford Place, Montfichet Road

London

E20 1EJ

Direct: 020 3288 **Reg.13**

Mobile: **Reg.13**

From: Reg.13
To: Reg.13
Cc: Reg.13
Subject: 419 Wick Lane s.106 agreement [PM-eShare.FID1089314]
Date: 02 November 2012 16:30:23
Attachments: [Wick Lane S106 Agreement.pdf](#)
[Draft Decision Notice \(2\).doc](#)
[Scan-to-Me from 10.2.10.205 2012-11-02 162011.pdf](#)

Reg.13

You will recall you reviewed this agreement during September. Since that time, the ODA's planning functions have transferred to the London Legacy Development Corporation and the agreement has been amended accordingly. The application was reconsidered by the LLDC committee on 23 October and one of the conditions to the permission was amended, and a further obligation added in relation to the use of the employment generating floorspace.

The agreement is now agreed with the applicant. There are no substantive changes to the obligations from/to Tower Hamlets since you last considered the agreement.

I have attached the final form of agreement, draft decision notice and plans. I am expecting to issue engrossments next week, and they will be circulated to the freeholder and then the bank, before being sent to Tower Hamlets.

Do let me know any queries.

Enjoy your weekend

Reg.13

Reg.13

Solicitor
for Pinsent Masons LLP

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From: Reg.13
To: Reg.13 Reg.13 Reg.13 Rachel Massey
Cc: Anthony Hollingsworth
Subject: FW: 419 Wick Lane s.106 agreement [PM-eShare.FID1089314]
Date: 02 November 2012 16:34:09
Attachments: Wick Lane S106 Agreement.pdf
Draft Decision Notice (2).doc
Scan-to-Me from 10.2.10.205 2012-11-02 162011.pdf

Thank you Reg.13 Following our conversation this afternoon you informed me that the section 106 has been finalised and agreed with the applicant's lawyer . I confirm receipt of the final version of the section 106 agreement for 419 Wicks Lane.

We discussed the contract/deed authorisation form needs to be completed by you as soon as possible as PM have provided the legal advice on this to the Planning decisions team at LLDC and this includes the drafting of the agreement.

However, can we have this finalised in the week of 12 November (we can arrange a time on my return) as it will need to be signed at the LLDC's offices as it will need to be signed and sealed by Jonathan Dutton, our Executive Director of Finance and Corporate Services; and then you or your trainee can take the signed s106 round to all the relevant parties (agreed in advance) and wait while they sign before taking onto the next party to the agreement at their offices for signing; and then the s106 completed.

If there are any issues please let me know. Thank you.

Reg.13 for your information as Jonathan will need to sign and we can arrange for Rachel to seal in the week of 12 November, suggest 14 November.

Kind regards

Reg.13

From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: 02 November 2012 16:25
To: Reg.13 Reg.13
Cc: Anthony Hollingsworth; Reg.13
Subject: RE: 419 Wick Lane s.106 agreement [PM-eShare.FID1089314]

Reg.13 Reg.13

Please find attached the final version of the S106 Agreement, as agreed with the applicant's lawyer.

Attached also are the schedules/appendices.

The applicant's lawyer has asked me to await their confirmation that the draft decision notice is agreed. Once I have this, I will be able to issue engrossments.

I will attend to the authorisation form and note the points in the various recent emails from Reg.13 and Reg.13 (and my phone call with Reg.13 as to what you will require from me.

Kind regards

Reg.13

Reg.13

Solicitor
for Pinsent Masons LLP

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]

Sent: 02 November 2012 10:41

To: Reg.13 Reg.13

Cc: Anthony Hollingsworth

Subject: FW: 419 Wick Lane s.106 agreement

Hi Reg.13 and Reg.13

Reg.13 – please find attached the Committee report (and appendix 1 and appendix 2) to the LLDC Planning Decisions Committee on 23rd October 2012, as well as the draft minutes of the meeting confirming Committee’s resolution. I have also attached the draft decision notice.

To summarise the history of the application;

- The application to change the use of 112 live-work units to 112 residential units was submitted in April 2012 to ODA PDT and given ref number 12/90164/FULODA. It was reported to the ODA Planning Committee in July 2012, where the Committee agreed to delegate authority to the Director of Planning Decisions to grant permission subject to the completion of a section 106 agreement, conditions and informatives.
- As the s106 agreement wasn’t finalised prior to the planning powers transferring to the LLDC, the application was carried over to PPDT (and given a new ref numbers 12/00165/FUM) referred to the LLDC Planning Decisions Committee on 23rd October. The Committee resolved to delegated authority to the Director of Planning Policy and Decisions to grant planning permission subject to the completion of the s106 agreement and the conditions and informatives. This agreement is nearly complete, and the draft decision notice is ready.

Reg.13 – please could you send Reg.13 the latest draft of the s106 (the version which includes the amendments regarding removing the Olympic Act and adding in the LLDC formation), and complete the contract deed authorisation form attached. I’m not sure whether it is you or the applicant side who is organising the signatories/dates etc, but we will also need to discuss the number of copies of the final agreement nearer the time as well (e.g. I’ll need a copy for the file, a copy for Land Charges, LLDC Legal need a copy). Please note that Reg.13 is on leave next week.

Regards

Reg.13

From: Reg.13

Sent: 01 November 2012 11:59

To: Anthony Hollingsworth

Cc: Reg.13 Reg.13 Vivienne Ramsey; Reg.13

Subject: RE: 419 Wick Lane s.106 agreement

Hi Anthony

Thank you for the update on the 419 Wick Lane and the decision of the LLDC planning committee on 23rd October and Committee to approve the application subject to completing/signing a s.106 legal agreement. I will be happy to assist and ensure that the documents are sealed and signed. I attach the contract/deed authorisation form that will need to be completed in preparation for the signing and sealing of the documents.

Reg.13 I can be contacted on 0203 288 Reg.13 to discuss further. Reg.13 we can meet and discuss the next steps and will send you an invite.

Kindly note I will be on leave from 5 -9 November. Please advise me on the time scale for the completing and signing of the s106 agreement. Thank you.

Kind regards

Reg.13

Reg.13

Principal Public Law Lawyer
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13

Mobile: Reg.13

Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.londonlegacy.co.uk

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Please consider the environment before printing this e-mail or its attachments

From: Anthony Hollingsworth
Sent: 01 November 2012 11:51
To: Reg.13
Cc: Reg.13 Reg.13 Vivienne Ramsey
Subject: 419 Wick Lane s.106 agreement

Hi Reg.13 following on from your previous helpful advice, we reported 419 Wick Lane to the LLDC planning committee on 23rd October and Committee resolved to approve the application subject to completing/signing a s.106 legal agreement (as per the previous ODA resolution). Pinsent Masons has prepared the draft agreement which is now broadly agreed between the parties. We

will need to make arrangements for the LLDC signing and sealing, which includes PM providing you with a short report which summaries the content and purpose of the agreement. Would you mind liaising with my colleague **Reg.13** in PPDT and **Reg.13** at Pinsents regarding the arrangements for signing and sealing the agreement.

Many thanks

Anthony

Anthony Hollingsworth
Chief Planner, Development Management
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 **Reg.13**
Mobile: **Reg.13**

Email: anthonyhollingsworth@londonlegacy.co.uk

Web: www.londonlegacy.co.uk

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This email is sent on behalf of Pinsent Masons LLP, a limited liability partnership registered in

From: Reg.13
To: Reg.13
Cc: Reg.13
Subject: RE: Wick lane - update
Date: 02 November 2012 16:56:01
Attachments: [Draft Decision Notice \(3\).doc](#)

Yes, not sure why that got changed along the line. I've changed it back to the letter – see the latest draft which I have passed onto our lawyers.

From: Reg.13 [mailto:Reg.13@savills.com]
Sent: 02 November 2012 15:54
To: Reg.13
Cc: Reg.13
Subject: RE: Wick lane - update

Hi Reg.13

Thanks for your prompt response, that is a good point and you are right having checked the file (apologies, Kay submitted the application so I wasn't familiar with the full details submitted).

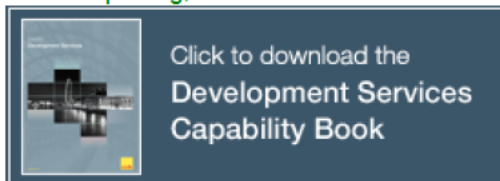
Given that there is only a site location plan, perhaps you could just tweak the description of development to not refer to the upper floors (1-6) as this doesn't cover all the units, but go back to the original description of development as per the original validation notice (please find attached for ease of reference)?

Many thanks.

Kind regards,

Reg.13

Reg.13
Associate
Savills
25 Finsbury Circus, London, EC2M 7EE
Ph: +44 (0) 20 Reg.13
M: +44 (0) Reg.13
Fax: +44 (0) 20 Reg.13
email: Reg.13@savills.com
website: www.savills.com
P Before printing, think about the environment



From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 02 November 2012 14:31
To: Reg.13
Cc: Reg.13
Subject: RE: Wick lane - update

Reg.13

That would seem to be because you never provided any floor plans of the proposed uses – as you considered there to be no change from the previously approved floor plans. Other than a red line site plan, there would seem to be no drawings for the application.

If you would like to provide floorplans, I could add something in.

Regards

Reg.13

From: Reg.13 [mailto:Reg.13@savills.com]
Sent: 02 November 2012 14:23
To: Reg.13
Cc: Reg.13
Subject: RE: Wick lane - update

Hi Reg.13

I hope you are well.

Further to the committee resolution, the final discussions regarding the S106 Agreement have been taking place between our client's lawyers and yours and I understand they are almost there now which is good news. I have just been asked to pick up one point with you regarding the draft decision notice which we have just received (attached for ease of reference), and that is that the approved drawings are not listed anywhere. For clarity and completeness, would you be able to add these to the draft decision notices?

Many thanks.

Kind regards,

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 23 October 2012 11:01
To: Reg.13 Reg.13 Reg.13
Cc: Reg.13@devsecs.co.uk
Subject: RE: Wick lane - update

Yes, Committee may ask you questions after you have spoken in support of your application. I will be describing the application and assessment first and then Members can ask me questions, then you will speak in support and Members can ask you questions prior to their discussion.

From: Reg.13 [mailto:Reg.13@savills.com]
Sent: 23 October 2012 10:55
To: Reg.13 Reg.13 Reg.13
Cc: Reg.13@devsecs.co.uk
Subject: Re: Wick lane - update

Reg.13

We will have it to hand.

Do we have potential questions from the committee members at the end of the presentation?

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: Tuesday, October 23, 2012 10:50 AM
To: Reg.13 Reg.13 <Reg.13@londonlegacy.co.uk>
Cc: Reg.13 Reg.13 <Reg.13@devsecs.co.uk>
Subject: RE: Wick lane - update

Thanks Reg.13 but I meant for those attending to bring that information with you as well in case Committee ask you directly.

From: Reg.13 [mailto:Reg.13@savills.com]
Sent: 23 October 2012 10:46
To: Reg.13 Reg.13

Cc: Reg.13 [redacted] Reg.13 [redacted]
Subject: RE: Wick lane - update

Hi Reg.13 [redacted]

Thanks for your email – apologies for the delay in responding (I was on leave yesterday).

In respect of your queries, I have attached the following information which was sent to Reg.13 [redacted] previously:

1. An email that confirms the bodies that were contact to determine that the site was unsuitable for the needs of RPs;
2. The breakdown of the different size of flats is included in Appendix 2 of Savills Viability Toolkit report; and
3. The S106 figures (including the previous amounts) was included in the Addendum Planning Statement.

I trust this provides you with the information that you require.

Many thanks.

Kind regards,

Reg.13 [redacted]

[redacted].13

Associate

Savills

25 Finsbury Circus, London, EC2M 7EE

Ph: +44 (0) 20 Reg.13 [redacted]

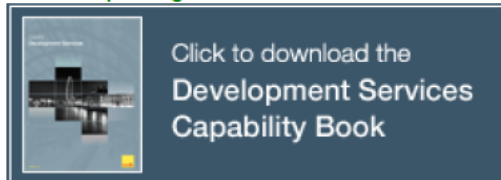
M: +44 (0) Reg.13 [redacted]

Fax: +44 (0) 20 Reg.13 [redacted]

email: Reg.13 [redacted] savills.com

website: www.savills.com

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From: Reg.13 [redacted] [<mailto:Reg.13@londonlegacy.co.uk>]

Sent: 22 October 2012 14:42

To: Reg.13 [redacted] Reg.13 [redacted]

Cc: Reg.13 [redacted] Reg.13 [redacted]

Subject: RE: Wick lane - update

Thanks Reg.13 [redacted]

Can I suggest those attending the Committee meeting bring the evidence from the RSLs confirming they were not interested in the site, as well as a breakdown of the different sizes of flats (by bedroom), and confirmation of the previous s106 amount(s) paid to LBTH on the original 2005 permission.

Regards

Reg.13 [redacted]

From: Reg.13 [redacted] [<mailto:Reg.13@savills.com>]

Sent: 19 October 2012 16:15

To: Reg.13 [redacted] Reg.13 [redacted]

Cc: Reg.13 [redacted] Reg.13 [redacted]

Subject: RE: Wick lane - update

Hi **Reg.13** **Reg.13**

Please find attached a copy of **Reg.13** and **Reg.13** presentation for Tuesday's committee.

Many thanks.

Kind regards,

Reg.13

.13

Associate

Savills

25 Finsbury Circus, London, EC2M 7EE

Ph: +44 (0) 20 **Reg.13**

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email: **Reg.13** savills.com

website: www.savills.com

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From: **Reg.13** [<mailto:Reg.13@londonlegacy.co.uk>]

Sent: 16 October 2012 12:48

To: **Reg.13** **Reg.13**

Cc: **Reg.13**

Subject: RE: Wick lane - update

Hi **Reg.13**

Five minutes between them is permitted, I just wanted to highlight that the Chair is likely to stick to the timetable and that they are aware they only have 5 mins.

Thank you.

Reg.13

PA to Vivienne Ramsey

Director of Planning Policy and Decisions

London Legacy Development Corporation

Level 10

1 Stratford Place, Montfichet Road

London

E20 1EJ

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Email: **Reg.13** londonlegacy.co.uk

Web: www.londonlegacy.co.uk

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From: **Reg.13** [<mailto:Reg.13@savills.com>]

Sent: 16 October 2012 12:45
To: Reg.13 Reg.13
Cc: Reg.13
Subject: RE: Wick lane - update

Reg.13

Thanks for your email. 5 minutes in total is fine. I assume that it is OK for Reg.13 and Reg.13 to spit the 5 minutes between them so long as they don't go over this or is only one speaker allowed for the whole 5 minutes?

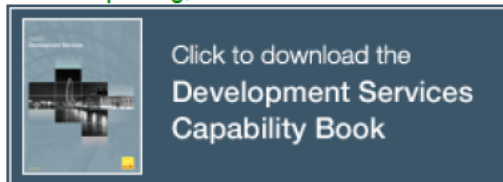
Many thanks.

Kind regards,

Reg.13

.13
Associate
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M: +44 (0) Reg.13
Fax: +44 (0) 20 Reg.13
email: Reg.13 savills.com
website: www.savills.com

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 16 October 2012 12:43
To: Reg.13 Reg.13
Cc: Reg.13
Subject: RE: Wick lane - update

Reg.13 Thank you for your quick response. Can I suggest that Reg.13 and Reg.13 liaise and agree who should speak in support of the application. The process will be that they will sit together, there will be five minutes allocated to present. Questions will then be asked and then Reg.13 and Reg.13 can respond accordingly. Unfortunately they will not get 5 minutes each.

Thank you.

Reg.13

PA to Vivienne Ramsey
Director of Planning Policy and Decisions
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13
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Web: www.londonlegacy.co.uk

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From: Reg.13 [mailto:Reg.13@savills.com]
Sent: 16 October 2012 12:36
To: Reg.13 Reg.13
Cc: Reg.13
Subject: RE: Wick lane - update

Hi Reg.13

Currently the speakers will be:

- Reg.13 of Savills (Director - Planning & Regeneration); and
- Reg.13 of Development Securities (Director - Head of Delivery).

I will let you and Reg.13 know a.s.a.p if there are any changes to this.

Many thanks.

Kind regards,

Reg.13

.13

Associate

Savills

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M: +44 (0) Reg.13

Fax: +44 (0) 20 Reg.13

email: Reg.13@savills.com

website: www.savills.com

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 16 October 2012 12:31
To: Reg.13 Reg.13
Cc: Reg.13
Subject: RE: Wick lane - update

Hi Reg.13

Which of you is going to speak at Committee – and your title please? Reg.13 needs it for the Chair's briefing note.

Thanks

Reg.13

From: Reg.13 [mailto:Reg.13@savills.com]
Sent: 15 October 2012 17:19
To: Reg.13
Cc: Reg.13
Subject: RE: Wick lane - update

Reg.13

Further to your email below, please could I register Reg.13 to speak along with Reg.13 from Development Securities and could you confirm how long they will have to speak in total?

At the July committee, we produced a few power point presentation slides. Would it still be possible to do this and will you need to see a copy in advance?

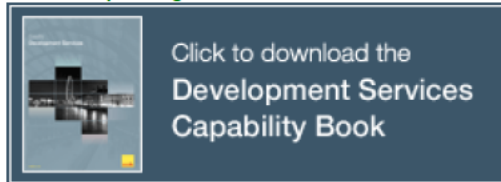
Many thanks for your assistance.

Kind regards,

Reg.13

.13
Associate
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M: +44 (0) Reg.13
Fax: +44 (0) 20 Reg.13
email: Reg.13@savills.com
website: www.savills.com

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 12 October 2012 16:57
To: Reg.13
Cc: Reg.13
Subject: RE: Wick lane - update

The Committee report can be found on this link, near the bottom of the page

<http://www.londonlegacy.co.uk/planning-policy-and-decisions/planning-decision-committee/>

Regards

Reg.13

From: Reg.13 [mailto:Reg.13@savills.com]
Sent: 12 October 2012 10:44
To: Reg.13
Cc: Reg.13
Subject: Re: Wick lane - update

Reg.13

Thanks for this and for yesterdays email. I will come back to you early next week,

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: Friday, October 12, 2012 08:52 AM
To: Reg.13
Cc: Reg.13
Subject: RE: Wick lane - update

Reg.13

Another small amendment that is to be included in the section 106 agreement is to require a report to be provided (every year for the first 5 years, and every three years thereafter) so that the LPA can monitor that the obligation is being complied with. The draft proposed wording is

“Every year for the first 5 years from first occupation of the employment generating floorspace, and then every 3 years thereafter, the Owner will submit to the Local Planning Authority [a report covering the period from first occupation, or from the previous report (as appropriate) / OR / evidence] demonstrating to the Local Planning Authority’s reasonable satisfaction that the employment generating floorspace has been occupied in accordance with the section 106 agreement”.

I trust your client will accept this.

Regards

Reg.13

From: Reg.13
Sent: 11 October 2012 14:58
To: Reg.13
Cc: Reg.13
Subject: RE: Wick lane - update

Hi Reg.13

I have written a new committee report for 419 Wick Lane, with the following recommendation.

1. RECOMMENDATION

1.1. The Committee is requested to:

DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to grant planning permission subject to the satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act and subject to the following conditions and informatives and to make any refinements, amendments, additions and/or deletions to conditions and informatives as the Director of Planning Policy and Decisions considers reasonably necessary:

Conditions

1. The use permitted by this planning permission must be commenced not later than the expiration of THREE years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. Prior to the first occupation of the development, evidence shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that all eight sustainability targets set out in the Savills October 2012 note have been installed, and providing a programme for the monitoring elements of targets 1 and 4. The monitoring shall be undertaken in accordance with the approved programme.

Reason: To ensure that the development meets the wider objectives of energy efficiency in new building design and construction, and to accord with policies 5.2 and 5.3 of the London Plan, SO3 and SP05 of the London Borough of Tower Hamlets Core Strategy, and DEV5 of the London Borough of Tower Hamlets Interim Planning Guidance.

Informatives:

1. **Mayor of London's Community Infrastructure Levy (CIL) - This application will attract a charge under the Mayor of London's CIL, which in the London Borough of Tower Hamlets is a flat rate charge of £35 per square metre of additional internal floorspace.**

For more information on the Mayor of London's CIL please see www.london.gov.uk/publication/mayoral-community-infrastructure-levy. To view the CIL regulations and for more information on CIL in general please see the Communities and Local Government CIL webpage on www.communities.gov.uk/planningandbuilding/planningsystem/communityinfrastructurelevy.

Be advised that if you wish to make a claim for relief this needs to be made before the development is commenced, please see the Claiming Exemption or Relief Form also on the Planning Portal.

You are also required to notify Tower Hamlets Council prior to commencement of the development, please see the Commencement Notice Form also on the Planning Portal.

There are penalty surcharges in the CIL regulations if no one assumes liability and a Commencement Notice is not submitted to Tower Hamlets Council. It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a collecting or charging authority in response to a requirement under the Community Infrastructure Levy Regulations (2010) as amended (regulation 110, SI 2010/948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

The sustainability target list you provided does not refer to any recognised sustainability standards, carbon reduction targets etc which is an obvious weakness that may become an issue at the Committee meeting, so I suggest you prepare to address this.

The Committee meeting will be at the Old Town Hall, 23rd October, starting at 6pm. Closer to the time I will need you to confirm who will be attending from the applicant side to answer questions, however I shall be presenting the scheme.

Regards

Reg.13

From: **Reg.13** [mailto:**Reg.13**@savills.com]
Sent: 09 October 2012 12:39
To: **Reg.13**
Cc: **Reg.13**
Subject: Wick Lane - update
Importance: High

Vicki,

S106

Please find attached the latest draft of the s106. I understand that there is some discussion over legal drafting between the lawyers but nothing that affects the heads of terms which remain the same.

Sustainability targets.

We have brought an empty building back into use and revitalised the ground floor uses, all significant

sustainability benefits.

As you are aware, the building was 95% complete when my client acquired it and much of what Development Securities have done was to re-commission and make good damaged and incomplete areas of work. Development Securities have now completed the building to the original designs, in accordance with the original planning drawings and under the constraints of Building Control. In addition, to make the building more marketable, they have enhanced the designs of the landscaped areas, added decor and directional signage to the common parts, improved the riverside walk, and launched the Building in the local market. They have also improved security and ' the car parking areas.

To now try and retrofit or replace materials that have never been used and are performing to their design intent would be more environmentally damaging than it is beneficial. The embodied carbon footprint from the waste created and the embodied carbon of new materials, not to mention the carbon footprint from additional operations, is unlikely to ever be recovered from energy use savings under the guidance of Eco homes or Code for Sustainable Homes. This is after all a Building constructed to 2006-2009 Building Regulation with good levels of insulation and energy efficient design.

We believe that there are some sensible and more achievable targets that we could commit to and satisfy your drive to improved efficiency, I have attached these in the attached document and we are happy for these to be conditioned.

Please do not hesitate to contact me should you need to discuss.

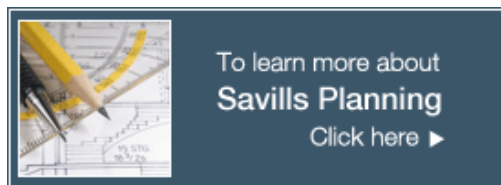
Regards

Reg.13 BA (Hons) MRTPI
Director
Planning

Savills, 25 Finsbury Circus , London, EC2M 7EE

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Email **Reg.13** savills.com
Website :www.savills.co.uk

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London Legacy Development Corporation, Level 10, 1 Stratford Place, Montfichet Road, Olympic

From: Reg.13
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13
Subject: RE: 419 Wick Lane s.106 agreement [PM-eShare.FID1089314]
Date: 02 November 2012 17:11:43

Thanks Reg.13 Will do.

Reg.13
Solicitor
for Pinsent Masons LLP

D: +44 (0) Reg.13 M: +44 (0) Reg.13 Ext: Reg.13

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of McGrigors and Pinsent Masons*

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 02 November 2012 16:55
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13
Subject: RE: 419 Wick Lane s.106 agreement [PM-eShare.FID1089314]

Hi Reg.13

Just to through a small spanner in the works, Savills have pointed out that the description of the development has changed (not sure why!) so I have changed it back to the original description – please use the attached version.

Reg.13

From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: 02 November 2012 16:25
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13
Subject: RE: 419 Wick Lane s.106 agreement [PM-eShare.FID1089314]

Reg.13 Reg.13

Please find attached the final version of the S106 Agreement, as agreed with the applicant's lawyer.

Attached also are the schedules/appendices.

The applicant's lawyer has asked me to await their confirmation that the draft decision notice is agreed. Once I have this, I will be able to issue engrossments.

I will attend to the authorisation form and note the points in the various recent emails from Reg.13 and Reg.13 (and my phone call with Reg.13 as to what you will require from me.

Kind regards

Reg.13

Reg.13
Solicitor
for Pinsent Masons LLP

D: +44 (0) Reg.13 M: +44 (0) Reg.13 Ext: Reg.13

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 02 November 2012 10:41
To: Reg.13 Reg.13
Cc: Anthony Hollingsworth
Subject: FW: 419 Wick Lane s.106 agreement

Hi Reg.13 and Reg.13

Reg.13 – please find attached the Committee report (and appendix 1 and appendix 2) to the LLDC Planning Decisions Committee on 23rd October 2012, as well as the draft minutes of the meeting confirming Committee’s resolution. I have also attached the draft decision notice.

To summarise the history of the application;

- The application to change the use of 112 live-work units to 112 residential units was submitted in April 2012 to ODA PDT and given ref number 12/90164/FULODA. It was reported to the ODA Planning Committee in July 2012, where the Committee agreed to delegate authority to the Director of Planning Decisions to grant permission subject to the completion of a section 106 agreement, conditions and informatives.
- As the s106 agreement wasn’t finalised prior to the planning powers transferring to the LLDC, the application was carried over to PPDT (and given a new ref numbers 12/00165/FUM) referred to the LLDC Planning Decisions Committee on 23rd October. The Committee resolved to delegated authority to the Director of Planning Policy and Decisions to grant planning permission subject to the completion of the s106 agreement and the conditions and informatives. This agreement is nearly complete, and the draft decision notice is ready.

Reg.13 – please could you send Reg.13 the latest draft of the s106 (the version which includes the amendments regarding removing the Olympic Act and adding in the LLDC formation), and complete the contract deed authorisation form attached. I’m not sure whether it is you or the applicant side who is organising the signatories/dates etc, but we will also need to discuss the number of copies of the final agreement nearer the time as well (e.g. I’ll need a copy for the file, a copy for Land Charges, LLDC Legal need a copy). Please note that Reg.13 is on leave next week.

Regards

Reg.13

From: Reg.13
Sent: 01 November 2012 11:59
To: Anthony Hollingsworth
Cc: Reg.13 Reg.13 Vivienne Ramsey; Reg.13
Subject: RE: 419 Wick Lane s.106 agreement

Hi Anthony

Thank you for the update on the 419 Wick Lane and the decision of the LLDC planning

committee on 23rd October and Committee to approve the application subject to completing/signing a s.106 legal agreement. I will be happy to assist and ensure that the documents are sealed and signed. I attach the contract/deed authorisation form that will need to be completed in preparation for the signing and sealing of the documents.

Reg.13 I can be contacted on 0203 288 Reg.13 to discuss further. Reg.13 we can meet and discuss the next steps and will send you an invite.

Kindly note I will be on leave from 5 -9 November. Please advise me on the time scale for the completing and signing of the s106 agreement. Thank you.

Kind regards

Reg.13

Reg.13

Principal Public Law Lawyer
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13

Mobile: Reg.13

Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.londonlegacy.co.uk

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Please consider the environment before printing this e-mail or its attachments

From: Anthony Hollingsworth
Sent: 01 November 2012 11:51
To: Reg.13
Cc: Reg.13 Reg.13 Vivienne Ramsey
Subject: 419 Wick Lane s.106 agreement

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Many thanks

Anthony

Anthony Hollingsworth
Chief Planner, Development Management
London Legacy Development Corporation

Level 10
1 Stratford Place, Montfichet Road
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E20 1EJ

Direct: 020 3288 **Reg.13**
Mobile: **Reg.13**

Email: anthonyhollingsworth@londonlegacy.co.uk

Web: www.londonlegacy.co.uk

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London Legacy Development Corporation, Level 10, 1 Stratford Place, Montfichet Road, Olympic Park, London, E20 1EJ.

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From: Reg.13
To: Reg.13 Reg.13
Cc: Anthony Hollingsworth; Reg.13
Subject: 419 Wick Lane: s.106 agreement [PM-eShare.FID1089314]
Date: 07 November 2012 16:03:50
Attachments: [Authorisation form 07.11.12.PDF](#)
[Legal report 07.11.2012.PDF](#)
[Plans - Appendices 1 & 3.PDF](#)
[Draft Decision Notice \(3\).doc](#)
[Wick Lane S106 Agreement.pdf](#)

Reg.13

Please find attached:

1. Legal report in relation to the s106 agreement;
2. Signed authorisation form;
3. Final section 106 agreement, plus appendices.

I will include the original of 1 & 2 with the engrossments when they are sent to LLDC for sealing.

Please do let me know any queries.

Kind regards

Reg.13

Reg.13

Solicitor
for Pinsent Masons LLP

D: +44 (0) Reg.13 M: +44 (0) Reg.13 Ext: Reg.13

*Pinsent Masons: combining the experience, resources and international reach
of McGrigors and Pinsent Masons*

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 02 November 2012 10:41
To: Reg.13 Reg.13
Cc: Anthony Hollingsworth
Subject: FW: 419 Wick Lane s.106 agreement

Hi Reg.13 and Reg.13

Reg.13 – please find attached the Committee report (and appendix 1 and appendix 2) to the LLDC Planning Decisions Committee on 23rd October 2012, as well as the draft minutes of the meeting confirming Committee’s resolution. I have also attached the draft decision notice.

To summarise the history of the application;

- The application to change the use of 112 live-work units to 112 residential units was submitted in April 2012 to ODA PDT and given ref number 12/90164/FULODA. It was reported to the ODA Planning Committee in July 2012, where the Committee agreed to delegate authority to the Director of Planning Decisions to grant permission subject to the completion of a section 106 agreement, conditions and informatives.
- As the s106 agreement wasn’t finalised prior to the planning powers transferring to the LLDC, the application was carried over to PPDT (and given a new ref numbers 12/00165/FUM) referred to the LLDC Planning Decisions Committee on 23rd October.

The Committee resolved to delegated authority to the Director of Planning Policy and Decisions to grant planning permission subject to the completion of the s106 agreement and the conditions and informatives. This agreement is nearly complete, and the draft decision notice is ready.

Reg.13 – please could you send Reg.13 the latest draft of the s106 (the version which includes the amendments regarding removing the Olympic Act and adding in the LLDC formation), and complete the contract deed authorisation form attached. I'm not sure whether it is you or the applicant side who is organising the signatories/dates etc, but we will also need to discuss the number of copies of the final agreement nearer the time as well (e.g. I'll need a copy for the file, a copy for Land Charges, LLDC Legal need a copy). Please note that Reg.13 is on leave next week.

Regards

Reg.13

From: Reg.13
Sent: 01 November 2012 11:59
To: Anthony Hollingsworth
Cc: Reg.13, Reg.13, Vivienne Ramsey; Reg.13
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Reg.13

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Many thanks

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CONFIDENTIAL AND LEGALLY PRIVILEGED

FOR: The London Legacy Development Corporation in its capacity as Local Planning Authority

Report in relation to a planning obligation by agreement under Section 106 of the Town and Country Planning Act 1990 and Section 202 of the Localism Act 2011 between:

- (1) The London Legacy Development Corporation (in its capacity as local planning authority) (the "**Local Planning Authority**");
- (2) The Mayor and Burgesses of the London Borough of Tower Hamlets (the "**Council**");
- (3) Wick Lane (LUX) S.A.R.L. ("**Owner**"); and
- (4) The Royal Bank of Scotland PLC ("**Chargee**")

in respect of the development of land at 419 Wick Lane Fish Island London E3 2JG ("**Site**") by the change of use of upper floors (1-6) from live-work units (Class sui generis) to 112 self-contained residential units (Class C3) ("**S106 Agreement**"). A draft of the S106 Agreement is attached at Appendix 1 to this Report.

1. PURPOSE OF THE REPORT

- 1.1 This Report does not intend to summarise all the provisions of the S106 Agreement. Rather, it sets out those provisions of particular relevance to the Local Planning Authority. A full review of the S106 Agreement is recommended to be undertaken in conjunction with reading this Report.

2. BACKGROUND

- 2.1 The Site was previously granted planning permission for use of levels 1-6 as live-work units. An application was submitted to the Olympic Delivery Authority ("**ODA**") on 3 April 2012 under application number 12/90164/FUM for a change of use of those units to 112 residential units. On 24 July 2012 the Olympic Delivery Authority resolved to grant planning permission subject to the completion of a section 106 agreement. The agreement was not completed prior to the ODA's planning functions being transferred to the Local Planning Authority pursuant to the London Legacy Development Corporation (Planning Functions) Order 2012 on 1 October 2012.
- 2.2 On 23 October 2012 the Local Planning Authority's Committee resolved to grant planning permission (reference 12/00165/FUM) ("**Planning Permission**") for the change of use of upper floors (1-6) from live-work units (Class sui generis) to 112 self-contained residential units (Class C3) ("**Development**"), subject to the completion of the S106 Agreement.
- 2.3 The ODA, and then the Local Planning Authority, have negotiated the S106 Agreement and the Local Planning Authority is now ready to enter into the S106 Agreement to enable it to grant the Planning Permission for the Development.

3. THE S106 AGREEMENT

3.1 Land Bound

- 3.1.1 The S106 Agreement will bind the freehold of the Site, which is in the ownership of the Owner.
- 3.1.2 The S106 Agreement will be enforceable against the Owner, the Chargee (in the event of the Chargee entering into possession of the Site) and, in

relation only to the obligations with respect to the Employment Generating Floorspace (see paragraph 3.3.1(b) below) any person claiming through or under the Owner an interest or estate in that space (this would include anyone leasing that space from the Owner).

- 3.1.3 The S106 Agreement does not bind purchasers, tenants or occupiers of the 112 residential units.

3.2 **Covenants on the Local Planning Authority**

3.2.1 The Local Planning Authority covenants to:

- (a) Grant the Planning Permission within 5 business days of completion of the S106 Agreement;
- (b) Not transfer the Off Site Affordable Housing Contribution (see paragraph 3.3.1(a) below) to the Council unless the Planning Permission has been issued in a form that is not substantially different to the draft decision notice (in particular has no additional/amended conditions).
- (c) Repay the Off Site Affordable Housing Contribution in the event the Planning Permission is not issued within 5 business days of completion of the S106 Agreement.

3.3 **Summary of the key covenants on the Owner**

3.3.1 The Owners covenant are:

(a) **Off Site Affordable Housing Contribution**

- (i) This contribution totals £557,324.00;
- (ii) The Owner covenants to pay to the Local Planning Authority the Off Site Affordable Housing Contribution on the date of completion of the S106 Agreement.
- (iii) The contribution will be transferred to Pinsent Masons' client account before completion of the S106 Agreement, and we will not complete the S106 Agreement without having these monies in our client account. Upon completion and once the Planning Permission has been issued (in a form that is not substantially different to the draft decision notice attached to the S106 Agreement), we will then arrange for this money to be transferred to the Council;

(b) **The Employment Generating Floorspace**

- (i) The Employment Generating Floorspace is 1,118 square metres of floor space situated on the ground floor of the Site and shown edged blue in the plan attached at Appendix 3 to the S106 Agreement. Whilst the Employment Generating Floorspace is bound by the S106 Agreement, it is not part of the Development covered by the Planning Permission. Rather, this space is covered by the original permission (reference PA/03/01617).

- (ii) The Owner has agreed that the use of the Employment Generating Floorspace will be restricted in accordance with the covenants set out at paragraph (iii) immediately below. The restriction on the Employment Generating Floorspace at (iii)(1) below, has been included under the express instruction of the instructing officer from the Olympic Delivery Authority. The effect of this clause is that the subsidised rent restrictions (paragraphs (iii)(2) and (iii)(3) below) will apply to the use of the Employment Generating Floorspace pursuant to the current permission, but also to any subsequent permission granted for the use of that space, and for any use that is permitted development or allowed under any development order or other consent. The instructing officer at the time was concerned that the S106 Agreement make clear that whilst the Local Planning Authority can in no way restrict what the space can be used for under the S106 Agreement, the subsidised rent restrictions will be imposed on any lawful use of the Employment Generating Floorspace.
- (iii) The Owner covenants that subject to the Planning Permission being granted and unless otherwise agreed in writing with the Local Planning Authority, the Employment Generating Floorspace shall not be occupied other than:
- (1) for a use permitted by planning permission reference PA/03/01617 (this is the original permission relating to this space), or any other lawful use as is permitted by any subsequent planning permission, development order, Town and Country Planning (Use Classes) Order 1987 (as amended) or such other permission or consent(s) relating to the use of the Employment Generating Floorspace;
 - (2) for the first thirty six (36) months commencing from First Occupation of the Employment Generating Floorspace at nil (£0) rent; and
 - (3) thereafter for the lifetime of the Development at a rent not exceeding £3.00 per square foot.
- (iv) The Owner covenants that every year for the first 5 years from First Occupation of the Employment Generating Floorspace and then every 3 years following, to submit to the Local Planning Authority a report covering the period from First Occupation, or from the previous report (as appropriate) demonstrating to the Local Planning Authority's reasonable satisfaction that the Employment Generating Floorspace has been occupied in accordance with the requirements in the S106 Agreement. If the Local Planning Authority agrees in writing (in response to a request from the Owner), such a report will not be necessary in any particular year.

Reg. 13

Reg. 13

Partner, on behalf of Pinsent Masons LLP

Dated

7th

November 2012

From: Reg.13
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13
Subject: RE: 419 Wick Lane: s.106 agreement [PM-eShare.FID1089314]
Date: 07 November 2012 16:12:08
Attachments: [contract deed authorisation form template 16 08 12 final.DOCX](#)

Reg.13

Not a problem – this is attached.

Reg.13

Solicitor
for Pinsent Masons LLP

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*Pinsent Masons: combining the experience, resources and international reach
of McGrigors and Pinsent Masons*

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 07 November 2012 16:11
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13
Subject: RE: 419 Wick Lane: s.106 agreement [PM-eShare.FID1089314]

Thanks Reg.13 Please could you email me a word version (it won't have Reg.13 signature on I realise) of the authorisation form as I may need to amend some sections, and check with Reg.13 who it is who signs it!

Reg.13

From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: 07 November 2012 16:04
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13
Subject: 419 Wick Lane: s.106 agreement [PM-eShare.FID1089314]

Reg.13

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Please do let me know any queries.

Kind regards

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Solicitor
for Pinsent Masons LLP

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 02 November 2012 10:41
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth
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Mobile: Reg.13

Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.londonlegacy.co.uk

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Sent: 01 November 2012 11:51
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Cc: Reg.13 Reg.13 Vivienne Ramsey
Subject: 419 Wick Lane s.106 agreement

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Many thanks

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Chief Planner, Development Management
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Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 **Reg.13**
Mobile: **Reg.13**

Email: anthonyhollingsworth@londonlegacy.co.uk

Web: www.londonlegacy.co.uk

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From: Reg.13
To: Reg.13 Reg.13
Cc: Anthony Hollingsworth; Reg.13 Reg.13 Rachel Massey
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed [PM-eShare.FID1089314]
Date: 13 November 2012 10:56:05

Thanks Reg.13

I have asked the applicant's lawyer when they expect their client and the bank to have executed. I will update you as soon as I know.

Kind regards

Reg.13

Reg.13

Solicitor
for Pinsent Masons LLP

D: +44 (0) Reg.13 M: +44 (0) Reg.13 Ext: Reg.13

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 13 November 2012 10:54
To: Reg.13 Reg.13
Cc: Anthony Hollingsworth; Reg.13 Reg.13 Rachel Massey
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed [PM-eShare.FID1089314]

Thank you Reg.13 and let me know when you think the deed will be ready for LLDC to sign. If there is anything further please do not hesitate to contact me on 023 288 Reg.13 Reg.13 when we receive the deed for signing we can complete the Contract/deed authorization form.

Kind regards

Reg.13

Reg.13

Principal Public Law Lawyer
London Legacy Development Corporation
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From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: 12 November 2012 17:17
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13; Reg.13; Rachel Massey
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed [PM-eShare.FID1089314]

Reg.13

Thank you for your email.

The engrossments are presently being executed by the owner and its mortgagee. I will ask them to send the agreements to Tower Hamlets next. We will then provide the agreements to you, along with the authorisation form and the signed copy of our legal report.

I will arrange for the amendment to the LLDC's address to be made in manuscript on the engrossments.

Kind regards

Reg.13

Reg.13

Solicitor
for Pinsent Masons LLP

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 12 November 2012 15:45
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13; Reg.13; Rachel Massey
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed

Dear all

I have today returned from leave and make the following comments:

- **Section 106 agreement**

The address of the LLDC on page 3 be corrected to:

Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

- **Deed authorisation form**

I have attached the deed authorisation form. Reg.13 I have made some comments for you to complete. I have included the legal comment.

Finally I have spoken to ^{Reg.13} the PA to Jonathan this morning and she informed me that Jonathan is available to sign the deed agreement on behalf of LLDC later this week.

Next steps

1. To make the amendment to section 106 agreement correcting LLDC address; and
2. To arrange the final amended section 106 agreement to be signed by Jonathan later this week and then PM trainee to have the other parties sign.
3. To have the email chain attached to the Deed authorization form.

Happy to discuss.

Kind regards

^{Reg.13}

^{Reg.13}

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London Legacy Development Corporation
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1 Stratford Place, Montfichet Road
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Direct: 020 3288 ^{Reg.13}

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From: ^{Reg.13} [<mailto:sup@pinsentmasons.com>]

Sent: 07 November 2012 16:04

To: ^{Reg.13} ^{Reg.13}

Cc: Anthony Hollingsworth; ^{Reg.13}

Subject: 419 Wick Lane: s.106 agreement [PM-eShare.FID1089314]

^{Reg.13}

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1. Legal report in relation to the s106 agreement;
2. Signed authorisation form;
3. Final section 106 agreement, plus appendices.

I will include the original of 1 & 2 with the engrossments when they are sent to LLDC for sealing.

Please do let me know any queries.

Kind regards

Reg.13

Reg.13

Solicitor

for Pinsent Masons LLP

D: +44 (0) Reg.13 M: +44 (0) Reg.13 Ext: Reg.13

Pinsent Masons: combining the experience, resources and international reach of McGrigors and Pinsent Masons

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]

Sent: 02 November 2012 10:41

To: Reg.13 Reg.13

Cc: Anthony Hollingsworth

Subject: FW: 419 Wick Lane s.106 agreement

Hi Reg.13 and Reg.13

Reg.13 – please find attached the Committee report (and appendix 1 and appendix 2) to the LLDC Planning Decisions Committee on 23rd October 2012, as well as the draft minutes of the meeting confirming Committee’s resolution. I have also attached the draft decision notice.

To summarise the history of the application;

- The application to change the use of 112 live-work units to 112 residential units was submitted in April 2012 to ODA PDT and given ref number 12/90164/FULODA. It was reported to the ODA Planning Committee in July 2012, where the Committee agreed to delegate authority to the Director of Planning Decisions to grant permission subject to the completion of a section 106 agreement, conditions and informatives.
- As the s106 agreement wasn’t finalised prior to the planning powers transferring to the LLDC, the application was carried over to PPDT (and given a new ref numbers 12/00165/FUM) referred to the LLDC Planning Decisions Committee on 23rd October. The Committee resolved to delegated authority to the Director of Planning Policy and Decisions to grant planning permission subject to the completion of the s106 agreement and the conditions and informatives. This agreement is nearly complete, and the draft decision notice is ready.

Reg.13 – please could you send Reg.13 the latest draft of the s106 (the version which includes the amendments regarding removing the Olympic Act and adding in the LLDC formation), and complete the contract deed authorisation form attached. I’m not sure whether it is you or the applicant side who is organising the signatories/dates etc, but we will also need to discuss the number of copies of the final agreement nearer the time as well (e.g. I’ll need a copy for the file, a copy for Land Charges, LLDC Legal need a copy). Please note that Reg.13 is on leave next week.

Regards

Reg.13

From: Reg.13
Sent: 01 November 2012 11:59
To: Anthony Hollingsworth
Cc: Reg.13 Reg.13 Vivienne Ramsey; Reg.13
Subject: RE: 419 Wick Lane s.106 agreement

Hi Anthony

Thank you for the update on the 419 Wick Lane and the decision of the LLDC planning committee on 23rd October and Committee to approve the application subject to completing/signing a s.106 legal agreement. I will be happy to assist and ensure that the documents are sealed and signed. I attach the contract/deed authorisation form that will need to be completed in preparation for the signing and sealing of the documents.

Reg.13 I can be contacted on 0203 288 Reg.13 to discuss further. Reg.13 we can meet and discuss the next steps and will send you an invite.

Kindly note I will be on leave from 5 -9 November. Please advise me on the time scale for the completing and signing of the s106 agreement. Thank you.

Kind regards

Reg.13

Reg.13

Principal Public Law Lawyer
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13

Mobile: Reg.13

Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.londonlegacy.co.uk

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Please consider the environment before printing this e-mail or its attachments

From: Anthony Hollingsworth
Sent: 01 November 2012 11:51
To: Reg.13
Cc: Reg.13 Reg.13 Vivienne Ramsey
Subject: 419 Wick Lane s.106 agreement

Hi Reg.13 following on from your previous helpful advice, we reported 419 Wick Lane to the LLDC

rd

planning committee on 23 October and Committee resolved to approve the application subject to completing/signing a s.106 legal agreement (as per the previous ODA resolution). Pinsent Masons has prepared the draft agreement which is now broadly agreed between the parties. We will need to make arrangements for the LLDC signing and sealing, which includes PM providing you with a short report which summaries the content and purpose of the agreement. Would you mind liaising with my colleague **Reg.13** in PPDT and **Reg.13** at Pinsents regarding the arrangements for signing and sealing the agreement.

Many thanks

Anthony

Anthony Hollingsworth
Chief Planner, Development Management
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 **Reg.13**
Mobile: **Reg.13**

Email: anthonyhollingsworth@londonlegacy.co.uk

Web: www.londonlegacy.co.uk

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London Legacy Development Corporation, Level 10, 1 Stratford Place, Montfichet Road, Olympic Park, London, E20 1EJ.

www.londonlegacy.co.uk.

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For more information please visit <http://www.symanteccloud.com>

From: Reg.13
To: Reg.13 Reg.13
Cc: [Anthony Hollingsworth](#); Reg.13 Reg.13 [Rachel Massey](#)
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed
Date: 16 November 2012 16:25:47

Thank you Reg.13 Reg.13 please let us know the situation as to the section 106 and when that will come to LLDC for sealing next week. Please can you have the next version of the contract/deed authorisation form signed and send on to me and this which will go with the s106 document.

Kind regards

Reg.13

.13

Principal Public Law Lawyer
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
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E20 1EJ

Direct: 020 3288 Reg.13
Mobile: Reg.13

Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)
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Please consider the environment before printing this e-mail or its attachments

From: Reg.13
Sent: 16 November 2012 16:23
To: Reg.13 Reg.13
Cc: Anthony Hollingsworth; Reg.13 Reg.13 Rachel Massey
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed

Hi Reg.13

Please find attached another version of the authorisation form with my two small areas edited. Viv will be around to sign the form on Monday, Tuesday, Wednesday next week (but is out of the office in meetings on Thursday/Friday).

Reg.13 – do you know where the s106 signing has got to on its rounds?

I hope you all have a good weekend

Reg.13

From: Reg.13
Sent: 12 November 2012 15:45
To: Reg.13 Reg.13
Cc: Anthony Hollingsworth; Reg.13 Reg.13 Rachel Massey
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed

Dear all

I have today returned from leave and make the following comments:

- **Section 106 agreement**

The address of the LLDC on page 3 be corrected to:

Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

- **Deed authorisation form**

I have attached the deed authorisation form. Reg.13 I have made some comments for you to complete. I have included the legal comment.

Finally I have spoken to Reg.13 the PA to Jonathan this morning and she informed me that Jonathan is available to sign the deed agreement on behalf of LLDC later this week.

Next steps

1. To make the amendment to section 106 agreement correcting LLDC address; and
2. To arrange the final amended section 106 agreement to be signed by Jonathan later this week and then PM trainee to have the other parties sign.
3. To have the email chain attached to the Deed authorization form.

Happy to discuss.

Kind regards

Reg.13

Reg.13

Principal Public Law Lawyer
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13
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Email: Reg.13 londonlegacy.co.uk
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Please consider the environment before printing this e-mail or its attachments

From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: 07 November 2012 16:04
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13
Subject: 419 Wick Lane: s.106 agreement [PM-eShare.FID1089314]

Reg.13

Please find attached:

1. Legal report in relation to the s106 agreement;
2. Signed authorisation form;
3. Final section 106 agreement, plus appendices.

I will include the original of 1 & 2 with the engrossments when they are sent to LLDC for sealing.

Please do let me know any queries.

Kind regards

Reg.13

Reg.13

Solicitor
for Pinsent Masons LLP

D: +44 (0) Reg.13 M: +44 (0) Reg.13 Ext: Reg.13

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 02 November 2012 10:41
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth
Subject: FW: 419 Wick Lane s.106 agreement

Hi Reg.13 and Reg.13

Reg.13 – please find attached the Committee report (and appendix 1 and appendix 2) to the LLDC Planning Decisions Committee on 23rd October 2012, as well as the draft minutes of the meeting confirming Committee’s resolution. I have also attached the draft decision notice.

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Regards

Reg.13

From: Reg.13
Sent: 01 November 2012 11:59
To: Anthony Hollingsworth
Cc: Reg.13, Reg.13, Vivienne Ramsey; Reg.13
Subject: RE: 419 Wick Lane s.106 agreement

Hi Anthony

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Reg.13 I can be contacted on 0203 288 Reg.13 to discuss further. Reg.13 we can meet and discuss the next steps and will send you an invite.

Kindly note I will be on leave from 5 -9 November. Please advise me on the time scale for the completing and signing of the s106 agreement. Thank you.

Kind regards

Reg.13

Reg.13

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London Legacy Development Corporation
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London
E20 1EJ

Direct: 020 3288 [Reg.13]
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From: Anthony Hollingsworth
Sent: 01 November 2012 11:51
To: [Reg.13]
Cc: [Reg.13] [Reg.13] Vivienne Ramsey
Subject: 419 Wick Lane s.106 agreement

Hi [Reg.13] following on from your previous helpful advice, we reported 419 Wick Lane to the LLDC planning committee on 23rd October and Committee resolved to approve the application subject to completing/signing a s.106 legal agreement (as per the previous ODA resolution). Pinsent Masons has prepared the draft agreement which is now broadly agreed between the parties. We will need to make arrangements for the LLDC signing and sealing, which includes PM providing you with a short report which summaries the content and purpose of the agreement. Would you mind liaising with my colleague [Reg.13] in PPDT and [Reg.13] at Pinsents regarding the arrangements for signing and sealing the agreement.

Many thanks

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Web: www.londonlegacy.co.uk

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From: Reg.13
To: Reg.13
Cc: [Anthony Hollingsworth](#); Reg.13; Reg.13; [Rachel Massey](#); Reg.13
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed
Date: 16 November 2012 16:31:32
Attachments: [contract deed authorisation form template 161112 final +VC.DOCX](#)

Dear Reg.13

This is the final form for Reg.13 to sign and return to me next week. We anticipate the section 106 agreement will be with LLDC next week for Jonathan Dutton to sign.

Thank you.

Kind regards

Reg.13

.13

Principal Public Law Lawyer
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13
Mobile: Reg.13

Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)
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Level 10
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E20 1EJ

Direct: 020 3288 [Redacted]
Mobile: [Redacted]

Email: [Redacted] [londonlegacy.co.uk](mailto:[Redacted]@londonlegacy.co.uk)
Web: www.londonlegacy.co.uk

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From: [Redacted] [mailto:[Redacted]@pinsentmasons.com]
Sent: 07 November 2012 16:04
To: [Redacted] [Redacted]
Cc: Anthony Hollingsworth; [Redacted]
Subject: 419 Wick Lane: s.106 agreement [PM-eShare.FID1089314]

[Redacted]

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[Redacted]

[Redacted]
Solicitor
for Pinsent Masons LLP

D: +44 (0) [Redacted] M: +44 (0) [Redacted] Ext: [Redacted]

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From: [Redacted] [mailto:[Redacted]@londonlegacy.co.uk]
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To: [Redacted] [Redacted]
Cc: Anthony Hollingsworth
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Kind regards

Reg.13

.13

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London Legacy Development Corporation
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E20 1EJ

Direct: 020 3288 **Reg.13**

Mobile: **Reg.13**

Email: **Reg.13** londonlegacy.co.uk

Web: www.londonlegacy.co.uk

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From: Anthony Hollingsworth
Sent: 01 November 2012 11:51
To: **Reg.13**
Cc: **Reg.13** **Reg.13** Vivienne Ramsey
Subject: 419 Wick Lane s.106 agreement

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Many thanks

Anthony

Anthony Hollingsworth
Chief Planner, Development Management
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 **Reg.13**

Mobile: **Reg.13**

Email: anthonyhollingsworth@londonlegacy.co.uk

Web: www.londonlegacy.co.uk

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From: Reg.13
To: Reg.13 Reg.13
Cc: Reg.13
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed [PM-eShare.FID1089314]
Date: 26 November 2012 22:05:38

Hi Reg.13

We are still awaiting receipt of the engrossments from the applicant's lawyer. I have asked them for a further update and will let you know as soon as I hear something.

Kind regards

Reg.13

Reg.13

Solicitor
for Pinsent Masons LLP

D: +44 (0) Reg.13 M: +44 (0) Reg.13 Ext: Reg.13

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of McGrigors and Pinsent Masons*

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 26 November 2012 18:19
To: Reg.13
Cc: Reg.13 Reg.13
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed [PM-eShare.FID1089314]

Dear Reg.13

Is there any update on when this section 106 will be with us this week. Thank you.

Kind regards

Reg.13

.13

Principal Public Law Lawyer
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13

Mobile: Reg.13

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Web: www.londonlegacy.co.uk

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Please consider the environment before printing this e-mail or its attachments

From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: 20 November 2012 12:09
To: Reg.13
Cc: Reg.13; Reg.13
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed [PM-eShare.FID1089314]

Dear Reg.13

Nabarro told me that they would be sending the engrossments to the mortgagees for execution today. After this they will need to go to Tower Hamlets and then, lastly, to LLDC. I would imagine that if things move quickly you could have them by the end of the week (Thursday at the very earliest but more likely Friday) but possibly it may run over to next week if the other signatories do not sign and forward on in the same day.

Kind regards

Reg.13

Reg.13
Solicitor
for Pinsent Masons LLP

D: +44 (0) 20 7418 9595 M: +44 (0) 7919 220 435 Ext: 819595

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 20 November 2012 12:01
To: Reg.13
Cc: Reg.13; Reg.13
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed [PM-eShare.FID1089314]

Dear Reg.13

Can you please advise where the section 196 application for signing is at and when it will be provided to LLDC for signature.

Kind regards

Reg.13

.13

Principal Public Law Lawyer
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
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E20 1EJ

Direct: 020 3288 Reg.13

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Email: Reg.13 londonlegacy.co.uk

Web: www.londonlegacy.co.uk

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Please consider the environment before printing this e-mail or its attachments

From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: 16 November 2012 21:43
To: Reg.13
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed [PM-eShare.FID1089314]

Thanks Reg.13

Reg.13

Solicitor
for Pinsent Masons LLP

D: +44 (0) Reg.13 M: +44 (0) Reg.13 Ext: Reg.13

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 16 November 2012 21:34
To: Reg.13
Cc: Anthony Hollingsworth; Reg.13 Reg.13 Rachel Massey; Reg.13
Reg.13
Subject: Re: 419 Wick Lane: s.106 agreement - section 106 to sign deed [PM-eShare.FID1089314]

Thank you Reg.13 Have a good break next week.

Kind regards

Reg.13

From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: Friday, November 16, 2012 08:52 PM
To: Reg.13
Cc: Anthony Hollingsworth; Reg.13 <Reg.13@pinsentmasons.com>; Reg.13
Rachel Massey; Reg.13 Reg.13 <Reg.13@pinsentmasons.com>
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed [PM-eShare.FID1089314]

Reg.13 Reg.13

Thanks for your emails. Reg.13 has signed the further amended form and this is attached.
We will send the original, and the signed legal report, with the engrossments.

I have not heard from the applicant's lawyer this week and do not know when we can expect to receive the engrossments back. If we receive them early next week, we will send them to Tower Hamlets to seal. This may take a few days, so realistically they won't be with you until the end of

next week at the earliest. We will obviously let you know when we have a better idea of when we'll be sending them to you for sealing.

I will be away next week, and will leave this matter in the more than capable hands of **Reg.13**

Kind regards

Reg.13

Reg.13

Solicitor
for Pinsent Masons LLP

D: +44 (0) **Reg.13** M: +44 (0) **Reg.13** Ext: **Reg.13**

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From: **Reg.13** [[mailto:**Reg.13**@londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)]

Sent: 16 November 2012 16:32

To: **Reg.13**

Cc: Anthony Hollingsworth; **Reg.13** **Reg.13** Rachel Massey; **Reg.13**

Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed

Dear **Reg.13**

This is the final form for **Reg.13** to sign and return to me next week. We anticipate the section 106 agreement will be with LLDC next week for Jonathan Dutton to sign.

Thank you.

Kind regards

Reg.13

Reg.13

Principal Public Law Lawyer
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 **Reg.13**

Mobile: **Reg.13**

Email: **Reg.13** [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.londonlegacy.co.uk

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From: Reg.13
Sent: 16 November 2012 16:23
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13; Reg.13 Rachel Massey
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed

Hi Reg.13

Please find attached another version of the authorisation form with my two small areas edited. Viv will be around to sign the form on Monday, Tuesday, Wednesday next week (but is out of the office in meetings on Thursday/Friday).

Reg.13 – do you know where the s106 signing has got to on its rounds?

I hope you all have a good weekend

Reg.13

From: Reg.13
Sent: 12 November 2012 15:45
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13; Reg.13 Rachel Massey
Subject: RE: 419 Wick Lane: s.106 agreement - section 106 to sign deed

Dear all

I have today returned from leave and make the following comments:

- **Section 106 agreement**

The address of the LLDC on page 3 be corrected to:

Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

- **Deed authorisation form**

I have attached the deed authorisation form. Reg.13 I have made some comments for you to complete. I have included the legal comment.

Finally I have spoken to Reg.13 the PA to Jonathan this morning and she informed me that Jonathan is available to sign the deed agreement on behalf of LLDC later this week.

Next steps

1. To make the amendment to section 106 agreement correcting LLDC address; and
2. To arrange the final amended section 106 agreement to be signed by Jonathan later this week and then PM trainee to have the other parties sign.

3. To have the email chain attached to the Deed authorization form.

Happy to discuss.

Kind regards

Reg.13

.13

Principal Public Law Lawyer
London Legacy Development Corporation

Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13

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From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: 07 November 2012 16:04
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13
Subject: 419 Wick Lane: s.106 agreement [PM-eShare.FID1089314]

Reg.13

Please find attached:

1. Legal report in relation to the s106 agreement;
2. Signed authorisation form;
3. Final section 106 agreement, plus appendices.

I will include the original of 1 & 2 with the engrossments when they are sent to LLDC for sealing.

Please do let me know any queries.

Kind regards

Reg.13

Reg.13

Solicitor
for Pinsent Masons LLP

D: +44 (0) Reg.13 M: +44 (0) Reg.13 Ext: Reg.13

Pinsent Masons: combining the experience, resources and international reach

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 02 November 2012 10:41
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth
Subject: FW: 419 Wick Lane s.106 agreement

Hi Reg.13 and Reg.13

Reg.13 – please find attached the Committee report (and appendix 1 and appendix 2) to the LLDC Planning Decisions Committee on 23rd October 2012, as well as the draft minutes of the meeting confirming Committee’s resolution. I have also attached the draft decision notice.

To summarise the history of the application;

- The application to change the use of 112 live-work units to 112 residential units was submitted in April 2012 to ODA PDT and given ref number 12/90164/FULODA. It was reported to the ODA Planning Committee in July 2012, where the Committee agreed to delegate authority to the Director of Planning Decisions to grant permission subject to the completion of a section 106 agreement, conditions and informatives.
- As the s106 agreement wasn’t finalised prior to the planning powers transferring to the LLDC, the application was carried over to PPDT (and given a new ref numbers 12/00165/FUM) referred to the LLDC Planning Decisions Committee on 23rd October. The Committee resolved to delegated authority to the Director of Planning Policy and Decisions to grant planning permission subject to the completion of the s106 agreement and the conditions and informatives. This agreement is nearly complete, and the draft decision notice is ready.

Reg.13 – please could you send Reg.13 the latest draft of the s106 (the version which includes the amendments regarding removing the Olympic Act and adding in the LLDC formation), and complete the contract deed authorisation form attached. I’m not sure whether it is you or the applicant side who is organising the signatories/dates etc, but we will also need to discuss the number of copies of the final agreement nearer the time as well (e.g. I’ll need a copy for the file, a copy for Land Charges, LLDC Legal need a copy). Please note that Reg.13 is on leave next week.

Regards

Reg.13

From: Reg.13
Sent: 01 November 2012 11:59
To: Anthony Hollingsworth
Cc: Reg.13; Reg.13; Vivienne Ramsey; Reg.13
Subject: RE: 419 Wick Lane s.106 agreement

Hi Anthony

Thank you for the update on the 419 Wick Lane and the decision of the LLDC planning committee on 23rd October and Committee to approve the application subject to completing/signing a s.106 legal agreement. I will be happy to assist and ensure that the

documents are sealed and signed. I attach the contract/deed authorisation form that will need to be completed in preparation for the signing and sealing of the documents.

Reg.13 I can be contacted on 0203 288 Reg.13 to discuss further. Reg.13 we can meet and discuss the next steps and will send you an invite.

Kindly note I will be on leave from 5 -9 November. Please advise me on the time scale for the completing and signing of the s106 agreement. Thank you.

Kind regards

Reg.13

Reg.13

Principal Public Law Lawyer
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From: Anthony Hollingsworth
Sent: 01 November 2012 11:51
To: Reg.13
Cc: Reg.13; Reg.13; Vivienne Ramsey
Subject: 419 Wick Lane s.106 agreement

Hi Reg.13 following on from your previous helpful advice, we reported 419 Wick Lane to the LLDC planning committee on 23rd October and Committee resolved to approve the application subject to completing/signing a s.106 legal agreement (as per the previous ODA resolution). Pinsent Masons has prepared the draft agreement which is now broadly agreed between the parties. We will need to make arrangements for the LLDC signing and sealing, which includes PM providing you with a short report which summaries the content and purpose of the agreement. Would you mind liaising with my colleague Reg.13 in PPDT and Reg.13 at Pinsents regarding the arrangements for signing and sealing the agreement.

Many thanks

Anthony

Anthony Hollingsworth
Chief Planner, Development Management
London Legacy Development Corporation

Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 **Reg.13**
Mobile: **Reg.13**

Email: anthonyhollingsworth@londonlegacy.co.uk

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www.londonlegacy.co.uk.

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From: Reg.13
To: Reg.13 <[redacted]@londonlegacy.co.uk>
Cc: Reg.13
Subject: 419 Wick Lane
Date: 29 November 2012 09:38:56
Attachments: [Draft S106 Agreement - 419 Wick Lane.doc](#)
[ATT00001.txt](#)
[ATT00002.htm](#)

Hi Reg.13

I hope you are well.

I understand that engrossments for the S106 have been returned to Pinsent Masons for execution (please see attached) and we are still waiting for this to happen. If there is anything you are able to do from your side to move things along that would be much appreciated.

In addition, I understand that the application is still registered to Reg.13 at our Lansdowne House address. If there is any chance that when the S106 Agreement has been executed the decision notice could be issued for my attention at our Finsbury Circus address (25 Finsbury Circus, London, EC2M 7EE), or a copy could be emailed to me in PDF that would be great.

Any queries, please don't hesitate to give me a call.

Many thanks.

Kind regards,

Reg.13

13 BSc MSc MRTPI
Associate
Planning

Savills, 25 Finsbury Circus, London, EC2M 7EE

Tel : +44 (0) 20 Reg.13
Mobile : +44 (0) Reg.13
Email : Reg.13@savills.com
Website : www.savills.co.uk



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From: Reg.13
To: Reg.13
Subject: FW: 419 Wick Lane [PM-eShare.FID1089314]
Date: 20 December 2012 15:44:24
Attachments: [Completed S106 Agreement 17.12.12.PDF](#)

Please can the s106 go onto the website for 12/00165/FUM – 419 Wick Lane. Ta!

From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: 20 December 2012 15:40
To: Reg.13
Cc: Anthony Hollingsworth; Reg.13
Subject: RE: 419 Wick Lane [PM-eShare.FID1089314]

Reg.13

Please find attached a scanned copy of the section 106 agreement.

I confirm that we have distributed the original hard copies and have added the PPDT's copy to our deeds as requested.

Thanks very much for your instructions on this matter, and to you and Reg.13 for your assistance throughout.

Have a lovely Reg.13

Reg.13

Reg.13

Solicitor
for Pinsent Masons LLP

D: +44 (0) Reg.13 M: +44 (0) Reg.13 Ext: Reg.13

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 19 December 2012 09:48
To: Reg.13
Subject: 419 Wick Lane

Hi Reg.13

I'm going to issue the planning permission for 419 Wick Lane today, and can send the four signed copies back to you (along with four copies of the planning permission) if you could distribute them to the signatories, and add the PPDT's copy to the Pinsents store of our s106s.

Please could you also scan the signed s106 and email it to me so we have it electronically to put on the website, and our computer records.

Thanks

Reg.13

Reg.13

Planner, Planning Policy and Decisions Team
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 **Reg.13**

Email: **Reg.13** [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.londonlegacy.co.uk

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From: Reg.13
To: Reg.13
Subject: FW: Riverside Works, 419 Wick Lane, planning permission ref. 12/00165/FUM
Date: 19 March 2013 14:55:32
Attachments: [FINAL Decision Notice.pdf](#)
[13_00029 FINAL Decision Notice.pdf](#)

Hi Reg.13

I sent this to Reg.13 at LBTH, but depending on the transfer and at what stage projects transfer, this may come to us. A pretty large amount of CIL.

Regards

Reg.13

From: Reg.13
Sent: 18 March 2013 09:43
To: Reg.13
Subject: Riverside Works, 419 Wick Lane, planning permission ref. 12/00165/FUM

Dear Reg.13

Just to let you know that I've discharged the pre-commencement condition for 419 Wick Lane (change of use of vacant premises from live-work to residential flats) which should trigger the next CIL stage.

I attach the original decision notice and the latest approval of details decision notice.

I understand 80 of the 112 flats are now occupied so the development has been implemented.

Also to let you know that I will be leaving the LLDC at the end of this week – so please send any future CIL emails to the general planning enquiries email address (planningenquiries@londonlegacy.co.uk) and they will be forwarded onto the appropriate planning officer.

Regards

Reg.13

3
Planner, Planning Policy and Decisions Team
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ
Direct: 020 3288 Reg.13

Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)
Web: www.londonlegacy.co.uk

From: Reg.13
To: Reg.13
Subject: RE: 419 Wick Lane Section 106 [PM-eShare.FID1089314] [NABARRO-LEGAL_ACTIVE.FID7581428]
Date: 20 March 2013 11:00:23

Hi Reg.13

Thank you for the notice.

Kind regards,

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 20 March 2013 10:36
To: Reg.13
Subject: RE: 419 Wick Lane Section 106 [PM-eShare.FID1089314] [NABARRO-LEGAL_ACTIVE.FID7581428]

Hi Reg.13

I have had confirmation from the Finance team that the off-site affordable housing contribution for 419 Wick Lane was paid yesterday – please see the top item (with the planning application ref. 12/00165/FUM) of the attached remittance note.

Regards

Reg.13

From: Reg.13 [mailto:Reg.13@towerhamlets.gov.uk]
Sent: 07 March 2013 15:43
To: Reg.13
Subject: RE: 419 Wick Lane Section 106 [PM-eShare.FID1089314] [NABARRO-LEGAL_ACTIVE.FID7581428]

Hi Reg.13

Are you in a position to update me as to when the LLDC expect to receive/transfer the off-site affordable housing contribution. I understand the Agreement was signed 17th December 2012, I therefore expect the contribution should be due soon.

Many thanks,

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 06 December 2012 08:51
To: Reg.13; Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13
Subject: RE: 419 Wick Lane Section 106 [PM-eShare.FID1089314] [NABARRO-LEGAL_ACTIVE.FID7581428]

With the correct email address this time – apologies **Reg.13**

From: **Reg.13**
Sent: 06 December 2012 08:49
To: **Reg.13** <[redacted]@towerhamlets.gov.uk>; **Reg.13** <[redacted]@towerhamlets.gov.uk>;
Reg.13 <[redacted]@towerhamlets.gov.uk>
Cc: Anthony Hollingsworth; **Reg.13**
Subject: FW: 419 Wick Lane Section 106 [PM-eShare.FID1089314] [NABARRO-LEGAL_ACTIVE.FID7581428]

Hi **Reg.13**

Anthony forwarded on your email as I'm the case officer dealing with 419 Wick Lane, having taken over from **Reg.13** at the end of September. I've asked **Reg.13** at Pinsent Masons (our lawyers) for the background to the section 106 wording so here are our combined comments.

Taking the Committee report item first, as the section 106 agreement was not signed prior to the transfer of planning powers from the ODA to the LLDC, the application was taken to the first meeting of the LLDC Planning Decision Committee on 23rd October 2012 in order to ask the new LLDC Committee to delegate authority to the Director of Planning Policy and Decisions to approve the application subject to the completion of the s106, conditions, and reasons for approval contained in the report. This report can be viewed at item 6 at the link below;
<http://www.london.gov.uk/LLDC/ieListDocuments.aspx?CId=273&MId=4727&Ver=4>

The report updated on the progress made on the s106 drafting since the July ODA Planning Committee. Section 5.9 of the report sets out the heads of terms, and includes reference to the off-site affordable housing contribution of £557,324 being paid to the LPA who then pass it on to LBTH. The LLDC Planning Decision Committee were therefore made aware of this process and the s106 drafting has continued this through to the final wording, and as defined at the beginning of the s106.

In terms of the reasoning behind why the off-site affordable housing payment comes to the LLDC to pass on to LBTH, we have set out the history of how this drafting came about, to explain why it was necessary:

1. Initially Pinsent Masons wanted the applicant to be a party to the agreement (in addition to the freeholder). The applicant's lawyer argued against this, and we agreed that the developer need not be a party on the basis that the amount of the contribution would be paid prior to completion (as this obviously meant there was no risk of a non payment due to the developer not being a party). The applicant's lawyers agreed that they would transfer the contribution to Pinsent Masons to be held in their client account pending completion, with an undertaking that Pinsents will transfer this money to the LLDC on completion of the agreement.
2. Once it had agreed to pay the contribution to LBTH before the planning permission had been issued, the applicant wanted a clause included in the agreement providing that if the ODA (as it then was) did not issue the planning permission within 5 business days of completion of the agreement, and if the permission was not in substantially the same form as the draft decision notice, LBTH would repay the off site affordable contribution. The developer argued that this was appropriate because it was paying the contribution on completion of the agreement, before it had been granted the permission, and

- therefore needed some comfort that the permission would be in the form of the draft.
3. LBTH's lawyer advised that LBTH would not agree to this because they argued that it was not responsible for the drafting and issuing of the planning permission (amongst other reasons) and would therefore not repay the contribution on that basis.
 4. The applicant's lawyer therefore suggested that the contribution be paid to LLDC (as it would have control over issuing the permission) and then transferred to LBTH. On or about 24 September 2012 the applicant's lawyer provided amendments to Schedule 3 of the agreement (the ODA's covenants) to provide that:
 - a. The Local Planning Authority [ODA/LLDC] will not transfer the Off Site Affordable Housing Contribution to the Council unless and until it has issued the Planning Permission in a form that is not substantially different from the draft Planning Permission attached at Appendix 2 and does not contain any condition other than the conditions set out in the draft Planning Permission attached at Appendix 2.
 5. LBTH's lawyer expressly agreed this amendment by email dated 25 September 2012.
 6. At that time, and to properly give effect to this amendment, further amendments should have been made to Schedule 2 (LBTH's covenants) and an additional clause added to Schedule 3 to provide that, in the event ODA/LLDC did not issue the Planning Permission within 5 Business Days, it would repay the contribution to the owner. Those amendments were made at a later date to give effect to the earlier agreed principle. These amendments look to have been made once ODA became LLDC, despite the principle being agreed prior to that.

The arrangement and therefore the drafting of the agreement, provided a workable situation whereby the applicant was prepared to pay the contribution up front and was given comfort that it would be refunded should the permission not be issued, LBTH did not have to give a covenant which depended on events outside of its control (i.e. the issuing of the permission by LLDC), and both LLDC and LBTH had the security of the contribution being paid up front.

We therefore consider that the intention of both Committee reports is still achieved, that is, that LBTH is the beneficiary of the off site affordable housing contribution.

I hope this makes it clear the process behind how we ended up with the final wording, and gives you comfort on LBTH's previous involvement.

Regards

Reg.13

From: **Reg.13** [mailto:**Reg.13**@towerhamlets.gov.uk]
Sent: Wednesday, December 05, 2012 12:04 PM
To: Anthony Hollingsworth
Cc: **Reg.13** <**Reg.13**@towerhamlets.gov.uk>; **Reg.13** <**Reg.13**@towerhamlets.gov.uk>
Subject: 419 Wick Lane Section 106 [PM-eShare.FID1089314] [NABARRO-LEGAL_ACTIVE.FID7581428]

Dear Anthony,

Further to my previous email regarding the wording of the S.106 Agreement for the change of use at 419 Wick Lane I attach the ODA Committee report which identifies the Council as the

appropriate beneficiary of the Offsite Affordable Housing Contribution. Please refer to Section 7.21 which details the applicant's off site affordable housing offer at £557,324. The report also states 'The applicant will pay a contribution of [£insert figure] to the Council towards the provision of off-site affordable housing' (7.30 1.).

It is the Council's view that the LLDC should be bound by this report and arrange for the agreement to be modified to reflect this.

Kind regards,

Infrastructure Planning Team

London Borough of Tower Hamlets

2nd Floor, Mulberry Place

5 Clove Crescent

London E14 2BG

☎: 020 Reg.13

✉: Reg.13@towerhamlets.gov.uk

🌐: www.towerhamlets.gov.uk

From: Reg.13

Sent: 30 November 2012 14:27

To: Reg.13

Cc: Reg.13; Reg.13; Reg.13; 'AnthonyHollingsworth@londonlegacy.co.uk';

Reg.13

Subject: RE: 419 Wick Lane Section 106 [PM-eShare.FID1089314] [NABARRO-LEGAL_ACTIVE.FID7581428]

Hi Reg.13

Given the new arrangements for the LLDC this is something which we haven't done before. Therefore I am copying in Reg.13 and Reg.13 from DM and Anthony from LLDC Development Management side to between us to agree how to proceed.

I have reviewed the agreement and I'm a little concerned about the choice of wording. I recall that in the ODA agreement the Offsite Affordable Housing Contribution was to be paid to Tower Hamlets Council. This agreement nominates the LLDC as the beneficiary in Schedule 1. I think this should be the Local Housing Authority or The Council. Secondly, the agreement does not specify the value of the contribution. On page 16 there is reference to a Planning Decisions Committee meeting which suggests the offsite contribution will be around £557,000. Is this tight enough?

Thanks,

Reg.13

Infrastructure Planning Team

London Borough of Tower Hamlets

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5 Clove Crescent
London E14 2BG
☎: 020 Reg.13
✉: Reg.13@towerhamlets.gov.uk
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From: Reg.13
Sent: 30 November 2012 09:53
To: Reg.13
Subject: RE: 419 Wick Lane Section 106 [PM-eShare.FID1089314] [NABARRO-LEGAL_ACTIVE.FID7581428]

Hi Reg.13

I am now in receipt of the engrossed 106 agreement for sealing by the Council.

Will this be done via delegated powers or is there a committee authority?

I attach an officer's sealing authority form in the event that deed is to be sealed under delegated powers. Is there an officer's delegated report for this?

Regards
Reg.13 | Planning Lawyer | Environment Team
For Assistant Chief Executive (Legal Services)

T: 020 Reg.13
F: 020 Reg.13
E: Reg.13@towerhamlets.gov.uk
W: towerhamlets.gov.uk

P : Legal Services, Environment Team, Town Hall
Mulberry Place, 5 Clove Crescent, London E14 2BG

DX: Reg.13

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From: Reg.13
To: Reg.13
Subject: FW: 419 Wick Lane s.106 agreement [PM-eShare.FID1089314]
Date: 09 April 2013 12:45:13
Attachments: [Wick Lane S106 Agreement.pdf](#)
[Draft Decision Notice \(2\).doc](#)
[Scan-to-Me from 10.2.10.205 2012-11-02_162011.pdf](#)

Reg.13

FYI.

Regards

Reg.13

From: Reg.13 [mailto:Reg.13@pinsentmasons.com]
Sent: 02 November 2012 16:25
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth; Reg.13
Subject: RE: 419 Wick Lane s.106 agreement [PM-eShare.FID1089314]

Reg.13 Reg.13

Please find attached the final version of the S106 Agreement, as agreed with the applicant's lawyer.

Attached also are the schedules/appendices.

The applicant's lawyer has asked me to await their confirmation that the draft decision notice is agreed. Once I have this, I will be able to issue engrossments.

I will attend to the authorisation form and note the points in the various recent emails from Reg.13 and Reg.13 (and my phone call with Reg.13 as to what you will require from me.

Kind regards

Reg.13

Reg.13
Solicitor
for Pinsent Masons LLP

D: +44 (0) Reg.13 M: +44 (0) Reg.13 Ext: Reg.13

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From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 02 November 2012 10:41
To: Reg.13; Reg.13
Cc: Anthony Hollingsworth
Subject: FW: 419 Wick Lane s.106 agreement

Hi Reg.13 and Reg.13

Reg.13 – please find attached the Committee report (and appendix 1 and appendix 2) to the LLDC Planning Decisions Committee on 23rd October 2012, as well as the draft minutes of the meeting

confirming Committee's resolution. I have also attached the draft decision notice.

To summarise the history of the application;

- The application to change the use of 112 live-work units to 112 residential units was submitted in April 2012 to ODA PDT and given ref number 12/90164/FULODA. It was reported to the ODA Planning Committee in July 2012, where the Committee agreed to delegate authority to the Director of Planning Decisions to grant permission subject to the completion of a section 106 agreement, conditions and informatives.
- As the s106 agreement wasn't finalised prior to the planning powers transferring to the LLDC, the application was carried over to PPDT (and given a new ref numbers 12/00165/FUM) referred to the LLDC Planning Decisions Committee on 23rd October. The Committee resolved to delegated authority to the Director of Planning Policy and Decisions to grant planning permission subject to the completion of the s106 agreement and the conditions and informatives. This agreement is nearly complete, and the draft decision notice is ready.

Reg.13 – please could you send Reg.13 the latest draft of the s106 (the version which includes the amendments regarding removing the Olympic Act and adding in the LLDC formation), and complete the contract deed authorisation form attached. I'm not sure whether it is you or the applicant side who is organising the signatories/dates etc, but we will also need to discuss the number of copies of the final agreement nearer the time as well (e.g. I'll need a copy for the file, a copy for Land Charges, LLDC Legal need a copy). Please note that Reg.13 is on leave next week.

Regards

Reg.13

From: Reg.13
Sent: 01 November 2012 11:59
To: Anthony Hollingsworth
Cc: Reg.13; Reg.13; Vivienne Ramsey; Reg.13
Subject: RE: 419 Wick Lane s.106 agreement

Hi Anthony

Thank you for the update on the 419 Wick Lane and the decision of the LLDC planning committee on 23rd October and Committee to approve the application subject to completing/signing a s.106 legal agreement. I will be happy to assist and ensure that the documents are sealed and signed. I attach the contract/deed authorisation form that will need to be completed in preparation for the signing and sealing of the documents.

Reg.13 I can be contacted on 0203 288 Reg.13 to discuss further. Reg.13 we can meet and discuss the next steps and will send you an invite.

Kindly note I will be on leave from 5 -9 November. Please advise me on the time scale for the completing and signing of the s106 agreement. Thank you.

Kind regards

Reg.13

.13

Principal Public Law Lawyer
London Legacy Development Corporation
Level 10
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E20 1EJ

Direct: 020 3288 Reg.13
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Email: Reg.13 londonlegacy.co.uk
Web: www.londonlegacy.co.uk

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From: Anthony Hollingsworth
Sent: 01 November 2012 11:51
To: Reg.13
Cc: Reg.13 Reg.13 Vivienne Ramsey
Subject: 419 Wick Lane s.106 agreement

Hi Reg.13 following on from your previous helpful advice, we reported 419 Wick Lane to the LLDC planning committee on 23rd October and Committee resolved to approve the application subject to completing/signing a s.106 legal agreement (as per the previous ODA resolution). Pinsent Masons has prepared the draft agreement which is now broadly agreed between the parties. We will need to make arrangements for the LLDC signing and sealing, which includes PM providing you with a short report which summaries the content and purpose of the agreement. Would you mind liaising with my colleague Reg.13 in PPDT and Reg.13 at Pinsents regarding the arrangements for signing and sealing the agreement.

Many thanks

Anthony

Anthony Hollingsworth
Chief Planner, Development Management
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13
Mobile: Reg.13

From: Reg.13
To: Reg.13
Subject: 419 Wick Lane - 12/00165/FUM
Date: 07 April 2014 14:11:35

419 Wick Lane is the one Reg.13 wrote up for committee....12/00165/FUM....it was actually written up twice, so just refer to the second committee report. Just checked and 419 wick looks like the block just to the south of your one. The issues will all pretty much be the same but on a much larger scale. I will also send you some smaller live-work to resi COUs from Omega Works.

Reg.13

13

Senior Planning Development Manager (Planning Policy and Decisions Team)
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Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.londonlegacy.co.uk



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The north of Queen Elizabeth Olympic Park is now open. From 5 April, the south of the Park will be open, offering even more venues, green spaces and events.

From: Reg.13
To: Reg.13
Subject: s106 payment and obligations for 419 Wick Lane (12/00165/FUM)
Date: 09 September 2014 09:36:29

Hi Reg.13

I have an enforcement investigation at Wick Wharf, 419 Wick Lane, Fish Island in relation to the contravention of the s106. Schedule 1 Paragraph 2.1.2 requires employment generating floorspace to be at a £0 rent for the first 36 months of occupation, however the complainant notes that the agent says this is now invalid and as such is charging £15 per square foot. The application reference number is 12/00165/FUM.

There are triggers within Schedule 1 that I wanted to check with you to see if we have received them, before I fully look into this case. These are:

- Paragraph 1.1 -On date of completion of this Agreement the Owner shall pay the LPA the Off site affordable housing contribution.

Please could you check if we have received this payment?

- Paragraph 2.2 -Every year for the first 5 years from first occupation of employment generating floorspace and then every 3 years after, the Owner will submit to the LPA reasonable satisfaction that the Employment generating floorspace has been occupied in accordance with Schedule 1.

Please could you check if we have received any such report? I doubt we will have because I don't think the floorspace has yet been occupied.

Thanks,

Reg.13

Reg.13

Planning Development Executive

London Legacy Development Corporation

Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

DDI: 020 3288 Reg.13

Mobile: Reg.13

Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.QueenElizabethOlympicPark.co.uk



From: Reg.13
To: Reg.13
Cc: Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM
Date: 03 November 2014 09:22:15

Reg.13

Thanks. I'll take a look and drop you an email on this later today.

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 31 October 2014 17:24
To: Reg.13
Cc: Reg.13
Subject: 419 Wick Lane 12/00165/FUM

Reg.13

We spoke briefly about this before but at that time I hadn't read the file.

I know a little more now and have attached instructions and the 106. Basically they got permission to change 112 units from live/work to live only on the back of the obligation to provide the remaining purely commercial space at nil rent for 3 years and £3 per sq foot thereafter. It appears that agents are saying this obligation is invalid and are seeking to charge market rents.

Could you do a land registry search please and then we need to draft a letter to all and sundry to get the 106 obligations complied with. I'll have a look on site.

I understand the off site affordable contribution has been paid.

Thanks

Reg.13

J.13
Senior Planning Development Manager (Planning Policy and Decisions Team)
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London
E20 1EJ

Direct: 020 3288 Reg.13

Email: Reg.13@londonlegacy.co.uk

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From: Reg.13
To: Reg.13
Cc: Reg.13, Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM
Date: 03 November 2014 12:00:15

Reg.13

I don't think so.

Sorry, tied up with other meetings today, will have more time tomorrow hopefully to confirm this.

Thanks

Reg.13

From: Reg.13 [mailto:Reg.13@tfl.gov.uk]
Sent: 03 November 2014 09:48
To: Reg.13
Cc: Reg.13, Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM

Reg.13

Have you had anything in writing from the agents on this so far?

Regards

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
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From: Reg.13
To: Reg.13 Reg.13
Cc: Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM
Date: 04 November 2014 09:50:37

I just wanted to let you know that I haven't had any involvement in this s106. However, I do know that the affordable housing contribution was paid to us and passed over to Tower Hamlets. This was done before I returned from maternity leave.

Thanks

Reg.13

From: Reg.13 [mailto:Reg.13@tfl.gov.uk]
Sent: 03 November 2014 12:06
To: Reg.13
Cc: Reg.13 Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM

Let's discuss tomorrow. It would be worth understanding exactly what their beef is and then we can decide an appropriate response. If they haven't put anything on paper as yet, let's proceed on the basis that they are under the duty, and get them to explain why they think they are not.

Probably at this stage, just a simple letter, reminding them of their obligation, and asking them what steps they are taking to comply with it. I see from the agreement that they are obliged to provide us with annual reports (Schedule 1, para 2.2). Have we seen any so far?

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 03 November 2014 12:00
To: Reg.13
Cc: Reg.13 Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM

Reg.13

I don't think so.

Sorry, tied up with other meetings today, will have more time tomorrow hopefully to confirm this.

Thanks

Reg.13

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Cc: Reg.13 Reg.13
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Reg.13

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Sent: 31 October 2014 17:24
To: Reg.13
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Could you do a land registry search please and then we need to draft a letter to all and sundry to get the 106 obligations complied with. I'll have a look on site.

I understand the off site affordable contribution has been paid.

Thanks

Reg.13

J.13
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Email: Reg.13@londonlegacy.co.uk

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From: Reg.13
To: Reg.13 | Reg.13
Subject: FW: 419 Wick Lane 12/00165/FUM
Date: 16 December 2014 17:46:21

From: Reg.13 [mailto:Reg.13@tfl.gov.uk]
Sent: 03 November 2014 12:06
To: Reg.13
Cc: Reg.13 | Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM

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Sent: 03 November 2014 12:00
To: Reg.13
Cc: Reg.13 | Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM

Reg.13

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Reg.13

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Cc: Reg.13 | Reg.13
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From: Reg.13
To: Reg.13
Subject: FW: 419 Wick Lane 12/00165/FUM
Date: 17 December 2014 12:18:05
Attachments: [419Wick Lane Freehold.pdf](#)

From: Reg.13 [mailto:Reg.13@tfl.gov.uk]
Sent: 03 November 2014 10:26
To: Reg.13
Cc: Reg.13, Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM

Reg.13

Thanks for this. I have attached the freehold title. There is also a registered leasehold title, but it only relates to a substation, so am not sending it across.

I am a little troubled by this, as according to the 106, the freeholder should be Wick Lane (Lux) S.A.R.L. However, according to the Land Registry, the Freeholder is Winnebago Holdings S.A R.L.

Who is the agent, and why do they think the obligations are unenforceable?

Regards

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 31 October 2014 17:24
To: Reg.13
Cc: Reg.13
Subject: 419 Wick Lane 12/00165/FUM

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Reg. 13

.13

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Use current title number for:

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REGISTER LAST UPDATED ON : 20 JAN 2014 AT 10:48:44

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[Home Rights](#)

Register View

A: Property Register

This register describes the land and estate comprised in the title.

TOWER HAMLETS

1. The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Riverside Works, 419 Wick Lane, London (E3 2JG).

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (23.04.2012) PROPRIETOR: >Winnebago Holdings S.A R.L.> (incorporated in Luxembourg) of 8 rue Dicks, L-1417, Luxembourg.
2. (23.04.2012) The price stated to have been paid on 5 April 2012 was £14,900,000 plus VAT of £800,000.
3. (23.04.2012) A Transfer of the land in this title dated 5 April 2012 made between (1) IBRC Asset Finance Plc and (2) Wick Lane (Lux) S.A.R.L. contains purchaser's personal covenants.
-NOTE: Copy filed.
4. (23.04.2012) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 5 April 2012 in favour of The Royal Bank Of Scotland Plc referred to in the Charges Register.
5. (07.11.2013) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 15 October 2013 in favour of The Royal Bank Of Scotland Plc referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. (25.10.2005) An Agreement dated 3 October 2005 made between (1) Silverpeak Limited and (2) The Mayor and Burgesses of the London Borough of Tower Hamlets pursuant to section 106 of the Town and Country Planning Act 1990 contains provisions relating to the development of the land in this title.
-NOTE: Copy filed.
2. (21.10.2009) The parts of the land affected thereby are subject to the rights granted by a Lease of a transformer chamber forming part of 419 Wick Lane dated 12 October 2009 referred to in the schedule of leases hereto.
The said lease also contains restrictive covenants by the landlord.
-NOTE: Copy lease filed under title EGL562233.

3. (21.10.2009) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto. The leases grant and reserve easements as therein mentioned.
4. (17.02.2012) An Agreement dated 14 January 2010 made between (1) London & Leaside Developments Limited (in Administration) (2) Anglo Irish Asset Finance PLC (3) **Reg 16** Joseph Bannon and Antony David Nygate and (4) The Olympic Delivery Authority pursuant to section 106 of the Town and Country Planning Act 1990 contains obligations.
-NOTE: Copy filed.
5. (23.04.2012) REGISTERED CHARGE contained in a Debenture dated 5 April 2012.
6. (23.04.2012) Proprietor: #THE ROYAL BANK OF SCOTLAND PLC# (Scot. Co. Regn. No. SC90312) of 8th Floor, 280 Bishopsgate, London EC2M 4RB.
7. (23.04.2012) The proprietor of the Charge dated 5 April 2012 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.
8. (07.11.2013) REGISTERED CHARGE contained in a Debenture dated 15 October 2013.
9. (07.11.2013) Proprietor: #THE ROYAL BANK OF SCOTLAND PLC# (Scot. Co. Regn. No. 090312) of 8th Floor, 280 Bishopsgate, London EC2M 4RB (Attention: Paul DeCroos).

Schedule of Notices of Leases

Reg. date and Plan ref.	Property description	Date of lease and Term	Lessee's Title
1. 21.10.2009	Transformer Chamber part of 419 Wick Lane	12.10.2009 99 years from 12/10/2009	EGL562233
NOTE: See entry in Charges Register for rights granted in respect of this lease.			
2. 21.08.2013	Flat 213, Ink Court (Second Floor Flat)	09.08.2013 From 1.1.2013 to 31.12.2262	AGL290944
3. 30.08.2013	Flat 202, Ink Court (Second Floor Flat)	20.08.2013 From 1.1.2013 to 31.12.2262	AGL291676
4. 02.09.2013	Flat 313, Ink Court (Third Floor Flat) and Basement Parking Space 43	13.08.2013 From 1.1.2013 to 31.12.2262	AGL291762
5. 03.09.2013	Flat 115, Ink Court (First Floor Flat)	16.08.2013 From 1.1.2013 to 31.12.2262	AGL291839
6. 04.09.2013	Flat 304, Ink Court (Third Floor Flat)	07.08.2013 From 1.1.2013 to 31.12.2262	AGL291929
7. 16.09.2013	Flat 104, Ink Court (First Floor Flat)	09.09.2013 From 1.1.2013 to 31.12.2262	AGL292711
8. 16.09.2013	Flat 303, Ink Court (Third Floor Flat)	02.09.2013 1.1.2013 to 31.12.2262	AGL292765
9. 18.09.2013	Flat 205, Ink Court (Second Floor Flat)	06.09.2013 From 1.1.2013 to 31.12.2262	AGL292885
10. 20.09.2013	Flat 103, Ink Court (First Floor Flat)	11.09.2013 From 1.1.2013 to 31.12.2262	AGL293112
11. 23.09.2013	Flat 214, Ink Court (Second Floor Flat)	06.09.2013 From 1.1.2013 to 31.12.2262	AGL293207
12. 23.09.2013	Flat 113, Ink Court (First Floor Flat)	06.09.2013 From 1.1.2013 to 31.12.2262	AGL293246
13. 01.10.2013	Flat 101, Ink Court (First	30.08.2013	AGL293723

		Floor Flat) and basement parking space 44	from 1.1.2013 to 31.12.2262	
		NOTE: The lease comprises also other land		
14.	03.10.2013	Flat 203, Ink Court (Second Floor Flat) and basement parking space 42	19.09.2013 from 1.1.2013 to 31.12.2262	AGL293987
15.	24.09.2013	Flat 314, Ink Court (Third Floor Flat)	11.08.2013 1.1.2013 to 31.12.2262	AGL293307
		NOTE: The lease comprises also other land		
16.	26.09.2013	Flat 315, Ink Court (Third Floor Flat)	04.09.2013 from 1.1.2013 to 31.12.2262	AGL293478
17.	04.10.2013	Flat 215, Ink Court (Second Floor Flat) and basement parking space 49	27.09.2013 from 1.1.2013 to 31.12.2262	AGL294171
18.	10.10.2013	Flat 315, Ink Court (Third Floor Flat)	04.09.2013 from 1.1.2013 to 31.12.2262	AGL294536
19.	11.10.2013	Flat 117, Ink Court (First Floor Flat) and basement parking space 41	27.09.2013 from 1.1.2013 to 31.12.2262	AGL294654
20.	15.10.2013	Flat 102, Ink Court (First Floor Flat)	03.10.2013 from 1.1.2013 to 31.12.2262	AGL294867
21.	18.10.2013	Flat 302, Ink Court (Third Floor Flat) and basement parking space 40	08.08.2013 from 1.1.2013 to 31.12.2262	AGL295209
22.	24.10.2013	Flat 204, Ink Court (Second Floor Flat)	25.09.2013 from 1.1.2013 to 31.12.2262	AGL295595
23.	24.10.2013	Flat 316, Ink Court (Third Floor Flat)	20.09.2013 from 1.1.2013 to 31.12.2262	AGL295626
24.	08.11.2013	Flat 105, Ink Court (First Floor Flat)	04.10.2013 from 1.1.2013 to 31.12.2262	AGL296647
25.	11.11.2013	Flat 216, Ink Court (Second Floor Flat)	30.10.2013 from 1.1.2013 to 31.12.2262	AGL296765
26.	29.11.2013	Flat 317, Ink Court (Third Floor Flat)	24.10.2013 from 1.1.2013 to 31.12.2262	AGL298379
27.	02.12.2013	Flat 116, Ink Court (First Floor Flat)	22.11.2013 from 1.1.2013 to 31.12.2262	AGL298460
28.	19.12.2013	Flat 217, Ink Court (Second Floor Flat)	06.12.2013 from 1.1.2013 to 31.12.2262	AGL299986
29.	20.01.2014	Flat 114, Ink Court (First Floor Flat)	03.01.2014 from 1.1.2013 to 31.12.2262	AGL302171

End of register

NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.

NOTE 2: Symbols included in register entries do not form part of the register and are used by Land Registry for internal purposes only.

From: Reg.13
To: Reg.13
Cc: Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM
Date: 18 December 2014 09:34:12
Attachments: [Draft letter \(2\).docx](#)

Reg.13

Many thanks. A couple of slight changes tracked into the attached. I wouldn't tell them that we have evidence (other than the complaints) as that is likely to prompt an FOI request for that evidence. Also, we may as well explain that if they are going to seek our agreement to relax the terms of the agreement, they need to have some good reasons.

Otherwise, this should be a good shot across their bows.

Regards

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 18 December 2014 09:22
To: Reg.13
Cc: Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM

Hi Reg.13

Thanks for looking at that so quickly! In response to your points, yes, ignore the address. It's a template letter. I'm intending to send it to the parties I identified in my initial email.

The reference to 'varying' wasn't intended to imply a variation to the deed. Rather, that the terms be 'otherwise agreed' as per the relevant clause. I've reworded the letter to make this clear.

As far as I know they are not in breach at present (none of the employment generating floorspace is occupied) but we do have evidence that they are advertising it in a manner contrary to the provisions. As such, the purpose of this letter is to remind them of the terms of the agreement and warn them about the potential repercussions if they lease the property in a manner which results in a breach. Hopefully it will prompt them to either market it appropriately, or write to us seeking out agreement to occupy it in an alternative manner. I have loosened up the wording to make it less threatening (we were much more strict in my last LPA!), perhaps you will feel more comfortable with this? Otherwise, feel free to amend as you see fit.

As I'm sure you know, a warning letter, in advance of a breach, will make our case much more robust should we decide to pursue it through the courts.

Thanks

Reg.13

Ps. The skating was great! You missed out!

From: Reg.13 [mailto:Reg.13@tfl.gov.uk]
Sent: 17 December 2014 16:12
To: Reg.13
Cc: Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM

Reg.13

Silly question – but is this the right letter, as it is addressed to Reg.13 and I wasn't aware that he also has an interest in 419 Wick Lane?

Just assuming that it is the right letter, or simply that the addressee is wrong, what are we intending to do about the breach? The sentence which reads:

“Please note that unless a variation to the s106 is secured in advance of occupation, the LLDC as LPA will seek to take the appropriate legal action to ensure the requirements of the s106 agreement are met.” ...

seems to suggest that we are open to varying the agreement? Are we? Also, the sentence is not quite right as Para 2.1 of Schedule 1 does allow us to agree changes to the affordability provisions in writing without a variation to the agreement.

Just assuming that we are not willing to vary the agreement, and want to take steps, how strong is our evidence of the breach? Please could you let me know what that evidence is? If it is not strong enough, then we should be asking them for more information to firm up our case.

Ultimately, are we prepared to take this to court and secure an injunction against them?

Hope you enjoyed the skating.

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 17 December 2014 12:41
To: Reg.13
Cc: Reg.13
Subject: FW: 419 Wick Lane 12/00165/FUM

Hi Reg.13

Reg.13 has reallocated the above enf. case to Reg.13 and I. I have attached a draft letter to go out to the owners/occupiers and wonder whether you would like to have a quick look over it?

I intend to send it out to all those recorded on the land registry search results (that you provided in early Nov) and I'm going to send a copy to the estate agents currently marketing the site.

Thanks,

Reg.13

From: Reg.13 [mailto:Reg.13@tfl.gov.uk]
Sent: 03 November 2014 12:06
To: Reg.13
Cc: Reg.13, Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM

Let's discuss tomorrow. It would be worth understanding exactly what their beef is and then we can decide an appropriate response. If they haven't put anything on paper as yet, let's proceed on the basis that they are under the duty, and get them to explain why they think they are not.

Probably at this stage, just a simple letter, reminding them of their obligation, and asking them what steps they are taking to comply with it. I see from the agreement that they are obliged to provide us with annual reports (Schedule 1, para 2.2). Have we seen any so far?

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 03 November 2014 12:00
To: Reg.13
Cc: Reg.13, Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM

Reg.13

I don't think so.

Sorry, tied up with other meetings today, will have more time tomorrow hopefully to confirm this.

Thanks

Reg.13

From: Reg.13 [mailto:Reg.13@tfl.gov.uk]
Sent: 03 November 2014 09:48
To: Reg.13
Cc: Reg.13, Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM

Reg.13

Have you had anything in writing from the agents on this so far?

Regards

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 31 October 2014 17:24
To: Reg.13
Cc: Reg.13
Subject: 419 Wick Lane 12/00165/FUM

Reg.13

We spoke briefly about this before but at that time I hadn't read the file.

I know a little more now and have attached instructions and the 106. Basically they got permission to change 112 units from live/work to live only on the back of the obligation to provide the remaining purely commercial space at nil rent for 3 years and £3 per sq foot thereafter. It appears that agents are saying this obligation is invalid and are seeking to charge market rents.

Could you do a land registry search please and then we need to draft a letter to all and sundry to get the 106 obligations complied with. I'll have a look on site.

I understand the off site affordable contribution has been paid.

Thanks

Reg.13

J.13
Senior Planning Development Manager (Planning Policy and Decisions Team)
Queen Elizabeth Olympic Park
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13

Email: Reg.13@londonlegacy.co.uk

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17 December 2014

Our reference:	ENF/14/00041
Location:	419 Wick Lane

Dear

As you may be aware, the commercial units within the property referred to above were granted planning permission in 2012 subject to a section 106 agreement. That agreement requires that the approved employment floorspace (defined as the 1,118 square meters of floor space situation on the ground floor of the development as identified in the attached plan), shall not be occupied other than:

1. For the first thirty-six (36) months commencing from First Occupation of the employment floorspace at nil (£0) rent; and
2. thereafter for the lifetime of the development at a rent not exceeding £3.00 per square foot.

Additionally, the agreement requires that every year for the first five years from first occupation of the employment generating floorspace and then every three years thereafter, that the owner will submit to the Local Planning Authority (LPA) a report covering the period from First Occupation, or from the previous report (as appropriate) demonstrating to the LPA's reasonable satisfaction that the employment generating floorspace has been occupied in accordance with the requirements set out above.

We have received complaints ~~and have been provided with evidence that illustrates~~ that the property is not been marketed in accordance with the requirements of the s106. Please be advised that occupation of the employment floorspace in a manner which does not comply with the s106 agreement, including the provisions set out above, would be a breach of the agreement. Should you wish to occupy the premises in a manner which falls outside the terms of the agreement, the written agreement of the LPA ~~should would need to~~ be obtained in advance of occupation and persuasive reasons given for why the development is unable to comply with the terms outlined above. If agreement is not obtained and a breach of the agreement occurs, the LLDC as LPA will consider the expediency of taking appropriate legal action to ensure the requirements of the s106 agreement are met.

Please contact me if you require any further information or clarification.

Yours faithfully,

Reg.13

Senior Planning Development Manager

Queen Elizabeth Olympic Park

London Legacy Development Corporation
Level 10, 1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 **Reg.13**

Mobile: **Reg.13**

Email: **Reg.13** [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.QueenElizabethOlympicPark.co.uk/our-story/the-legacy-corporation

From: Reg.13
To: Reg.13
Cc: Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM
Date: 18 December 2014 10:50:33

Hi Reg.13

Sorry to bother you again about this. I was just about to send out the letters using the land registry information you sent to Reg.13 in November, but based on the information in the title document, it would appear that the freeholder of the site (at the time the agreement was made) was not party to the agreement. This will undermine the enforceability of the s106, no?

Thanks,

Reg.13

From: Reg.13
To: Reg.13
Cc: Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM
Date: 18 December 2014 12:43:44

s330 notice might be premature as the premises remain vacant at this point.

I'll send out the letters, and we can take it from there.

Thanks for the advice!

Reg.13

From: Reg.13 [mailto:Reg.13@tfl.gov.uk]
Sent: 18 December 2014 11:53
To: Reg.13
Cc: Reg.13
Subject: FW: 419 Wick Lane 12/00165/FUM

Reg.13

See below, I had similar concerns.

Unfortunately, because these are both Luxembourg registered companies, I don't have access to the company details. The worry is that the purchase date in the title (23 April 2012 by Winnebago Holdings) predates the date of the 106 (17 December 2012 – executed by Wick Lane). So, it is difficult to see why Winnebago holdings is not a party to the 106, unless the two companies are the same company, and the name has simply changed.

Let's send the letter anyway, as it should prompt a response which will hopefully explain the position. It may also be worth serving a section 330 notice, requiring details of all parties with interests in the property. That should give us sufficient information to decide on next steps.

I've attached an early draft of a s. 330 notice that we served some time ago which you could modify. We would serve it on the current Occupier of the premises requiring them to give us information about (a) the nature of their interest in the premises and (b) the name and postal address of any other person known to them as having an interest in the premises.

Regards

Reg.13

From: Reg.13
Sent: 03 November 2014 10:26
To: Reg.13
Cc: Reg.13, Reg.13
Subject: RE: 419 Wick Lane 12/00165/FUM

Reg.13

Thanks for this. I have attached the freehold title. There is also a registered leasehold title, but it only relates to a substation, so am not sending it across.

I am a little troubled by this, as according to the 106, the freeholder should be Wick Lane (Lux) S.A.R.L. However, according to the Land Registry, the Freeholder is Winnebago Holdings S.A R.L.

Who is the agent, and why do they think the obligations are unenforceable?

Regards

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 31 October 2014 17:24
To: Reg.13
Cc: Reg.13
Subject: 419 Wick Lane 12/00165/FUM

Reg.13

We spoke briefly about this before but at that time I hadn't read the file.

I know a little more now and have attached instructions and the 106. Basically they got permission to change 112 units from live/work to live only on the back of the obligation to provide the remaining purely commercial space at nil rent for 3 years and £3 per sq foot thereafter. It appears that agents are saying this obligation is invalid and are seeking to charge market rents.

Could you do a land registry search please and then we need to draft a letter to all and sundry to get the 106 obligations complied with. I'll have a look on site.

I understand the off site affordable contribution has been paid.

Thanks

Reg.13

J.13
Senior Planning Development Manager (Planning Policy and Decisions Team)
Queen Elizabeth Olympic Park
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

Direct: 020 3288 Reg.13

From: [Planning Enquiries](#)
To: Reg.13
Subject: FW: Planning permission No.: 12/00165/FUM
Date: 28 January 2016 12:11:02
Attachments: [London Legacy Development Corp email 26th January 2016.pdf](#)

Hello Reg.13

We have had a query come through to us regarding an old application. They wanted to know if the CIL payment has been made and if not who will be liable?

Would you be able to look into this and advise?

Kind regards

Reg.13

From: Reg.13
Sent: 28 January 2016 11:47
To: Planning Enquiries
Subject: RE: Planning permission No.: 12/00165/FUM

Hi Reg.13

Reg.13 should be able to advise on this, as to whether the mayoral CIL has been collected etc.

Thanks

Reg.13

**Planning Development Executive
Planning Policy and Decisions Team**

Queen Elizabeth Olympic Park

London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

DDI: 020 3288 Reg.13
Mobile: Reg.13
Email: Reg.13 londonlegacy.co.uk
Website: www.QueenElizabethOlympicPark.co.uk



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www.QueenElizabethOlympicPark.co.uk

From: Planning Enquiries
Sent: 28 January 2016 11:43
To: Reg.13
Subject: FW: Planning permission No.: 12/00165/FUM

Hi Reg.13

Please find attached a query regarding an old application. They wanted to know if the CIL payment has been made and if not who will be liable?

Do we have a standard response for this kind of query?

Thanks

Reg.13

From: Reg.13 [mailto:Reg.13@boneandpayne.co.uk]
Sent: 26 January 2016 16:01
To: Planning Enquiries
Subject: Planning permission No.: 12/00165/FUM

Please find attached correspondence.
Kind regards

Sent on behalf of Reg.13

Reg.13

Legal Secretary

Bone & Payne LLP
13 Wynnstay Road
Colwyn Bay
LL29 8NB
DX: 17902 Colwyn Bay
Tel: 01492 Reg.13
Fax: 01492 Reg.13

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Our Ref
Your Ref

Reg.13/Reg.13

26th January 2016

Planning Department
London Legacy Development Corporation
Level 10
1 Stratford Place
Montfichet Road
London
E20 1EJ

By e-mail: planningenquiries@londonlegacy.co.uk

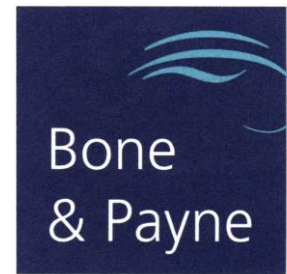
Dear Sirs

**Re: Former Riverside Works (now Ink Court), 419 Wick Lane, Fish Island, London, E3 2JG
Planning permission No.: 12/00165/FUM**

We act for a prospective purchaser of a long lease of one of the flats in the above development. The above planning permission states that the development authorised by the above planning permission will attract a charge under the Mayor of London's Community Infrastructure Levy. Please confirm that the charge has been discharged in full or otherwise advise who has assumed liability for the charge or if no one has assumed liability, confirmation as to whether the owners of leases of more than 7 years in duration of flats in the development can be held liable for a proportion of the charge?

Yours faithfully

BONE & PAYNE LLP



**Cyfreithwyr
Solicitors**

Bone & Payne LLP
13 Wynnstey Road
Colwyn Bay
Conwy
LL29 8NB

Telephone: 01492 Reg.13
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DX: 17902 Colwyn Bay
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enquiries@boneandpayne-cb.co.uk



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From: Reg.13
To: Reg.13
Subject: RE: 419 Wick Lane Pre-application request
Date: 12 May 2016 12:17:51
Attachments: [5114 CURTAIN WALL_120525.pdf](#)
[Front Entrance Conditions Cover Letter June 2012.pdf](#)

Hi Reg.13

Condition 1 has been approved of planning permission PA/03/1617 -I quoted this condition in my earlier email. The approved plans include the curtain walling (attached). The plans do not go into the level of detail of colour of frame. The colour of the glass does not need to be approved; there is not a condition beyond what was approved that requires this.

If you propose any elevation changes that depart from the approved plan attached, then you can resubmit details pursuant to Condition 1 (an approval of details submission).

Hope this helps. Please get in touch if you have any further questions.

Kind regards,

Reg.13

From: Reg.13 [mailto:Reg.13@tgarchitecture.com]
Sent: 04 May 2016 13:18
To: Reg.13
Subject: Re: 419 Wick Lane Pre-application request

Hi Reg.13

Further to a telephone conversation last week about 419 Wick lane, the client no longer needs to locate the door in a place that requires steps , so it should be a more straight forward application, perhaps even a non material amendment as you previously advised.

Inorder to make sure we do not submit the wrong type of application please could you answer the following questions:

1. I cannot find details of the kind of curtain walling previously proposed, do we need to submit these and a sample ? Could we know what was previously approved ?
- 2.Does the colour of the frame need to be approved, no details are shown on the approved planning drawings ?
- 3.Does the colour/translucency of the glass need to be approved- while there is shading on the drawings indication some of the curtain walling is translucent/opaque to allow for insulation behind,no details are shown on the approved planning drawings ?

Many thanks

Reg.13

On 4 Apr 2016, at 17:12, Reg.13 <Reg.13@londonlegacy.co.uk> wrote:

Dear Ms Gino,

I am the Case Officer within the Planning Policy and Decisions Team at the London Legacy Development Corporation (PPDT, LLDC) that has been allocated your request for pre-application advice in relation to commercial units on the ground floor of 419 Wick Lane.

I will begin with a short history of the site in planning terms, and in turn will answer the three questions in relation to external glazing and doors, use and sub-use.

Planning history

Outline Planning Permission was granted on 3 October 2005 by Tower Hamlets (reference PA/03/01617) for the redevelopment of the lower ground floor plus a 7 storey building comprising of 104 live/work units, 1123m² of Class B1 floor space and 107m² of Class A1 (Shop) or Class A3 (Food Drink) floor space together with 111 parking spaces.

An application for full planning permission was later submitted to change the use of the approved live/work units at first – sixth floor levels to 112 residential properties (Use Class C3). Employment use (B Class uses) was retained at the ground floor as originally approved. The application was approved by LLDC under application reference 12/00165/FUM in December 2012; the permission was granted subject to a Section 106 Agreement.

One of the obligations contained within the s106 under Schedule 1 was for the employment floorspace on the ground floor of the site to not be occupied other than as employment generating floorspace which for the first 36 months from first occupation shall be at nil (£0) rent and thereafter for the lifetime of the development at a rent not exceeding £3 per square foot.

If you or your client is therefore in discussions with the freeholder, you should make sure that this is the rent level offered -please could you confirm?

External glazing and doors

You ask whether planning permission is required to install the glazing and two sets of double doors.

The outline planning permission requested reserved matters to be submitted and approved, pursuant to Condition 1, including:

b) the external appearance of the building together with samples of facing materials.

The outline permission therefore left the approval of the external appearance to be dealt with at a later stage.

An application to discharge condition 1 of application reference was submitted to the London Borough of Tower Hamlets in July of 2006 and was approved on the 20th February 2007. Details were however re-submitted on a couple of occasions pursuant to condition 1(b) to the Olympic Delivery Authority that were approved firstly under application reference 08/90101/REMODA in July 2008 and secondly under application reference 12/90282/AODODA in September 2012.

The 2008 approval approved materials to be used on the ground floor, as well as configuration/detailed design -the drawings are attached.

The 2012 approval made some minor changes to entrance way details and curtain wall details.

You should refer to both; if you accord with these plans, then no submission to the LPA is required. If you want to depart from the approved materials then you should re-submit details against condition 1(b).

Use

The space is Use Class B1; this includes:

B1(a) -offices

B1(b) -research and development

B1(c) industrial process suitable for a residential area i.e. artist studios.

The use of artist studios in this space is therefore permitted.

Sub use

If you need to subdivide the space and add/change doors and entrances you should submit a non-material amendment application. Showing the change of the external alteration; these plans will supersede the approved relevant plan.

I hope this helps, if you wish to discuss please don't hesitate to get in touch.

Kind regards,

Reg.13

.13

Planning Development Manager

London Legacy Development Corporation

Level 10

1 Stratford Place, Montfichet Road

London

E20 1EJ

DDI: 020 3288 Reg.13

Mobile: Reg.13

Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.QueenElizabethOlympicPark.co.uk

<image001.gif>

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www.queenelizabetholympicpark.co.uk

From: Reg.13
To: Reg.13
Subject: RE: 419 Wick Lane: Employment Floorspace s106 Obligation
Date: 18 July 2016 11:18:29

Hi Reg.13

Thank you for your email. My manager, Reg.13, will allocate this to someone in our team and get back to you.

Kind regards,

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 18 July 2016 10:31
To: Reg.13
Subject: 419 Wick Lane: Employment Floorspace s106 Obligation

Hi Reg.13

There is a site at 419 Wick Lane of 7 storeys containing 112 residential properties and employment floorspace on the ground floor. The s106 obligation for the employment floorspace is the subject of my query.

The planning history is as follows:

- Outline Planning Permission was granted on 3 October 2005 by Tower Hamlets (reference PA/03/01617) for the redevelopment of the lower ground floor plus a 7 storey building comprising of 104 live/work units, 1123m² of Class B1 floor space and 107m² of Class A1 (Shop) or Class A3 (Food Drink) floor space together with 111 parking spaces.
- An application for full planning permission was later submitted to change the use of the approved live/work units at first – sixth floor levels to 112 residential properties (Use Class C3). Employment use (B Class uses) was retained at the ground floor as originally approved. The application was approved by LLDC under application reference 12/00165/FUM in December 2012; the permission was granted subject to a Section 106 Agreement.
- One of the obligations contained within the s106 under Schedule 1 was for the employment floorspace on the ground floor of the site to not be occupied other than as employment generating floorspace which for the first 36 months from first occupation shall be at nil (£0) rent and thereafter for the lifetime of the development at a rent not exceeding £3 per square foot. I attached the s106 for your information.

The employment floorspace on the ground floor has been bordered up and vacant since the completion of the Development. While the intention of the s106 was that very affordable workspace would be provided, it has meant that the Developer is not incentivised to occupy the space. There is no breach with the space being vacant as the s106 obligation only kicks in upon first occupation of the space.

I was informed on Friday that an artist has purchased one of the self-contained units (out of the two units - roughly half the employment floorspace of the development); they are well-known artists and want to use the space for their studio and to mentor artists. They are interested also in the second unit to lease as affordable workspace (sub-market).

My questions are as follows:

1. Please could you confirm whether the artist, having bought the unit is now tied to the s106 agreement?

2. Is the Developer in breach of the Section 106 Agreement having sold the unit?
3. If the artist would like to vary the s106 to amend the obligation so that the floorspace is affordable in accordance with the GLA affordable workspace levels, what parties would have to be involved in the Deed of Variation? I understand that the freeholder has since changed since the completion of the s106.

Please get in touch if you have any questions,

Kind regards,

Reg.13

.13

Planning Development Manager

London Legacy Development Corporation

Level 10

1 Stratford Place, Montfichet Road

London

E20 1EJ

DDI: 020 3288 Reg.13

Mobile: Reg.13

Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.QueenElizabethOlympicPark.co.uk



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www.queenelizabetholympicpark.co.uk

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For more information please visit <http://www.symanteccloud.com>

Click [here](#) to report this email as SPAM.

From: Reg.13
To: Reg.13
Subject: RE: 419 Wick Lane: Employment Floorspace s106 Obligation
Date: 20 July 2016 10:33:09

Reg.13

Thank you. I will ask Reg.13 to contact you next week.

Regards,

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 20 July 2016 10:12
To: Reg.13
Subject: RE: 419 Wick Lane: Employment Floorspace s106 Obligation

Hi Reg.13

Thank you for your email. I am happy to wait until Reg.13 is back in the office; I would be grateful if she could respond by 1st August if possible.

Kind regards,

Reg.13

Reg.13
Planning Development Manager
London Legacy Development Corporation
DDI: 020 3288 Reg.13
Mobile: Reg.13
Email: Reg.13@londonlegacy.co.uk

From: Reg.13 [mailto:Reg.13@tfl.gov.uk]
Sent: 19 July 2016 14:01
To: Reg.13
Subject: FW: 419 Wick Lane: Employment Floorspace s106 Obligation

Reg.13

I would like to ask Reg.13 to deal with this matter. She is on leave until next Monday, 25th July.

Are you happy to wait until she is back in the office?

Thank you,

Reg.13

Reg.13 | Legal Manager - Planning and Highways | Legal
Transport for London | 6th Floor, Windsor House | 42-50 Victoria Street, London | SW1H 0TL
Reg.13@tfl.gov.uk | Tel: 020 Reg.13 (ext. Reg.13) | Fax: 020 Reg.13 (ext. Reg.13)

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]

Sent: 18 July 2016 10:31
To: Reg.13
Subject: 419 Wick Lane: Employment Floorspace s106 Obligation

Hi Reg.13

There is a site at 419 Wick Lane of 7 storeys containing 112 residential properties and employment floorspace on the ground floor. The s106 obligation for the employment floorspace is the subject of my query.

The planning history is as follows:

- Outline Planning Permission was granted on 3 October 2005 by Tower Hamlets (reference PA/03/01617) for the redevelopment of the lower ground floor plus a 7 storey building comprising of 104 live/work units, 1123m² of Class B1 floor space and 107m² of Class A1 (Shop) or Class A3 (Food Drink) floor space together with 111 parking spaces.
- An application for full planning permission was later submitted to change the use of the approved live/work units at first – sixth floor levels to 112 residential properties (Use Class C3). Employment use (B Class uses) was retained at the ground floor as originally approved. The application was approved by LLDC under application reference 12/00165/FUM in December 2012; the permission was granted subject to a Section 106 Agreement.
- One of the obligations contained within the s106 under Schedule 1 was for the employment floorspace on the ground floor of the site to not be occupied other than as employment generating floorspace which for the first 36 months from first occupation shall be at nil (£0) rent and thereafter for the lifetime of the development at a rent not exceeding £3 per square foot. I attached the s106 for your information.

The employment floorspace on the ground floor has been bordered up and vacant since the completion of the Development. While the intention of the s106 was that very affordable workspace would be provided, it has meant that the Developer is not incentivised to occupy the space. There is no breach with the space being vacant as the s106 obligation only kicks in upon first occupation of the space.

I was informed on Friday that an artist has purchased one of the self-contained units (out of the two units - roughly half the employment floorspace of the development); they are well-known artists and want to use the space for their studio and to mentor artists. They are interested also in the second unit to lease as affordable workspace (sub-market).

My questions are as follows:

1. Please could you confirm whether the artist, having bought the unit is now tied to the s106 agreement?
2. Is the Developer in breach of the Section 106 Agreement having sold the unit?
3. If the artist would like to vary the s106 to amend the obligation so that the floorspace is affordable in accordance with the GLA affordable workspace levels, what parties would have to be involved in the Deed of Variation? I understand that the freeholder has since changed since the completion of the s106.

Please get in touch if you have any questions,

Kind regards,

Reg.13

.13

Planning Development Manager

From: Reg.13
To: Reg.13
Cc: Reg.13
Subject: Re: 419 Wick Lane Pre-application request
Date: 20 July 2016 10:47:07

Hi Reg.13

Thanks for your email,

I have just transferred the planning fee (payment reference UNITB419 WICK LANE) and I sent out the hard copies at the end of last week.

I trust you will now be able to validate the application.

Many Thanks

Reg.13

3

Director

Reg.13

ARCHITECTURE

M: +44 (0) Reg.13
E: Reg.13@tgarchitecture.com
W: www.tgarchitecture.com

Hackney Picture House
270 Mare Street
London
E8 1HE

On 15 Jul 2016, at 13:22, Reg.13
<Reg.13@londonlegacy.co.uk> wrote:

Hi Reg.13

As part of LLDC's validation requirements we ask for two hard copies of the application documents including scalable versions of any drawings that you have submitted. The required planning fee will also have to be paid via BACS transfer or cheque - please see below.

Bank: Reg.13
A/C name: LLDC Planning Policy and Decisions Team
Sort Code: Reg.13
Account No: Reg.13

Many thanks,

Reg.13

From: Reg.13
Sent: 15 July 2016 12:11
To: Reg.13
Cc: Reg.13
Subject: RE: 419 Wick Lane Pre-application request

Hi Reg.13

Just received, I've asked Reg.13 to review and see if you need to send anything additional, or how it works with the fee.

I confirm a NMA application is not needed for internal alternations.

Thanks,
Reg.13

.13
Planning Development Manager
London Legacy Development Corporation
DDI: 020 3288 Reg.13
Mobile: Reg.13
Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

From: Reg.13 [<mailto:Reg.13@tgarchitecture.com>]
Sent: 15 July 2016 12:07
To: Reg.13
Cc: Reg.13
Subject: Re: 419 Wick Lane Pre-application request

Hi Reg.13

I have just spoken to Tower Hamlets who have the ‘approval of details application’ and they are going to transfer the it directly to your email.

Please can you confirm that a “non-material amendment application” will not be necessary for the subdivision of the commercial unit into two separately owned units ?

Many Thanks

Reg.13

3

Director

Reg.13
ARCHITECTURE

M: +44 (0) Reg.13

E: **Reg.13** [tgarchitecture.com](mailto:Reg.13@tgarchitecture.com)

W: www.tgarchitecture.com

Hackney Picture House
270 Mare Street
London
E8 1HE

On 14 Jul 2016, at 17:11, **Reg.13** <**Reg.13**[tgarchitecture.com](mailto:Reg.13@tgarchitecture.com)> wrote:

Hi **Reg.13**

I have just submitted an 'approval of details' submission for this project as per your advice regarding the appearance of the glazing. However I was not able to submit a 'Non Material amendment ' for the subdivision of the unit, as the applicants are in the process of buying the commercial unit- so do not have an interest in it yet. What do you suggest I do in this case for the subdivision of the commercial unit ? Is there another type of application I could submit ?

Thanks

Reg.13

On 12 May 2016, at 12:17, **Reg.13** <**Reg.13** [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)> wrote:

Hi **Reg.13**

Condition 1 has been approved of planning permission PA/03/1617 -I quoted this condition in my earlier email. The approved plans include the curtain walling (attached). The plans do not go into the level of detail of colour of frame. The colour of the glass does not need to be approved; there is not a condition beyond what was approved that requires this.

If you propose any elevation changes that depart from the approved plan attached, then you can resubmit details pursuant to Condition 1 (an approval of details submission).

Hope this helps. Please get in touch if you have any further questions.

Kind regards,

Reg.13

From: **Reg.13** [<mailto:Reg.13@tgarchitecture.com>]

Sent: 04 May 2016 13:18

To: **Reg.13**

Subject: Re: 419 Wick Lane Pre-application request

Hi **Reg.13**

Further to a telephone conversation last week about 419 Wick lane, the client no longer needs to locate the door in a place that requires steps , so it should be a more straight forward application, perhaps even a non material amendment as you previously advised.

Inorder to make sure we do not submit the wrong type of application please could you answer the following questions:

1. I cannot find details of the kind of curtain walling previously proposed, do we need to submit these and a sample ? Could we know what was previously approved ?
- 2.Does the colour of the frame need to be approved, no details are shown on the approved planning drawings ?
- 3.Does the colour/translucency of the glass need to be approved- while there is shading on the drawings indication some of the curtain walling is translucent/opaque to allow for insulation behind,no details are shown on the approved planning drawings ?

Many thanks

Reg.13

On 4 Apr 2016, at 17:12, **Reg.13** <**Reg.13** londonlegacy.co.uk> wrote:

Dear **Reg.13**

I am the Case Officer within the Planning Policy and Decisions Team at the London Legacy Development Corporation (PPDT, LLDC) that has been allocated your request for pre-application advice in relation to commercial units on the ground floor of 419 Wick Lane.

I will begin with a short history of the site in planning terms, and in turn will answer the three questions in relation to external glazing and doors, use and sub-use.

Planning history

Outline Planning Permission was granted on 3 October 2005 by Tower Hamlets (reference PA/03/01617) for the redevelopment of the lower ground floor plus a 7 storey building comprising of 104 live/work units, 1123m² of Class B1 floor space and 107m² of Class A1 (Shop) or Class A3 (Food Drink) floor space together with 111 parking spaces.

An application for full planning permission was later submitted to change the use of the approved live/work units at first – sixth floor levels to 112 residential properties (Use Class C3). Employment use (B Class uses) was retained at the ground floor as originally approved. The application was approved by LLDC under application

reference 12/00165/FUM in December 2012; the permission was granted subject to a Section 106 Agreement.

One of the obligations contained within the s106 under Schedule 1 was for the employment floorspace on the ground floor of the site to not be occupied other than as employment generating floorspace which for the first 36 months from first occupation shall be at nil (£0) rent and thereafter for the lifetime of the development at a rent not exceeding £3 per square foot.

If you or your client is therefore in discussions with the freeholder, you should make sure that this is the rent level offered -please could you confirm?

External glazing and doors

You ask whether planning permission is required to install the glazing and two sets of double doors.

The outline planning permission requested reserved matters to be submitted and approved, pursuant to Condition 1, including:

b) the external appearance of the building together with samples of facing materials.

The outline permission therefore left the approval of the external appearance to be dealt with at a later stage.

An application to discharge condition 1 of application reference was submitted to the London Borough of Tower Hamlets in July of 2006 and was approved on the 20th February 2007. Details were however re-submitted on a couple of occasions pursuant to condition 1(b) to the Olympic Delivery Authority that were approved firstly under application reference 08/90101/REMODA in July 2008 and secondly under application reference 12/90282/AODODA in September 2012.

The 2008 approval approved materials to be used on the ground floor, as well as configuration/detailed design -the drawings are attached.

The 2012 approval made some minor changes to entrance way details and curtain wall details.

You should refer to both; if you accord with these plans, then no submission to the LPA is required. If you want to depart from the approved materials then you should re-submit details against condition 1(b).

Use

The space is Use Class B1; this includes:

B1(a) -offices

B1(b) -research and development

B1(c) industrial process suitable for a residential area i.e. artist studios.

The use of artist studios in this space is therefore permitted.

Sub use

If you need to subdivide the space and add/change doors and entrances you should submit a non-material amendment application. Showing the change of the external alteration; these plans will supersede the approved relevant plan.

I hope this helps, if you wish to discuss please don't hesitate to get in touch.

Kind regards,

Reg.13

.13

Planning Development Manager

London Legacy Development Corporation

Level 10

1 Stratford Place, Montfichet Road

London

E20 1EJ

DDI: 020 3288 Reg.13

Mobile: Reg.13

Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.QueenElizabethOlympicPark.co.uk

<image001.gif>

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London Legacy Development Corporation, Level 10, 1 Stratford Place, Montfichet Road, London, E20 1EJ.

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<20m wick lane and river lea materials.pdf><21m iceland road and north elevations.pdf>

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From: Reg.13
To: Reg.13
Cc: Reg.13
Subject: Re: 419 Wick Lane Pre-application request
Date: 20 July 2016 12:27:08

Hi Reg.13

I have now paid the planning fee and sent a hard copy of the documents. A second set will go out in today's post so that the application can be validated.

Kind Regards

Reg.13

On 15 Jul 2016, at 13:22, Reg.13
<PrecillaAroonachellum@londonlegacy.co.uk> wrote:

Hi Reg.13

As part of LLDC's validation requirements we ask for two hard copies of the application documents including scalable versions of any drawings that you have submitted. The required planning fee will also have to be paid via BACS transfer or cheque - please see below.

Bank: Reg.13
A/C name: LLDC Planning Policy and Decisions Team
Sort Code: Reg.13
Account No: Reg.13

Many thanks,

Reg.13

From: Reg.13
Sent: 15 July 2016 12:11
To: Reg.13
Cc: Reg.13
Subject: RE: 419 Wick Lane Pre-application request

Hi Reg.13

Just received, I've asked Reg.13 to review and see if you need to send anything additional, or how it works with the fee.

I confirm a NMA application is not needed for internal alternations.

Thanks,
Reg.13

Reg.13

Planning Development Manager

London Legacy Development Corporation

DDI: 020 3288 **Reg.13**

Mobile: **Reg.13**

Email: **Reg.13** londonlegacy.co.uk

From: **Reg.13** [<mailto:Reg.13@tgarchitecture.com>]

Sent: 15 July 2016 12:07

To: **Reg.13**

Cc: **Reg.13**

Subject: Re: 419 Wick Lane Pre-application request

Hi **Reg.13**

I have just spoken to Tower Hamlets who have the ‘approval of details application’ and they are going to transfer the it directly to your email.

Please can you confirm that a “non-material amendment application” will not be necessary for the subdivision of the commercial unit into two separately owned units ?

Many Thanks

Reg.13

3

Director

Reg.13

ARCHITECTURE

M: +44 (0) **Reg.13**

E: **Reg.13** [tgarchitecture.com](mailto:Reg.13@tgarchitecture.com)

W: www.tgarchitecture.com

Hackney Picture House
270 Mare Street
London
E8 1HE

On 14 Jul 2016, at 17:11, **Reg.13** <**Reg.13**[tgarchitecture.com](mailto:Reg.13@tgarchitecture.com)> wrote:

Hi **Reg.13**

I have just submitted an 'approval of details' submission for this project as per your advice regarding the appearance of the glazing. However I was not able to submit a ‘Non Material amendment ‘ for the subdivision of the unit, as the applicants are in the process of buying the commercial unit- so do not have an interest in it yet. What do you suggest I do in this case for the subdivision of

the commercial unit ? Is there another type of application I could submit ?

Thanks

Reg.13

On 12 May 2016, at 12:17, **Reg.13** <**Reg.13** londonlegacy.co.uk> wrote:

Hi **Reg.13**

Condition 1 has been approved of planning permission PA/03/1617 -I quoted this condition in my earlier email. The approved plans include the curtain walling (attached). The plans do not go into the level of detail of colour of frame. The colour of the glass does not need to be approved; there is not a condition beyond what was approved that requires this.

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Hope this helps. Please get in touch if you have any further questions.

Kind regards,

Reg.13

From: **Reg.13** [<mailto:Reg.13@garchitecture.com>]
Sent: 04 May 2016 13:18
To: **Reg.13**
Subject: Re: 419 Wick Lane Pre-application request

Hi **Reg.13**

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Many thanks

Reg.13

On 4 Apr 2016, at 17:12, **Reg.13** <**Reg.13** londonlegacy.co.uk> wrote:

Dear Ms Gino,

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I will begin with a short history of the site in planning terms, and in turn will answer the three questions in relation to external glazing and doors, use and sub-use.

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One of the obligations contained within the s106 under Schedule 1 was for the employment floorspace on the ground floor of the site to not be occupied other than as employment generating floorspace which for the first 36 months from first occupation shall be at nil (£0) rent and thereafter for the lifetime of the development at a rent not exceeding £3 per square foot.

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The use of artist studios in this space is therefore permitted.

Sub use

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I hope this helps, if you wish to discuss please don't hesitate to get in touch.

Kind regards,

Reg.13

.13

Planning Development Manager

London Legacy Development Corporation

Level 10

1 Stratford Place, Montfichet Road

London

From: King Reg.13 (Legal)
To: "Reg.13" londonlegacy.co.uk"
Subject: RE: 419 Wick Lane: Employment Floorspace s106 Obligation
Date: 28 July 2016 10:06:38

Hi Reg.13

This has been passed to me, as I think Dawn Blackwell has advised. I'm looking at it now. It would be very helpful if you could send me a copy of the original outline permission PA/03/01617 and any reserved matters approval that bears on the B1 floor space. It's directly referred to in Schedule 1 of the s106 agreement and I need to be clear what the original permission authorised.

Thanks

Reg.13

Reg.13 | Principal Lawyer - Property & Planning | Legal
Transport for London | 6th Floor, Windsor House | 42-50 Victoria Street, London | SW1H 0TL
Reg.13 tfl.gov.uk | Tel: 020 3054 Reg.13 | Fax: 0203 Reg.13

From: Reg.13 [<mailto:Reg.13@londonlegacy.co.uk>]
Sent: 18 July 2016 10:31
To: Reg.13
Subject: 419 Wick Lane: Employment Floorspace s106 Obligation

Hi Reg.13,

There is a site at 419 Wick Lane of 7 storeys containing 112 residential properties and employment floorspace on the ground floor. The s106 obligation for the employment floorspace is the subject of my query.

The planning history is as follows:

- Outline Planning Permission was granted on 3 October 2005 by Tower Hamlets (reference PA/03/01617) for the redevelopment of the lower ground floor plus a 7 storey building comprising of 104 live/work units, 1123m² of Class B1 floor space and 107m² of Class A1 (Shop) or Class A3 (Food Drink) floor space together with 111 parking spaces.
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I was informed on Friday that an artist has purchased one of the self-contained units (out of the two units - roughly half the employment floorspace of the development); they are well-known artists and want to use the space for their studio and to mentor artists. They are interested also in the second unit to lease as affordable workspace (sub-market).

My questions are as follows:

1. Please could you confirm whether the artist, having bought the unit is now tied to the s106 agreement?
2. Is the Developer in breach of the Section 106 Agreement having sold the unit?
3. If the artist would like to vary the s106 to amend the obligation so that the floorspace is affordable in accordance with the GLA affordable workspace levels, what parties would have to be involved in the Deed of Variation? I understand that the freeholder has since changed since the completion of the s106.

Please get in touch if you have any questions,

Kind regards,

Reg.13

.13

Planning Development Manager

London Legacy Development Corporation

Level 10

1 Stratford Place, Montfichet Road

London

E20 1EJ

DDI: 020 3288 Reg.13

Mobile: Reg.13

Email: Reg.13 [londonlegacy.co.uk](mailto:Reg.13@londonlegacy.co.uk)

Web: www.QueenElizabethOlympicPark.co.uk



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www.queenelizabetholympicpark.co.uk

This email has been scanned by the Symantec Email Security.cloud service.

From: [Planning Enquiries](#)
To: Reg.13
Subject: RE: Wick Lane, E3
Date: 22 November 2016 12:26:28
Attachments: [image001.png](#)

Hi Reg.13

Sorry, try this link instead

<http://planningregister.londonlegacy.co.uk/swift/apas/run/wphappcriteria.display>

I'm not aware of the land status, or the public rights to that space. It is being investigated and Tower Hamlets would be the best ones to ask.

Sorry I can't help further.

Thanks

Reg.13

Planning Customer Service Executive & Technical Assistant

London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

DDI: 020 3288 Reg.13

www.QueenElizabethOlympicPark.co.uk



From: Reg.13 [mailto:Reg.13@gmail.com]
Sent: 21 November 2016 15:12
To: Planning Enquiries
Subject: Re: Wick Lane, E3

Hi Reg.13

Thanks for your reply.

The link you've included doesn't seem to work. It just comes up:

An Error Has Occurred

Please contact London Legacy Development Corporation on 020 3288 1800 or email us info@londonlegacy.co.uk

In reference to the caravans – thank you . I will contact Tower hamlets – however can you clarify it's use please? Are they allowed to dump rubbish? Is this area only industrial?

Thanks

Reg.13

From: Planning Enquiries
Sent: Monday, November 21, 2016 2:58 PM
To: Reg.13
Subject: RE: Wick Lane, E3

Hi Reg.13

There has been pre-application advice sought about development in the Wick Lane area, but until the applicant submits a full application we cannot disclose confidential information.

The only application I can think of which you might be referring to is 12/00165/FUM. You can enter that reference on the Planning Register to gather more information, which includes the Decision Notice.

<http://planningregister.londonlegacy.co.uk/swift/apas/run/WPHAPPCRITERIA>

The other site you are referring to with the Caravans is currently being investigated and has been referred to Tower Hamlets.

Kind Regards

Reg.13

Planning Customer Service Executive & Technical Assistant

London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ

DDI: 020 3288 Reg.13

www.QueenElizabethOlympicPark.co.uk



From: Reg.13 [mailto:Reg.13@gmail.com]
Sent: 21 November 2016 14:15

To: Planning Enquiries
Subject: Wick Lane, E3

Hello,

I'm contacting you from 417 Wick Lane. I have two things I wanted to discuss:

Firstly - I think I'm right in saying that plans for a significant development have been accepted in the space next to us (419 Wick Lane)?

Do you know where I can find all the details on what is being developed there. I have looked online and found a few things but I think these are mostly amendments and I can see anything about one compressive report which has drawings on etc.

Are you able to forward me these or at least provide a link to find them?

Secondly – I am concerned over the use of the unit over the road from us. I am unaware of the actual address as it does not have it listed but it is on the corner directly opposite 417 wick lane

For the past year or so it seems to have been used as a rubbish dump.

I don't believe it has any residential waste however it does look like builders waste.

Not only being unsightly – do you not need a license for that? Is this something they have?

Last week a significant amount of people seemed to have moved onto this land in order to live there. They are in caravans. Perhaps 10-15 caravans.

I was under the assumption that it was not a residential zone and people were not allowed to live there.

The noise is also concerning as they have generators running 24 hours a day that can clearly be heard inside my flat

Quite why someone would want to live in a rubbish tip I do not know but it is also concerning to see small children playing on building waste which is likely to have contaminated waste in as well.

I can provide photographs is required

Can you please let me know about both of these items or perhaps direct me to a person who can?

Kind Regards

From: [Redacted]
To: [Planning Enquiries](#)
Subject: Applications 17/00001/NMA and 16/00360/AOD at 419 Wick Lane, Fish Island
Date: 27 March 2017 19:34:21
Attachments: [LLDC letter2.docx](#)
[ATT00001.htm](#)

Dear Sir/Madam

Please find attached my letter of complaint with regard to the above Applications.

From: Reg.13
To: Reg.13
Cc: Reg.13 ; Reg.13 ; Reg.13 ; Reg.13 ; Reg.13 ; Reg.13 ; Reg.13
Subject: Re: Complaints regarding applications 17/00001/NMA and 16/00360/AOD at 419 Wick Lane, Fish Island
Date: 04 April 2017 14:50:07
Attachments: [419 Wick Lane, E3, A10651-002, Proposed Upper Ground Floor.pdf](#)
[ATT00001.htm](#)
[961-P\(00\)21D.pdf](#)
[ATT00002.htm](#)
[Planning obligation by agreement - Dec 17 2012.pdf](#)
[ATT00003.htm](#)
[Planning obligation by agreement - Dev Sec Floor Plan Aug 2012 job 5114 \(archer Architects LLP ref s106\).pdf](#)
[ATT00004.htm](#)

Dear Reg.13,

Thank you for your swift response. Please see my response below.

I have taken my time to carefully review your submitted drawings and notes. Your reference to drawing 961-P(00)21D to illustrate the existence of access points for the commercial units does not provide any clarification with regards to the commercial units. The drawing itself (attached) is clearly marked (in the notes, point 1) to be used with reference “...to the internal layout of the **live/work units only**”. Point 2 of these notes expressly states “**All other details are for illustrative purposes only**”. The other drawing you reference, A10651-002 (also attached), provides no clarification as to what specifically is material or illustrative, but the drawing's detailing and labelling of livework units only (and not the commercial spaces) suggest the same purpose - to provide clarification on the live work units only, with other details for illustrative purposes only. It is also important to note that the illustrative door openings evident in both drawings differ from one another both in number and placement, further adding weight to the determination that they are purely illustrative.

Planning document (PA/03/1617), which pertains to the change of use from Live-work to residential, is a far more definitive document to reference. The floor plans, commissioned by the leaseholders Development Securities, show clearly marked access points of both the commercial and residential spaces are clearly marked, and the drawing itself bears the signatures of both the Freeholders, the LLDC and the Mayor and Burgesses of Towerhamlets (see attached). The commercial units are shown as having no access to the amenity space, with street access only. The detailing of access points throughout the Upper Ground floor of 419 wick lane is consistent across all areas, and I submit that this provides a far more reliable and definitive determination of access points than 961-P(00)21D or A10651-002.

You should also question why Development Securities would apply for permission to access the courtyard from the newly approved commercial spaces in 2012 if this access already existed. Given that Development Securities were also the 2012 applicants applying for the change of use from live work to residential, they will have been well aware of the access rights of the respective spaces. The only logical conclusion here is that no such access existed previously - precisely why Dev Sec applied for it. This 2012 application was granted subject to a 3 year period during which development must have commenced, after which the permission lapsed. Development Securities, aka U+I, were the sellers of the leaseholds, also show the commercial units as accessible from the street only in the lease books issued along with the leasehold sales.

Furthermore, when planning permission was granted in 2012 for the live work units to be converted to residential, the Full Planning Permission Approval 12/00165/FUM dated 19

December 2012 (and appended in the Planning Document by Agreement dated 17 December 2012) has a whole section on the Amenity where due consideration is required to be given as to whether the space is sufficient for residential purposes only. Paragraph 1 refers to “The **use of the premises as residential only**” and also “The **use of the property for solely residential purposes** is considered not to affect the amount of open space required at the 419 Wick Lane development”. Paragraph 4 states, “The use of the property for solely residential purposes is considered not to affect the amount of open space required at the 419 Wick Lane development”. The intention of the planners, and what was mandated in previous planning documents, is not commensurate with your conclusion regarding the communal courtyard spaces.

What is clear, however, is that the LLDC are bound to consider the intention of the planning consents given, which necessarily include the protection of Amenity of residential occupiers, to maximise the feeling of security, and to ensure there is no loss of privacy. The planning permission that gave rise to the creation of residential units alongside commercial made no mention of how to manage this issue, but the re-zoning of the building to provide housing units would be assumed to require, according to statutory and local planning requirements, that sensitivity be given to the residents' needs and their prioritisation when it comes to amenity, privacy and security. There is a strong precedent that such developments be managed carefully and in a way that protects residents' rights and maintains clear separation of commercial / residential spaces.

On a separate point, you have not addressed in your letter the significant effect that these seemingly minor changes to the commercial planning permissions will have on residents, and how this should have been factored into the determination that the amendments were non-material. As previously referenced, the **London Borough of Tower Hamlets Fish Island Area Action Plan Development Plan document of September 2012 Policy FI 4.3** requires that the development of any mixed use buildings does not result in any conflict between employment and residential uses. The impact of the 1200msq of commercial floor spaces can not be overstated. The loss of privacy and resulting diminished security is a huge issue for all residents we have consulted with, and should therefore have warranted sufficient consideration before making a determination of whether the changes are non-material. Access to the communal spaces from both Units increases the insecure permeability of the building by people who can neither be screened nor monitored under the existing security provisions. Overlooking, noise and significant loss of privacy will result from the anticipated large increase in non-resident foot-fall and use of the spaces as a means to communication and the introduction of door openings and glass walling. These are the inevitable consequences of such commercial developments. That the applicants of Unit B should be granted permission to include 'glass walling' without the LLDC first given consideration to any impact they may have on residents is frankly astonishing - especially as the applicants provided no elevation drawing to accompany their application, and no further clarification as to whether the glass walling would be floor to ceiling windows or not. At no time do previous planning permissions reference glass walling or window provision of any kind is to be used for the commercial units, the assumption being a clear division between commercial and residential use so as to minimise impact on residents. As such, there is a very clear compelling argument that the applicants' request for planning consent should have been considered material, regardless of whether there is an assumption of a right of access to the courtyard spaces.

Given the grave impact on residents that the creation of two large subdivided office spaces in close proximity to residential units that will be accessed and overlooked on from the same floor level, and given the sensitivity of the security issue, we have been advised that these developments should not have been subject to the non-material amendment procedure. s96A TCPA which provides guidance on what sorts of changes would be

determined "material" and "non-material", even specifically references "changes to windows or other openings that impact on neighbouring properties".

A final point that should be raised concerns the exact use of the commercial spaces. The current developments provide no services or benefit to the existing residents, and do not meet in full the original planning requirements that Unit B be used for, inter alia, food/drink provision. Please can you clarify why this planning requirement appears to have been set aside?

On behalf of all the residents, I would like to invite you to view the site this week. For the sake of residents and the commercial leaseholders alike, this issue must be resolved at the earliest opportunity. Development is underway at both Units A and B, so there is pressing need to get this resolved quickly.

Please let me know a time suitable for you to visit.

Kind Regards,

Reg.13

Reg.13

ACCESS PATH
TO RIVER EDGE

+ 5.000

Live/Work Unit 5A
92m²

Work	Use
80%	37%
84m ²	34m ²

Live/Work Unit 5B
92m²

Work	Use
80%	37%
84m ²	34m ²

Live/Work Unit 6A
92m²

Work	Use
80%	37%
84m ²	34m ²

Live/Work Unit 6B
92m²

Work	Use
80%	37%
84m ²	34m ²

Live/Work Unit 7A
92m²

Work	Use
80%	37%
84m ²	34m ²

Unit as original application

Unit as original application

Live/Work Unit 7C
90m²

Work	Use
80%	40%
84m ²	36m ²

London and Leaside Developments Ltd
Project 419 Wick Lane

Upper ground floor

London and Leaside Developments Ltd

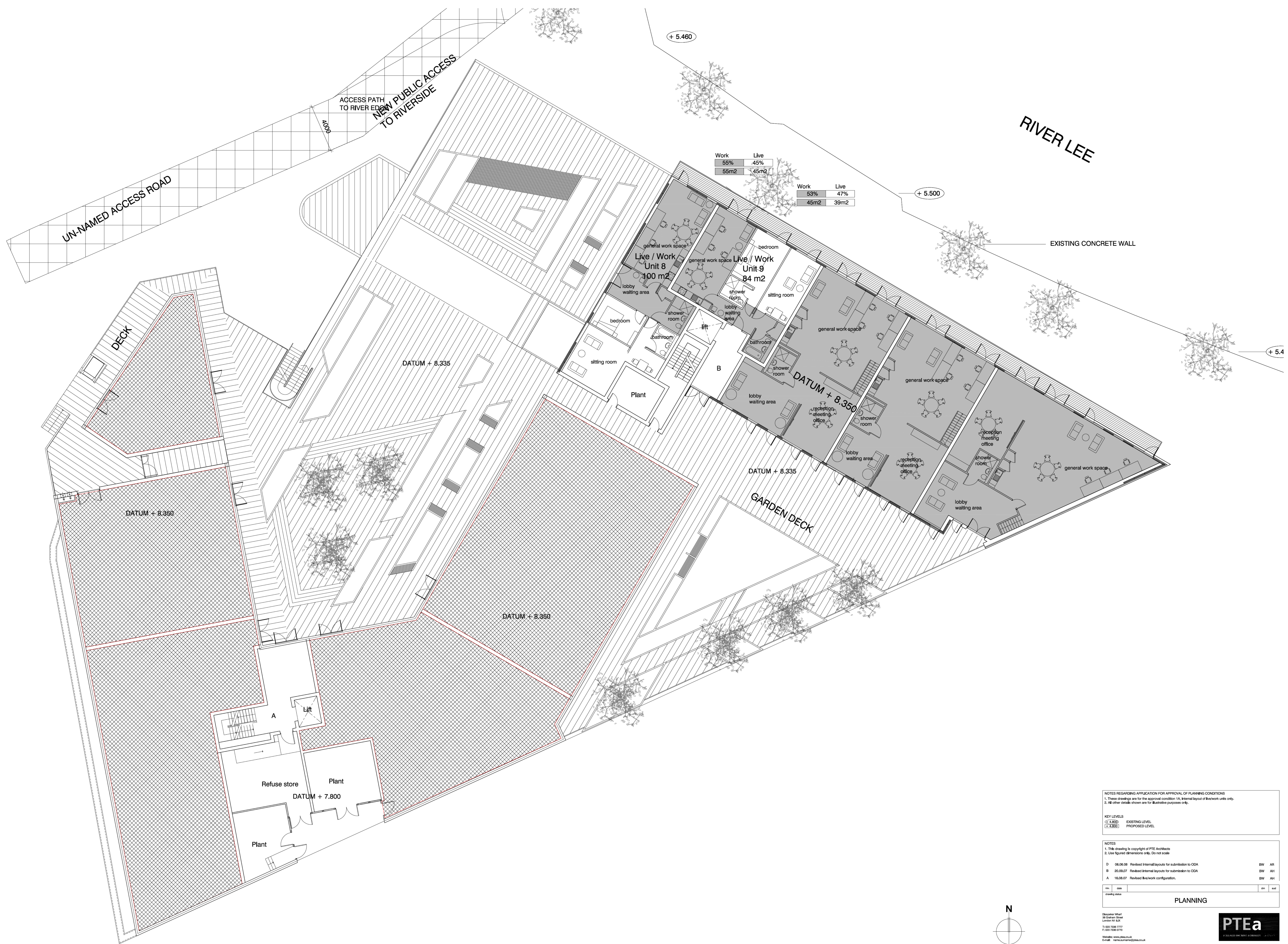
Date June 2009

Scale 1:100 @ A0

Drawn by SW

Dwg No A10851002 Upper ground floor





Work	Live
55%	45%
55m ²	45m ²

Work	Live
53%	47%
45m ²	39m ²

NOTES REGARDING APPLICATION FOR APPROVAL OF PLANNING CONDITIONS
 1. These drawings are for the approval condition 1A, internal layout of live/work units only.
 2. All other details shown are for illustrative purposes only.

KEY LEVELS
 (-4.800) EXISTING LEVEL
 (+7.800) PROPOSED LEVEL

NOTES

1. This drawing is copyright of PTE Architects
 2. Use figured dimensions only. Do not scale

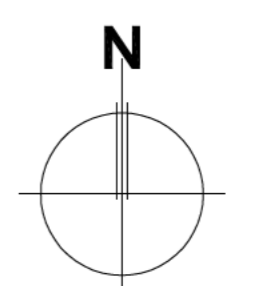
D	06.08.08	Revised internal layouts for submission to ODA	SW	AR
B	20.09.07	Revised internal layouts for submission to ODA	SW	AH
A	18.08.07	Revised live/work configuration.	SW	AH

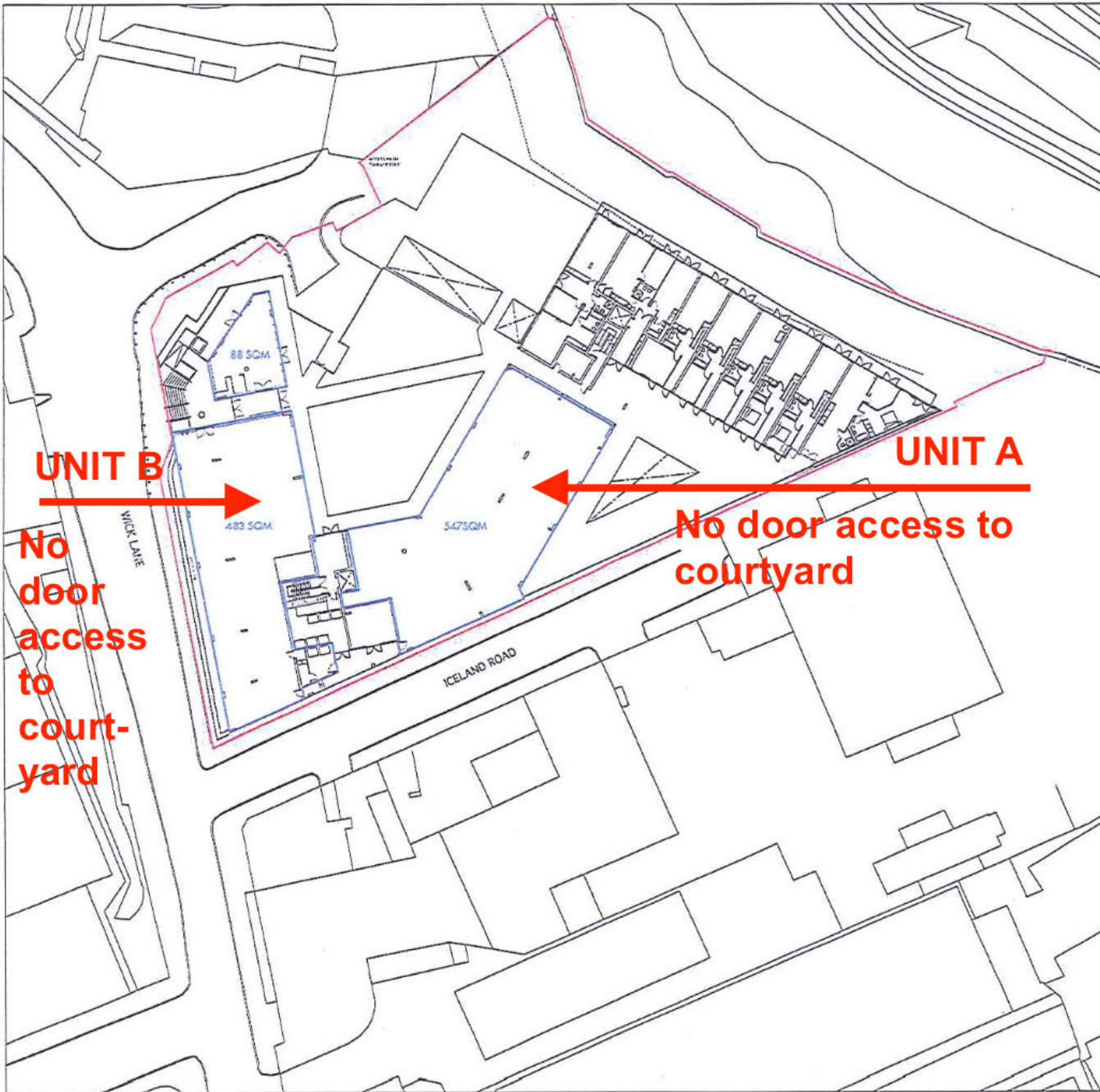
rev.	date	by	chk	std

PLANNING

Observer West
 28 Green Street
 London W1G 0AG
 T: 020 7386 7777
 F: 020 7386 9170
 Website: www.ptea.co.uk
 E-mail: nanna.surman@ptea.co.uk

project	419 Wick Lane	drawn	BW	checked	AR	scale	1:100@AD	date	June 2007
title	Live/Work Unit Plans Upper Ground Floor	sheet	06-961	page	P(00)21	of	D		





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Notes

Rev	Description	Date
-----	-------------	------

Drawing Set:
SECTION 106
 Issued only for purpose indicated

ARCHER ARCHITECTS LLP
 Studio 3.07 The Tea Building
 Shoreditch High Street
 London E1 6LL
 t: 020 7739 2424
 f: 020 7739 1818
 e: studio@archerarchitects.com
 www.archerarchitects.com

Handwritten signatures and initials in blue ink, including 'JB' and 'L'.

Client: DEVELOPMENT SECURITIES

Job Site: WICK LANE WHARF Job No: 5114

Drawing Title:
UPPER GROUND FLOOR PLAN

Scale: 1:500 @ A3	Drawn by: AJCB
Date: 23_08_2012	Checked by:
Drawing No.:	Rev:

From: Reg.13
To: Reg.13 ; Reg.13
Cc: Reg.13 ; Reg.13 ; Reg.13 ; Reg.13 ; Reg.13 ; Reg.13 ; Reg.13
Subject: RE: Complaints regarding applications 17/00001/NMA and 16/00360/AOD at 419 Wick Lane, Fish Island
Date: 04 April 2017 18:50:56

Dear Reg.13 ,

I'd like to make several additional points to Reg.13 email response below. I'm a fellow resident who has also submitted a letter to the LLDC regarding these applications.

1. In your letter to Reg.13 of 31 March 2017 you state the following: "In 2012 planning permission (reference 12/90164/FULODA) was granted for the change of use from live/work to residential. The applicant did not provide detailed floor plans as part of this application and therefore this approval relies on the floor plans approved under applications PA/03/01617 and 08/90318/FULODA. My assessment of the historical context therefore indicates that previous planning approvals never sought to restrict the use of this decked courtyard area to residential only."

My reading of the historical context is different to yours due to one key factor; the previous planning approvals (PA/03/01617 and 08/90318/FULODA) never sought to restrict the use of this decked courtyard area to residential only as the building was not originally meant to be residential only.

2. I again refer to your letter in which you state, "The proposed insertion of doors to the doors does not make the space public. There would still be lines of control between the public area to the outside of the building and the courtyard. Therefore the most likely users of these doors would be staff of the commercial units. The consequence of the insertion of the doors is that what is already a semi-public space could potentially be used by more people, enlivening the space during the working day when it is likely to have little usage at present. My conclusion is that this would not represent a material change in the context of the planning approval for the site."

The courtyard is not a semi-public space; it is a private space that can only be currently accessed by the residents of the building. The proposed insertion of doors will make the space public as customers / students of the commercial spaces will be able to gain access to this private space (the commercial units plan to have multiple students using them in some form). This directly negates the current "lines of control", being the resident-only fob-access front door / gate, as these will then be able to be opened from the inside by the customers / students of the commercial spaces allowing anyone to access the development.

I'll be more than happy to discuss this with you further during your site visit soon.

Kind regards,

Reg.13

From: Reg.13 ; Reg.13 [mailto:Reg.13@googlemail.com]
Sent: Tuesday, April 4, 2017 1:49 PM
To: Reg.13
Cc: Reg.13 ; Reg.13 ; Reg.13 ; Reg.13 ; Reg.13 ; Reg.13 ; Reg.13 ; Reg.13 ; Reg.13 ; Reg.13
Subject: Re: Complaints regarding applications 17/00001/NMA and 16/00360/AOD at 419 Wick Lane, Fish Island

Dear Reg.13

Thank you for your swift response. Please see my response below.

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You should also question why Development Securities would apply for permission to access the courtyard from the newly approved commercial spaces in 2012 if this access already existed. Given that Development Securities were also the 2012 applicants applying for the change of use from live work to residential, they will have been well aware of the access rights of the respective spaces. The only logical conclusion here is that no such access existed previously - precisely why Dev Sec applied for it. This 2012 application was granted subject to a 3 year period during which development must have commenced, after which the permission lapsed. Development Securities, aka U+I, were the sellers of the leaseholds, also show the commercial units as accessible from the street only in the lease books issued along with the leasehold sales.

Furthermore, when planning permission was granted in 2012 for the live work units to be converted to residential, the Full Planning Permission Approval 12/00165/FUM dated 19 December 2012 (and appendix in the Planning Document by Agreement dated 17 December 2012) has a whole section on the Amenity where due consideration is required to be given as to whether the space is sufficient for residential purposes only. Paragraph 1 refers to "The use of the premises as residential only" and also "The use of the property for solely residential purposes is considered not to affect the amount of open space required at the 419 Wick Lane development". Paragraph 4 states, "The use of the property for solely residential purposes is considered not to affect the amount of open space required at the 419 Wick Lane development". The intention of the planners, and what was mandated in previous planning documents, is not commensurate with your conclusion regarding the communal courtyard spaces.

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On a separate point, you have not addressed in your letter the significant effect that these seemingly minor changes to the commercial planning permissions will have on residents, and how this should have been factored into the determination that the amendments were non-material. As previously referenced, the London Borough of Tower Hamlets Fish Island Area Action Plan Development Plan document of September 2012 Policy FI 4.3 requires that the development of any mixed use buildings does not result in any conflict between employment and residential uses. The impact of the 1200msq of commercial floor spaces can not be overstated. The loss of privacy and resulting diminished security is a huge issue for all residents we have consulted with, and should therefore have warranted sufficient consideration before making a determination of whether the changes are non-material. Access to the communal spaces from both Units increases the insecure permeability of the building by people who can neither be screened nor monitored under the existing security provisions. Overlooking, noise and significant loss of privacy will result from the anticipated large increase in non-resident foot-fall and use of the spaces as a means to communication and the introduction of door openings and glass walling. These are the inevitable consequences of such commercial developments. That the applicants of Unit B should be granted permission to include 'glass walling' without the LLDC first given consideration to any impact they may have on residents is frankly astonishing - especially as the the applicants provided no elevation

drawing to accompany their application, and no further clarification as to whether the glass walling would be floor to ceiling windows or not. At no time do previous planning permissions reference glass walling or window provision of any kind is to be used for the commercial units, the assumption being a clear division between commercial and residential use so as to minimise impact on residents. As such, there is a very clear compelling argument that the applicants request for planning consent should have been considered material, regardless of whether there is an assumption of a right of access to the courtyard spaces.

Given the grave impact on residents that the creation of two large subdivided office spaces in close proximity to residential units that will be accessed and overlooked on from the same floor level, and given the sensitivity of the security issue, we have been advised that these developments should not have been subject to the non-material amendment procedure. s96A TCPA which provides guidance on what sorts of changes would be determined "material" and "non-material", even specifically references "changes to windows or other openings that impact on neighbouring properties".

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On behalf of all the residents, I would like to invite you to view the site this week. For the sake of residents and the commercial leaseholders alike, this issue must be resolved at the earliest opportunity. Development is underway at both Units A and B, so there is pressing need to get this resolved quickly.

Please let me know a time suitable for you to visit.

Kind Regards,

Reg.13

Reg.13

Complaints regarding the handling of applications 17/00001/NMA and 16/00360/AOD at 419 Wick Lane

From: Reg.13
Cc: Catherine Smyth; Reg.13; Reg.13; Reg.13; Reg.13; Reg.13; Reg.13
Subject: Reg.13; Reg.13; Reg.13; Reg.13; Reg.13; Reg.13; Reg.13
Date: Re: Complaints regarding applications 17/00001/NMA and 16/00360/AOD at 419 Wick Lane, Fish Island
06 April 2017 21:51:40

Hi All,

Please do let me know if any of you would like to join the meeting with Reg.13 tomorrow at 11:30 at the office to discuss the commercial units. As many kids as possible too please. Lets try and present the most residential environment possible.

Thanks

Reg

On 6 Apr 2017, at 13:54, Reg.13 <Reg.13@googlemail.com> wrote:

Dear Reg.13,

I look forward to seeing you and your colleague on Friday 7th April, 11:30am, 419 wick lane e32pw. Please head to the building manager's office adjacent to the main entrance.

Kind regards,

Reg.13

On 6 Apr 2017, at 08:53, Reg.13 <Reg.13@londonlegacy.co.uk> wrote:

Dear Reg.13

Thank you for your voicemail yesterday.

I will be leaving LLDC in the near future and therefore I think it best to bring a colleague with me to visit the site. We are available tomorrow (Friday) morning at 11:30am.

Kind regards

Reg.13

Reg.13

(Interim) Head of Development Management (Planning Policy & Decisions Team)
Queen Elizabeth Olympic Park

London Legacy Development Corporation
Level 10
1 Stratford Place
Montfichet Road
London

E20 1EJ

Direct: 020 3288 ^{Reg.13}
Mobile: ^{Reg.13}
Email: ^{Reg.13} [LondonLegacy.co.uk](mailto:Reg.13@LondonLegacy.co.uk)

<image002.png>

Queen Elizabeth Olympic Park is now open. For more information please visit www.QueenElizabethOlympicPark.co.uk

From: ^{Reg.13} [<mailto:Reg.13@googlemail.com>]
Sent: 04 April 2017 14:50
To: ^{Reg.13}
Cc: ^{Reg.13}; ^{Reg.13}; ^{Reg.13}; ^{Reg.13}; ^{Reg.13}; ^{Reg.13}; ^{Reg.13}; ^{Reg.13}; ^{Reg.13}; ^{Reg.13}
Subject: Re: Complaints regarding applications 17/00001/NMA and 16/00360/AOD at 419 Wick Lane, Fish Island

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On a separate point, you have not addressed in your letter the significant effect that these seemingly minor changes to the commercial planning permissions will have on residents, and how this should have been factored into the determination that the amendments were non-material. As previously referenced, the

London Borough of Tower Hamlets Fish Island Area Action Plan Development Plan document of September 2012 Policy FI 4.3 requires that the development of any mixed use buildings does not result in any conflict between employment and residential uses. The impact of the 1200msq of commercial floor spaces can not be overstated. The loss of privacy and resulting diminished security is a huge issue for all residents we have consulted with, and should therefore have warranted sufficient consideration before making a determination of whether the changes are non-material. Access to the communal spaces from both Units increases the insecure permeability of the building by people who can neither be screened nor monitored under the existing security provisions. Overlooking, noise and significant loss of privacy will result from the anticipated large increase in non-resident foot-fall and use of the spaces as a means to communication and the introduction of door openings and glass walling. These are the inevitable consequences of such commercial developments. That the applicants of Unit B should be granted permission to include 'glass walling' without the LLDC first given consideration to any impact they may have on residents is frankly astonishing - especially as the the applicants provided no elevation drawing to accompany their application, and no further clarification as to whether the glass walling would be floor to ceiling windows or not. At no time do previous planning permissions reference glass walling or window provision of any kind is to be used for the commercial units, the assumption being a clear division between commercial and residential use so as to minimise impact on residents. As such, there is a very clear compelling argument that the applicants request for planning consent should be have been considered material, regardless of whether there is an assumption of a right of access to the courtyard spaces.

Given the grave impact on residents that the creation of two large subdivided office spaces in close proximity to residential units that will be accessed and overlooked on from the same floor level, and given the sensitivity of the security issue, we have been advised that these developments should not have been subject to the non-material amendment procedure. s96A TCPA which provides guidance on what sorts of changes would be determined "material" and "non-material", even specifically references "changes to windows or other openings that impact on neighbouring properties".

A final point that should be raised concerns the exact use of the commercial spaces. The current developments provide no services or benefit to the existing residents, and do not meet in full the original planning requirements that Unit B be used for, inter alia, food/drink provision. Please can you clarify why this planning requirement appears to have been set aside?

On behalf of all the residents, I would like to invite you to view the site this week. For the sake of residents and the commercial

leaseholders alike, this issue must be resolved at the earliest opportunity. Development is underway at both Units A and B, so there is pressing need to get this resolved quickly.

Please let me know a time suitable for you to visit.

Kind Regards,

Reg.13

Reg.13

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London Legacy Development Corporation, Level 10, 1 Stratford Place,
Montfichet Road, London, E20 1EJ.

www.queenelizabetholympicpark.co.uk

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From: Reg.13
To: Reg.13
Subject: FW: 419 Wick Lane Space - Introductions
Date: 18 December 2017 11:59:27
Attachments: [image001.png](#)

Sorry would this be OK? The live-work units were changed to full residential, and as part of this, the commercial at ground level was secured as low-cost workspace (£3psqft) in perpetuity (maybe some indexing). Would really help me out, and there will inevitably be further stuff cropping up on this one, so may be good to get understanding of what it is...

An artist bought it, and will only be able to sub-let at these levels. They know this, and most space going to be mentor space for other artists.

Thanks! Reg.13

From: Reg.13
Sent: 18 December 2017 11:57
To: Reg.13 Reg.13 Reg.13
Subject: RE: 419 Wick Lane Space - Introductions

Hi Reg.13

Sorry sorry I haven't been able to get back to you yet on this.

Reg.13 –as taking on HW retention stuff, would it be possible for you to do a short note, with Anthony/Catherine sign off to confirm the s106 obligations on 419 Wick Lane (12/00165/FUM) in relation to low-cost workspace, and that it is secured in perpetuity? This is to support the occupier (correspondence below). The note does not need to be long –any questions, up till Weds just get in touch with me, or after this, Reg.13 should be happy to help.

Thanks a lot,

Reg.13

From: Reg.13 [<mailto:Reg.13@Hackney.gov.uk>]
Sent: 13 December 2017 11:28
To: Reg.13 Reg.13
Subject: FW: 419 Wick Lane Space - Introductions

Hi Reg.13

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Am I able to write this or is there anyone else that I should be liaising with?

Thanks!

Reg.13

From: Reg.13@gmail.com [<mailto:Reg.13@gmail.com>] On Behalf Of Reg.13
Sent: 08 December 2017 19:24
To: Reg.13 <Reg.13@Hackney.gov.uk>
Cc: Reg.13 <Reg.13@londonlegacy.co.uk>; Reg.13

<Reg.13 londonlegacy.co.uk>; Reg.13 <Reg.13 com>; Reg.13
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Would it be possible to get something of the kind? Both VOA and Reg.13 at Tower Hamlets have suggested it would be useful, and VOA have said without something of that kind we will just be rated according to market rents in the area (whether an s106 applies or not).

Any help with this would be most appreciated,

All best

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Reg.13 Reg.13 and Reg.13 – I will introduce you in separate emails to the other community contacts I think you mind be interested in.

Best wishes,

Reg.13

Reg.13 MRICS

Developer and Business Engagement Manager, Hackney Wick and Fish Island
Jointly employed by the London Borough of Hackney, London Borough of Tower Hamlets and The London Legacy
Development Corporation
Tel: 020 Reg.13

From: Reg.13 gmail.com [mailto:Reg.13 gmail.com] On Behalf Of Reg.13

Reg.13

Sent: 09 November 2017 12:48

To: Reg.13 <Reg.13 Hackney.gov.uk>

Cc: Reg.13 <Reg.13 londonlegacy.co.uk>; Reg.13

<Reg.13 londonlegacy.co.uk>; Reg.13 <Reg.13 com>; Reg.13
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All best
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Best wishes

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Reg.13

Sent: 03 November 2017 08:26

To: Reg.13 <Reg.13@londonlegacy.co.uk>

Cc: Reg.13 <Reg.13@Hackney.gov.uk>; Reg.13 <Reg.13@londonlegacy.co.uk>

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Kind Regards,

Reg.13

Senior Designer - Development
Queen Elizabeth Olympic Park
London Legacy Development Corporation

From: Reg.13
To: Reg.13 Reg.13 Reg.13
Subject: RE: 419 Wick Lane Space - Introductions
Date: 18 December 2017 17:51:11
Attachments: [image001.png](#)

Hi Reg.13

Thanks for following up on this. As you say I think that a short note will suffice – very happy to help if needed.

Best wishes,

Reg.13

.13 MRICS

Developer and Business Engagement Manager, Hackney Wick and Fish Island
Jointly employed by the London Borough of Hackney, London Borough of Tower Hamlets and The London Legacy Development Corporation
Tel: 020 Reg.13

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Sent: 09 November 2017 12:48

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Sent: 03 November 2017 08:26

To: **Reg.13** <**Reg.13**@londonlegacy.co.uk>

Cc: **Reg.13** <**Reg.13**@Hackney.gov.uk>; **Reg.13** <**Reg.13**@londonlegacy.co.uk>

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Kind Regards,

Reg.13

Senior Designer - Development

Queen Elizabeth Olympic Park

London Legacy Development Corporation

Level 10

1 Stratford Place, Montfichet Road

London

E20 1EJ

DDI: 020 3288 [Redacted]

Mobile: [Redacted]

Email: [Redacted] [londonlegacy.co.uk](mailto:[Redacted]@londonlegacy.co.uk)



Queen Elizabeth Olympic Park is now open. For more information please visit

www.QueenElizabethOlympicPark.co.uk

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www.queenelizabetholympicpark.co.uk

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Reg.13

From: Reg.13
To: Reg.13
Subject: RE: 419 Wick Lane, VOA letter
Date: 08 January 2018 15:07:00
Attachments: [image001.png](#)

Hi Reg.13

Two separate tenants please - Reg.13 sd@Reg.13.com and Reg.13 Reg.13.com. Both occupy neighbouring space at 419 Wick Lane but I do not know their specific unit number. Is it possible to send via email to ensure they receive it? or alternatively I will give them a call to ask their unit numbers. Let me know what you prefer.

Thanks again,

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 08 January 2018 14:31
To: Reg.13 <Reg.13@Hackney.gov.uk>
Subject: RE: 419 Wick Lane, VOA letter

Hi Reg.13

To whom is this letter being addressed to? Do you have their name and address or should I address it to you?

Regards,

Reg.13

Senior Planning Development Manager
London Legacy Development Corporation
Tel: 020 3288 Reg.13

From: Reg.13 [mailto:Reg.13@Hackney.gov.uk]
Sent: 05 January 2018 16:49
To: Reg.13 <Reg.13@londonlegacy.co.uk>
Subject: RE: 419 Wick Lane, VOA letter

Hi Reg.13

No problem – thanks and you!

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 05 January 2018 16:48
To: Reg.13 <Reg.13@Hackney.gov.uk>
Subject: RE: 419 Wick Lane, VOA letter

Hi **Reg.13**

I have run out of time today unfortunately; I will look into this on Monday.

Have a nice weekend.

Reg.13

Senior Planning Development Manager
London Legacy Development Corporation
Tel: 020 3288 **Reg.13**

From: **Reg.13** [mailto:**Reg.13**@Hackney.gov.uk]
Sent: 03 January 2018 16:14
To: **Reg.13** <**Reg.13**@londonlegacy.co.uk>
Cc: **Reg.13** <**Reg.13**@londonlegacy.co.uk>
Subject: RE: 419 Wick Lane, VOA letter

Hi **Reg.13**

Thank you, that would be fantastic.

I believe that when the tenant spoke to the Valuation Office Agency they said that a letter of support from the LLDC clearly identifying the terms of 419's s106 and the LLDC's intention to support low cost workspace in perpetuity, would be helpful to support the Tenants in their own conversation about business rates relief. They are worried that without a letter like this the VOA will just rate the space according to market rent which is unaffordable to these low cost tenants. I don't think we need to go into detail about other s106's but perhaps you could just note that the LLDC is committed to re-providing low cost workspace in Hackney Wick and Fish Island and that this isn't just a one off case for developments?

Does that help?

Thanks again,

Reg.13

From: **Reg.13** [mailto:**Reg.13**@londonlegacy.co.uk]
Sent: 03 January 2018 15:17
To: **Reg.13** <**Reg.13**@Hackney.gov.uk>
Cc: **Reg.13** <**Reg.13**@londonlegacy.co.uk>
Subject: RE: 419 Wick Lane, VOA letter

Hi **Reg.13**

I will get something out to you this week. I am happy to state the provisions of the s106 but I am not entirely what you require regarding the VOA? I don't have the information regarding other s106 agreements to hand.

Regards,

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London Legacy Development Corporation
Tel: 020 3288 **Reg.13**

From: **Reg.13** [<mailto:Reg.13@Hackney.gov.uk>]
Sent: 03 January 2018 14:24
To: **Reg.13**
Cc: **Reg.13**
Subject: 419 Wick Lane, VOA letter

Hi **Reg.13**

Apologies for the last email – it sent before I had completed it.

I wondered if you knew when you might be able to complete the short note that **Reg.13** mentioned below? I am being chased frequently by the tenants of 419 Wick Lane. Additionally the VOA have indicated that being based upon local market rent, if it could be indicated that a number of properties in the surrounding area are also subject to a similar s106 that might help their case. Perhaps this could be mentioned in the note as well? do let me know your thoughts and if I can help with it at all.

I look forward to hearing from you.

Best wishes,

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Cc: Reg.13 <Reg.13@londonlegacy.co.uk>; Reg.13 <Reg.13@londonlegacy.co.uk>; Reg.13 <Reg.13@com>; Reg.13 <Reg.13@gmail.com>

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I actually have a Skype meeting with an institution overseas at 10 next Wednesday, but could come and join you by 10:45, if that would work?

I met with **Reg.13** from TH this morning re:business rates and he was actually very helpful and supportive suggesting how best to approach VOA and that to maybe get a letter of support from LLDC confirming the s106 and its purpose to go to VOA would also be useful.

Is there any chance to get something of that sort drafted from one of you three? That would be really appreciated.

And **Reg.13** if you're not dashing off, look forward to meeting you Wednesday at 10:45,

All best
Reg.13

On Friday, November 3, 2017, **Reg.13** <**Reg.13** hackney.gov.uk> wrote:

Hi **Reg.13**

Lovely to e-meet you and thank you for the introduction **Reg.13**

Yes I have a meeting next week with **Reg.13** it would be great if you could attend and we can discuss this further. Are you able to attend the meeting?

When is your meeting with Tower Hamlets scheduled for?

I look forward to hearing from you.

Best wishes

Reg.13

From: **Reg.13** [gmail.com](mailto:Reg.13@gmail.com) [mailto:**Reg.13** [gmail.com](mailto:Reg.13@gmail.com)] **On Behalf Of** **Reg.13**

Sent: 03 November 2017 08:26

To: **Reg.13** <**Reg.13** londonlegacy.co.uk>

Cc: **Reg.13** <**Reg.13** Hackney.gov.uk>; **Reg.13** <**Reg.13** londonlegacy.co.uk>

Subject: Re: [419 Wick Lane](#) Space - Introductions

Dear **Reg.13**

Nice to catch up with you and update you on the project.

And yes would be great if **Reg.13** can confirm the s106 to assist in informing the rates strategy.

And **Reg.13** nice to meet you. I believe **Reg.13** has a meeting with you next week, which he's suggested I join. Be nice to talk about how to connect,

All best,
Reg.13

On Wednesday, November 1, 2017, Reg.13
<Reg.13@londonlegacy.co.uk> wrote:

Dear Reg.13

Thank you for your phone call earlier and really exciting to hear about your plans progressing at [419 Wick Lane](#).

I'd like to introduce you to Reg.13 who as I mentioned is our Developer and Business Engagement Manager in the area (working jointly for LLDC, LBH and LBTH) and also Reg.13 who works in the planning team here at LLDC. Reg.13 number is 0208 Reg.13 if you want to get in touch. Likewise to Reg.13 Reg.13 number is Reg.13

Having reviewed earlier emails in a bit more detail, both Reg.13 from our planning team and Reg.13 have been in touch with Reg.13 this summer who I believe you are partnering with? Apologies if I have any wires crossed on this, but hopefully this joins the dots a little more!

I understand you are due to meet with LB Tower Hamlets soon regarding business rates on the property, and with this I am sure that Reg.13 will be able to furnish you with written confirmation regarding the s106 obligations for affordable rent at minimal cost for 3 years, that should assist in informing the rates strategy. Let's keep in touch to see how we can best support you in bringing this space into creative use.

Kind Regards,

Reg.13
Senior Designer - Development
Queen Elizabeth Olympic Park
London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ
DDI: 020 3288 Reg.13
Mobile: Reg.13
Email: Reg.13@londonlegacy.co.uk



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From: [cilands106](mailto:cilands106@londonlegacy.co.uk)
To: [Reg.13](mailto:Reg.13@turntown.co.uk) turntown.co.uk
Cc: [Planning Enquiries](mailto:PlanningEnquiries@londonlegacy.co.uk)
Subject: RE: Query on Mayoral CIL payment
Date: 12 June 2019 17:16:20
Attachments: [image001.png](#)

Dear [Reg.13](#)

Thank you for your email.

The borough land charges teams maintain responsibility for searches in relation to property sales, the relevant authority in this case is Tower Hamlets, for more information around how to contact them please see below:
https://www.towerhamlets.gov.uk/ignl/planning_and_building_control/local_land_charges/full_official_property_search.aspx

If you have any further questions please let me know.

Kind regards

[Reg.13](#)

From: Planning Enquiries
Sent: 12 June 2019 15:57
To: [Reg.13](#) <[Reg.13](mailto:Reg.13@londonlegacy.co.uk) londonlegacy.co.uk>
Cc: [cilands106](mailto:cilands106@londonlegacy.co.uk) <cilands106@londonlegacy.co.uk>
Subject: FW: Query on Mayoral CIL payment

FYI – See below.

From: [Reg.13](#) <[Reg.13](mailto:Reg.13@turntown.co.uk) turntown.co.uk>
Sent: 12 June 2019 08:42
To: Planning Enquiries <planningenquiries@londonlegacy.co.uk>
Subject: Re: Query on Mayoral CIL payment

Morning [Reg.13](#)

Thanks so much for responding so fast. Is there a number I can contact the CIL Officer on?

Many Thanks

[Reg.13](#)

[\[Redacted\]](#)
Senior Project Manager
Turner & Townsend project management
<http://www.turnerandtowntsend.com>

From: Planning Enquiries <planningenquiries@londonlegacy.co.uk>
Sent: 11 June 2019 16:55
To: [Reg.13](#)
Subject: RE: Query on Mayoral CIL payment

Dear [Reg.13](#)

I have forwarded your query over to our CIL Officer and they should be in touch in you shortly

Should you have any further queries please do not hesitate to contact us again.

Kind Regards

[Reg.13](#)

Planning Policy and Decisions Team
Planning Customer Service Executive & Technical Assistant
Queen Elizabeth Olympic Park

London Legacy Development Corporation
Level 10
1 Stratford Place, Montfichet Road
London
E20 1EJ



Queen Elizabeth Olympic Park is now open. For more information please visit www.QueenElizabethOlympicPark.co.uk

From: Reg.13 [mailto:Reg.13@turntown.co.uk]
Sent: 11 June 2019 14:47
To: Planning Enquiries <planningenquiries@londonlegacy.co.uk>
Subject: Query on Mayoral CIL payment
Importance: High

Afternoon,

We are currently in the process of selling our flat and have been asked by the buyer's solicitors to find evidence that the Mayoral CIL was paid on the property in 2012.

The address is 419 Wick Lane, E3 2PX.

The planning reference I have found is 12/00165/FUM but I am not sure that is correct.

Any information you could give would be really great as this is the last thing holding up the sale of our flat and we are keen to get moving.

Many Thanks

Reg.13

Senior Project Manager, Programme Management
Turner & Townsend
One New Change, London, EC4M 9AF
t: +44 (0) Reg.13 | m: +44 (0) Reg.13 | www.turnerandtowntsend.com

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Registered office: Low Hall, Calverley Lane, Horsforth, Leeds LS18 4GH, United Kingdom | Registered in England and Wales
| Registration No. 2165592

Turner & Townsend Limited

For further information and registration details visit our website <http://www.turnerandtowntsend.com>

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From: [cilands106](#)
To: Reg.13
Subject: RE: Flat 302 Ink Court 419 Wick Lane - PA/12/01116 - The Mayor of London's Community Infrastructure Levy (CIL) [THIRSKWINTON-Active.FID65456]
Date: 14 June 2019 11:29:57
Attachments: [image001.png](#)

Dear Reg.13

Thank you for your email.

At this time the London Borough of Tower Hamlets was still the collecting authority with regards to Mayoral CIL, I have spoken with them and would point you back in their direction with regards to this query.

Kind regards

Reg.13

From: Reg.13 [mailto:Reg.13@thirskwinton.co.uk]
Sent: 13 June 2019 12:12
To: cilands106 <cilands106@londonlegacy.co.uk>
Subject: FW: Flat 302 Ink Court 419 Wick Lane - PA/12/01116 - The Mayor of London's Community Infrastructure Levy (CIL) [THIRSKWINTON-Active.FID65456]

Dear Sirs

Please see the email below from the CIL team at Tower Hamlets in response to our initial enquiry.

Could you assist?

Regards

Reg.13 | PARALEGAL – REAL ESTATE



t: 020 Reg.13

f: 020 Reg.13

w: www.thirskwinton.co.uk

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From: Reg.13 [mailto:Reg.13@towerhamlets.gov.uk] On Behalf Of CIL
Sent: 11 June 2019 12:22
To: Reg.13 <Reg.13@thirskwinton.co.uk>
Cc: CIL <CIL@towerhamlets.gov.uk>
Subject: RE: Flat 302 Ink Court 419 Wick Lane - PA/12/01116 - The Mayor of London's Community Infrastructure Levy (CIL)

Dear Mr Reg.13

Whilst this property is in the London Borough of Tower Hamlets, the planning authority is the London Legacy Development Corporation (LLDC) which covers land around the Olympic site in Tower Hamlets, Hackney and Newham.

The application was for a change of use of the existing 112 live-work units (Use Class sui generis) to permanent residential accommodation (Use Class C3). This would be CIL liable if the live-work units had been vacant but not if they were in use. Our records show that £557,324 of off-site affordable housing was requested through S106 but not information on any other S106 requirements or CIL. I tried calling the LLDC but no-one was available. I found the case on the LLDC's website and their reference number is 12/00165/FUM but the site doesn't mention CIL liability. I suggest you contact the LLDC for the confirmation you require.

Kind regards

Reg.13 | Principal Growth and Infrastructure Planner | Infrastructure Planning Team
Mulberry Place | 5 Clove Crescent | E14 2BG | 020 **Reg.13** | **Reg.13** @towerhamlets.gov.uk |
CIL@towerhamlets.gov.uk



From: **Reg.13** [mailto:**Reg.13**@thirskwinton.co.uk]
Sent: 11 June 2019 11:23
To: CIL
Subject: Flat 302 Ink Court 419 Wick Lane

Dear Sirs

We write with reference to the above matter.

Our prospective buyers local search has revealed a financial charge registered against the property, details are below.

Planning obligation type: Mayoral CIL
Case number: PA.12.01116
Date: 18.04.2013

Could you confirm if this has been paid, or doesn't apply to the above property.

Regards

Reg.13 | PARALEGAL – REAL ESTATE



t: 020 **Reg.13**
f: 020 **Reg.13**
w: www.thirskwinton.co.uk

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From: Reg.13
To: Reg.13
Subject: RE: Flat 302 Ink Court 419 Wick Lane - PA/12/01116 - The Mayor of London's Community Infrastructure Levy (CIL)
Date: 14 June 2019 17:34:55
Attachments: [image003.png](#)
[Site Plan.pdf](#)
[TH Decision.pdf](#)
[Planning Statement.pdf](#)
[Correspondence.pdf](#)
[Application Form 2.pdf](#)
[Application Form.pdf](#)

Hi Reg.13

I have found the original ODA application form and planning statement.
Feel free to just delete this or keep for your records. Although we collected £367k for the Mayor and passed it over the next quarter, this was not recorded in Acolaid or Exacom. This will be noted from Monday so the payment will appear in the Local Land Charges Register and result in fewer requests for information from property searchers or conveyancers.

Regards

Reg.13

From: Reg.13 [mailto:Reg.13@londonlegacy.co.uk]
Sent: 14 June 2019 11:49
To: Reg.13
Subject: RE: Flat 302 Ink Court 419 Wick Lane - PA/12/01116 - The Mayor of London's Community Infrastructure Levy (CIL)

Hi Reg.13

Thanks for this – sorry to pass it over to you on a Friday.

Thanks again

Reg.13

From: Reg.13 [mailto:Reg.13@towerhamlets.gov.uk]
Sent: 14 June 2019 11:39
To: Reg.13 <Reg.13@thirskwinton.co.uk>
Cc: Reg.13 <Reg.13@londonlegacy.co.uk>
Subject: RE: Flat 302 Ink Court 419 Wick Lane - PA/12/01116 - The Mayor of London's Community Infrastructure Levy (CIL)

Whoops! I pressed send instead of paste. Please see completed message below

From: Reg.13
Sent: 14 June 2019 11:27
To: Reg.13
Cc: Reg.13@londonlegacy.co.uk'; CIL
Subject: RE: Flat 302 Ink Court 419 Wick Lane - PA/12/01116 - The Mayor of London's Community Infrastructure Levy (CIL)

Dear Mr Reg.13

It appears that the predecessor to the LLDC, the Olympic Delivery Authority, was not the CIL collection authority back in 2012. The two databases we use both show that the case was not liable for CIL but I have found some documents from our archive.
The London Borough of Tower Hamlets collected £367,938 of CIL on 13/05/2013. One of my team will make sure the payment is noted on the Local Land Charges Register in the future.

I will seek confirmation from my colleagues working on S106 about receipt of payment.

Kind regards

Reg.13 | Principal Growth and Infrastructure Planner | Infrastructure Planning Team

Mulberry Place | 5 Clove Crescent | E14 2BG | 020 **Reg.13** | **Reg.13** @towerhamlets.gov.uk | CIL@towerhamlets.gov.uk

From: **Reg.13** On Behalf Of CIL
Sent: 11 June 2019 12:22
To: **Reg.13**
Cc: CIL
Subject: RE: Flat 302 Ink Court 419 Wick Lane - PA/12/01116 - The Mayor of London's Community Infrastructure Levy (CIL)

Dear Mr **Reg.13**

Whilst this property is in the London Borough of Tower Hamlets, the planning authority is the London Legacy Development Corporation (LLDC) which covers land around the Olympic site in Tower Hamlets, Hackney and Newham.

The application was for a change of use of the existing 112 live-work units (Use Class sui generis) to permanent residential accommodation (Use Class C3). This would be CIL liable if the live-work units had been vacant but not if they were in use. Our records show that £557,324 of off-site affordable housing was requested through S106 but not information on any other S106 requirements or CIL.

I tried calling the LLDC but no-one was available. I found the case on the LLDC's website and their reference number is 12/00165/FUM but the site doesn't mention CIL liability.

I suggest you contact the LLDC for the confirmation you require.

Kind regards

Reg.13 | Principal Growth and Infrastructure Planner | Infrastructure Planning Team

Mulberry Place | 5 Clove Crescent | E14 2BG | 020 **Reg.13** | **Reg.13** @towerhamlets.gov.uk | CIL@towerhamlets.gov.uk



From: **Reg.13** [<mailto:Reg.13@thirskwinton.co.uk>]
Sent: 11 June 2019 11:23
To: CIL
Subject: Flat 302 Ink Court 419 Wick Lane

Dear Sirs

We write with reference to the above matter.

Our prospective buyers local search has revealed a financial charge registered against the property, details are below.

Planning obligation type: Mayoral CIL

Case number: PA.12.01116

Date: 18.04.2013

Could you confirm if this has been paid, or doesn't apply to the above property.

Regards

Reg.13 | PARALEGAL – REAL ESTATE

Vivienne Ramsey
Director of Planning Decisions
Olympic Delivery Authority
Planning Decisions Team
Mailpoint 32B,
23rd Floor,
1 Churchill Place,
London
E14 5LN

Our ref: PA/12/01116
Your ref: 12/90164/FUMODA
Date: 16 July 2012

Development & Renewal

Planning and Building Control
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 2BG

www.towerhamlets.gov.uk

Enquiries to: Paul Buckenham
Tel: 020 7364 2502
E-mail: paul.buckenham@towerhamlets.gov.uk

FAO: Colin Leadbeatter, Planner

Dear Mr Leadbeatter,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Observations to the Olympic Delivery Authority ODA) on an application for planning permission for the change of use of the existing 112 live-work units (sui-generis) to permanent residential accommodation

Thank you for consulting Tower Hamlets Council on the above application.

The Council supports the principle of a comprehensive restructuring of the permitted use of the building, to provide self contained residential units and employment floor space on the ground floor. The Council also supports the aspiration of the Olympic Delivery Authority and the applicant to bring the vacant building into beneficial use at the earliest opportunity.

In considering the detail of the proposed change of use, the Council has had regard to the development plan, including the London Plan 2011, Tower Hamlets Core Strategy 2010, the Managing Development, Development Plan Document (DPD) submission version and the Fish Island Area Action Plan (AAP) submission version.

The key issues for the Council are:

- The approach to restructuring of existing employment floor space;
- Whether the proposed residential accommodation would comply with the Council's policies in terms of unit sizes and affordable housing;
- Whether the planning obligations would be sufficient to mitigate the impact of the proposed development.

Restructuring of the existing employment floor space

Policy DM15 (4) of the Managing Development DPD states that development of employment and residential uses within the same self contained unit (e.g. live-work)



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2009-2010
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2003-2009
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INVESTOR IN PEOPLE

will not be supported. The proposal to convert the unoccupied live-work units to residential use, in a comprehensive manner is therefore supported in principle.

The extant planning permission for the constructed development was for the provision of 1,123 sq.m. of self contained class B1 floor space and 104 live work units (sui-generis) plus 107 sq.m. of retail or food and drink floor space (Class A1 or A3). The permission included an informative that the design of the live work units to be approved under Condition 1 of the permission should show each unit designed to be a minimum of 90 sqm and split in a 60:40 ratio between work and live accommodation. A subsequent permission granted by the ODA allowed the retrospective sub-division to create eight additional live-work units (112 in total).

The applicant has not provided detailed floor plans to show how the development as built is laid out. In the absence of such information, taking into account the above, the approved development contains a total of at least 7,171sqm of potential employment related floor space, divided between 1123 sq.m. of self contained B1 floor space and the potential for 6048 sq.m. within the live-work units.

The planning application itself provides no information on how much employment floor space would be retained as a result of the proposed change of use. The ODA has provided further information that has been made available as part of the development viability assessment which states that the scheme will provide 1,030 sq.m. GIA of B1 office floor space and 88 sq.m. GIA of A1/A3 retail floor space.

The site falls within a location that is currently designate as Strategic Industrial Location for the purposes of the London Plan and Tower Hamlets Core Strategy. The Core Strategy sets out the intention to manage the release of SIL within Fish Island. The emerging Fish Island Area Action Plan (Submission version) proposes that the area north of Wick Lane, including 419 Wick Lane, should be designated as Local Industrial Location as part of the strategy for the managed release of SIL. The AAP has been submitted to the Secretary of State and an examination is due to commence on 18 July 2012. hence the AAP policies and proposed LIL designation carry significant weight.

The LIL designation is a more flexible local designation than SL in that it would permit a wider mix of uses including residential to come forward, subject to certain provisions. Spatial policy SP06 of the Core Strategy provides the basis for managing industrial land within Tower Hamlets. Policy DM17 of the Managing Development DPD (submission version) sets out how local industrial locations will be managed. DM17.1 states that development resulting in the net loss of Class B floor space in local industrial locations will not be supported.

Based on the information provided, the scheme would result in the loss of 88 sq,m. of the permitted ground floor self contained employment space and the loss of at least 6,048 sqm of potential employment generating space as currently provided within the sui-generis live work units. Based on the information provided, the opportunity to consolidate the fragmented live-work employment space elsewhere within the scheme, for example on the ground or first floor to ensure that there is no overall net loss and that the employment characteristic of the proposed LIL are maintained has not been explored by the applicant.

The loss of approximately 85% of the employment floor space within the permitted and constructed scheme would be contrary to policies contained within the adopted Core Strategy, Managing Development DPD (submission version) and Fish Island AAP (submission version).

Mix and type of housing

The Council supports the principal of conversion of the live work units to provide new housing and notes that this will contribute towards meeting local housing need,

In determining applications for new residential accommodation, including changes of use, the development plan requires consideration of the mix and type of housing in terms of unit sizes, tenure, provision of affordable housing, life time homes standards and provision of wheelchair accessible housing.

The application does not contain any detail on these matters, for example in the form of floor plans. It has not set out whether an options appraisal to carry out internal alterations to achieve a more policy compliant mix of unit sizes has been undertaken.

The application does not propose any on-site affordable housing and states that the nature of the units as built would not be attractive to registered providers. The evidence to substantiate this claim has not been submitted. The planning statement refers to the provision of an off-site financial contribution towards affordable housing in lieu of on-site provision and notes in paragraph 5.7 that "a financial contribution of broadly equivalent value should be considered acceptable with robust justification". An addendum to the planning statement was provided to the Council by the ODA on 13 July confirming a revised planning obligations offer as follows:

	Contribution Amount (£)
Previously paid	£250,000
Landscaping	£247,103
CIL	£492,675
Additional S106	£257,324
Commercial Subsidy	£950,000
TOTAL	£1,947,102
Excluding paid	

Based on the information provided the sum towards affordable off-site housing would be £257,324, although there is no analysis of how this would support affordable housing delivery or whether this would sufficiently off-set the need for on-site provision of 35% by habitable room.

Furthermore the sum is substantially below the sum set aside to provide commercial rent subsidy. There is no policy justification to provide subsidised commercial units and the Council would question the need to inject such subsidy to development of employment floor space within a well established industrial employment location, adjacent to the A12 with excellent transport access to central London.

In summary the Council considers that the case for not providing on-site affordable housing as required by planning policies is not properly or robustly justified or sufficiently mitigated.

Mitigation of planning impacts

The creation of residential development will give rise to a number of planning impacts, including additional pressure on local infrastructure such as schools, libraries, public open space, leisure facilities and health services. The Council seeks to mitigate such impacts through financial contributions, secured through planning obligations in line with Regulation 122 of the Community Infrastructure Levy Regulations. The Council's approach to securing planning obligations is set out in the Planning Obligations SPD. Based on the information provided, the scheme would not, in the Council's view provide for sufficient mitigation of the planning impacts associated with the proposed residential use.

Conclusion


The Council supports the intention to bring the vacant building back into use and restructure the permitted use of the building to provide housing and employment space.

However, based on the information provided the proposal would result in an overall net loss of employment space, would not provide any on-site using or meet the necessary planning contributions to mitigate the impact of the additional residential development as required by the adopted Core Strategy, the draft managing Development DPD (submission version), the Fish Island Area Action Plan (submission version) and the adopted Planning Obligations SPD.. The application doe not contain sufficient information to robustly justify an approach which is not compliant with development plan policies.

Consequently the Council cannot support the application as it currently stands.

I trust the above is helpful to you.

Yours sincerely,



Paul Buckenham
Pre-applications Team Leader

PA/12/0116

Direct line 020 3373 1916
Email Colin.Leadbeatter@pdt.oda.gov.uk
Our Ref 12/90164/FUMODA
Case Officer Mr Colin Leadbeatter

OLYMPIC DELIVERY AUTHORITY

Planning Decisions Team

**Director of Planning Decisions
Olympic Delivery Authority
Planning Decisions Team**

Mailpoint 32B
23rd Floor
1 Churchill Place
London E14 5LN

24 April 2012

Mr Paul Buckenham
LB Tower Hamlets Planning
Development & Renewal Directorate,
Mulberry Place (AH),
PO Box 55739,
5 Clove Crescent,
London,
E14 1BY

Dear Sir or Madam,

TOWN AND COUNTRY PLANNING ACT 1990 TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

I am writing to inform you that has submitted a planning application to the Olympic Delivery Authority – Planning Decisions Team.

Application No: 12/90164/FUMODA

Location: 419 Wick Lane

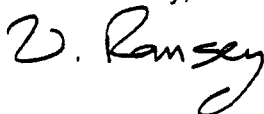
Proposal: Change of use of the existing 112 live-work units (Use Class sui generis) to permanent residential accommodation (Use Class C3)

Please find the enclosed hard copy of the application and supporting documents. If you have any comments about this proposal please write to the Director of Planning Decisions, Olympic Delivery Authority, Planning Decisions Team, Mailpoint 32B, 23rd floor, 1 Churchill Place, London, E14 5LN by **15 May 2012**. **Alternatively, you may submit your comments by email to planning.enquiries@pdt.oda.gov.uk.**

The planning application and other supporting documents are available for viewing and download on line at www.london2012.com/planning. Alternatively, these documents are available for viewing Monday to Fridays between 9am and 5pm by appointment only at the ODA Planning Decisions Team Reception, Unit A, 11 Burford Road, Stratford, E15 2ST.

Should you have any questions please contact the Planning Decisions Team on 020 8430 6020 or write or email us at the address given above. Under the Local Government (Access and Information) Act 1985, any views that you make will be available for public examination.

Yours faithfully,



Vivienne Ramsey
Director of Planning Decisions
Olympic Delivery Authority
Planning Decisions Team

*Copy on Acoland
Full sheet
Observations*

From: Reg.13
To: Reg.13
Subject: RE: 419 Wick Lane - recladding NMA
Date: 17 February 2021 09:23:35
Attachments: [image001.png](#)
[20.00442.NMA_LLDC_Delegated_Report.docx](#)

Hi Reg.13

Thanks for looking at this! Here you go, updated report attached – sorry I missed those important bits out.

Cheers,

Reg.13

From: Reg.13
Sent: 16 February 2021 18:07
To: Reg.13 <Reg.13@londonlegacy.co.uk>
Subject: RE: 419 Wick Lane - recladding NMA

Hi Reg.13,

Thanks for this. Just a couple of queries:

1. Arup had a few requests for clarifications. Ordinarily I wouldn't be too concerned about clarifications only but given the sensitivity of the issue I think we need to be a wee bit more thorough. Did the application provide a response to these clarifications? Were Arup satisfied?
2. Para. 6.6 suggests an additional condition?

Cheers

Reg.13

From: Reg.13
Sent: 16 February 2021 15:09
To: Reg.13 <Reg.13@londonlegacy.co.uk>
Subject: 419 Wick Lane - recladding NMA

Hi Reg.13

Would you have time to look at this re-cladding NMA report at 419 Wick Lane? I've got an extension until the end of this week and they're chasing me as they've secured a GLA grant that they need to use soon and can only do so with evidence of planning permission.

Thanks,

Reg.13