

15th February 2019

Planning
London Borough of Islington
222 Upper Street
London
N1 1XR

Dear Sir / Madam

APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING STORAGE AND DISTRIBUTION (CLASS B8) USE AT UNITS A, B, C AND D, BUSH INDUSTRIAL ESTATE, STATION ROAD, LONDON, N19 5UN

Please find enclosed an Application for a Lawful Development Certificate for the existing use of the industrial building known as units A-D, Bush Industrial Estate, as Storage and Distribution (Class B8). The application site is shown edged red on the accompanying Site Location Plan and is also shown for information below.

The application is submitted on behalf of our client Telereal Trillium Ltd under section 191 of the Town and Country Planning Act 1990 and section 39 of the Town and Country Planning (Development Management Procedure) Order 2015.

Application Procedure

The application must be determined on the basis of the facts of the case. Whilst we believe that the lawful use of the land and buildings comprised in the application is as a warehouse for class B8 (Storage and Distribution), the planning history is not clear and, thus this application seeks confirmation that this use is lawful and that the use has occurred for 10 years or more.

The onus of proving the lawfulness of an existing use rests with the applicant. The Courts have held in *Gabbittas v Secretary of State for the Environment* [1985] that the relevant test of the evidence on such matters is 'the balance of probability'. The Courts have held that the Applicant's own evidence does not need to be corroborated by independent evidence in order to be accepted. The evidence needs to be sufficiently precise and unambiguous to justify the grant of the certificate on the balance of probability.

The relevant test of the evidence is, therefore, the balance of probability. In this regard, it is more probable than not, given the evidence provided, that the warehouse use has occurred for in excess of 10 years and its continuation is therefore, lawful.

In the case of units A-D to which this application relates, it is clear that the wider estate comprises a predominance of B8 uses, as referenced in many historic planning consents, and that the application unit has also operated as a B8 facility, as part of the wider BT Depot. It is our considered opinion that the evidence presented in this Statement is sufficient to demonstrate that, the lawful use of Units A-D is as a warehouse comprising Storage and Distribution (Class B8) and that this has prevailed for more than 10 years.

Whilst the onus lies with the Applicant to provide sufficient evidence to demonstrate the lawful nature of the use, it is also clear that the courts have held that unless the planning authority has evidence of its own or from others, that contradicts or otherwise makes the Applicant's version of events less than probable, there is no good reason to refuse the Application, provided the Applicant's evidence alone, is sufficiently precise to justify the grant of a certificate "on the balance of probability". In this instance, it is considered that the Applicant's evidence is precise and robust, and on the strength of this, we would respectfully request that the Lawful Development Certificate should be granted.

Site and Surrounding Area

The site measures approximately 1.9 hectares and comprises a single building and associated yard area housing units A-D. This is located within the wider industrial site and adjoins the northern boundary of the Bush Industrial Estate.

The site is bound to the northwest by the railway line and to the southeast by a row of 8 industrial/warehousing units, together with a standalone warehouse building (comprising Bush Industrial Estate). The units to the south are currently operated by several occupiers including Jaguar, London Underground and London Borough of Islington, with the Royal Mail occupying the large standalone warehouse at the eastern end of the estate.

On the northern side of the railway line is a bus garage. The bus garage site, the Bush Industrial Estate and the application site create a cluster of commercial uses. Adjoining the site to the northeast are 3 no. three-storey blocks of flats. To the southeast is a four-storey primary school.

Units A-D have a combined floor area of 4,625 sqm lettable area and comprises a two-storey brick and steel framed building, with plain rolled steel sections.



Fig 1 Site Location (Source: Google Maps)

Marketing Information

The Colliers International marketing particulars for the industrial estate, with reference to units A-D, states that they are:

'A detached terrace of four warehouse units benefiting from their own dedicated loading yards. Units A-D are secured via 2 metre palisade fencing and gatehouse. The units are of portal frame and steel clad construction and offer flexible clear span warehousing'.

The units further benefit from three full height loading doors, at each end of the property (Units A and D) allowing for through loading. A further two loading doors under a covered canopy offer loading to the central units (B and C).

The location of the building in question, and its relationship with the wider industrial estate, is identified on the following extract from the Colliers marketing particulars:

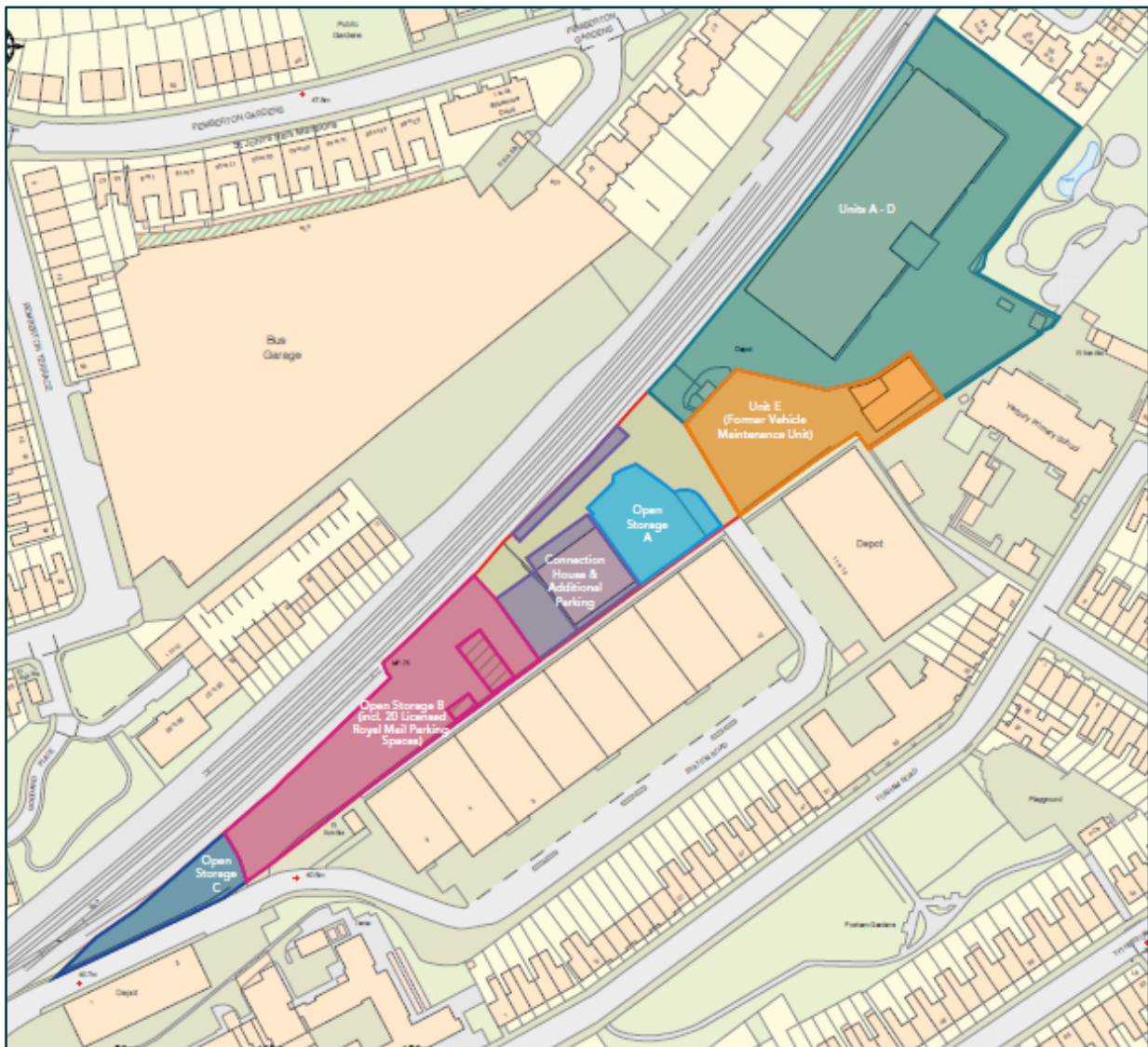


Fig 2 Marketing descriptions

Planning History

The planning history for the wider estate is extensive and in certain cases it is not immediately clear to which building each application relates. As such, for completeness, we have included the full planning history for the estate as available on the Council's planning explorer pages.

Where documentation was unavailable, we had requested this from the London Borough of Islington, and it has now been uploaded onto the Council's website to provide a more complete picture. The full planning history is included on a separate document at Appendix 1 and should be cross referenced with this report.

For ease of recognition and cross referencing with the accompanying planning history document at Appendix 1, the general arrangement of units across the wider site is identified as follows:



Fig 3 Unit Location Plan

Whilst the majority of the planning history relates to identified units within the southern terrace (units 1-10) and the Royal Mail building (units 11-13) and have no relevance to units A-D, there are a number of historical applications that either relate to or reference units A-D.

Application number 5 (Planning Ref: 831626) was approved in April 1984 and does not specify a particular site address but achieved approval for the erection of an industrial building to house relocated BT staff from Cornwallis Road. Whilst plans available for this application suggest that the consent relates to the approval of units 3-10, it is apparent from additional plans available for application number 9 approved in March 1985 (Planning Ref: 850507) that the 1984 consent related to units A-D.

Condition 3, imposed on the original 1984 consent (Planning Ref: 831626), confirmed that the building shall be used for light industrial (Class 3) or general industrial (Class 4) purposes only and not for warehousing (Class 10), without additional planning consent. This demonstrates that at the time of consent, use was restricted to Classes 3 and 4 of the 1972 Use Classes Order.

Application 10 was approved in August 1985 (Planning Ref: 851277) and comprised of a B8 storage use to the rear of units 3-10, comprising BT vehicle storage/parking and cable storage as an overflow from units 3-10. Whilst outside of the application premises which lies to the east, this was subsequently implemented and established a B8 use on land to the rear of units 3-10.

Application 14 (Planning Ref: 970001) was approved in January 1997 and it permitted the change of use of units 9 and 10 to B8 Storage and Distribution use. Further storage was consented at units 11-13, through application 18 in March 2000 (Planning Ref: 991972). Again, whilst not including the application site, it further demonstrates the prevalence of B8 uses within the estate.

Application 31 (Planning Ref: P101443) proposed an enlarged external storage area and the erection of an indoor tennis court, located adjoining Connection House to the east. Whilst not relating to the application site, multiple references are made in the Design and Access Statement to the B8 warehousing nature of the wider site and the underused nature of the surrounding B8 units. The application was ultimately refused in October 2010, citing the loss of floorspace with potential for B8 use, again demonstrating the prevalence, suitability and protection of B8 floorspace within the estate.

This refusal was followed by application 33 (Planning Ref: P110995), again seeking an alteration to the B8 provision in this area and the erection of a tennis court. In justifying the minor loss of B8 space on the tennis court site, the applicant importantly confirmed that the major warehousing building on the site is units A to D, but that these are not being used to capacity.

Whilst the more recent planning applications do not relate to the application building itself, the references within consistently identify that units A-D have been in B8 use.

History of Units A-D (1992 – 2019)

The application building comprising units A-D has been in use for Storage and Distribution (Class B8) since at least 1992. A Statutory Declaration by Mr Damian Mark Molony is provided under Appendix 2 of this document and refers to the use of the building by British Telecommunications Property ("BT") from 1992 to 2002. Telereal Trillium acquired the majority of BT's property estate in 2002 and this included units A-D at the application site. Mr Molony's employment was transferred to Telereal Trillium at that time and he has remained responsible for the site from 2002 to date.

During the period from 1992 to 2013, during which the building was controlled by BT and then by Telereal Trillium, the building was fully operational as a warehousing/storage depot with ancillary offices (Class B8). The accommodation was primarily used as stores for field engineers with ancillary office areas. Photographs of the interior of the building from February 2006 are provided in Mr Molony's Statutory Declaration under Appendix 2 of this document.

In December 2013, Telereal Trillium vacated the site and a new 10-year lease was granted to Royal Mail in January 2014 for a Parcel Force distribution warehouse. An extract from the leasehold agreement is provided under Appendix 3 of this document. A full copy of the leasehold agreement can be provided upon request.

Royal Mail terminated the lease in the Spring of 2017. Since then, the application site has been marketed by Strettons and JLL as an industrial warehouse following the Royal Mail lease termination. A copy of the marketing brochure is provided under Appendix 4 of this document.

The building has been occupied as a whole and treated as a single planning unit and unit of occupation. The building is currently undergoing refurbishments, and although the units are not currently occupied, it is important to note that the established lawful use remains as Class B8. On this particular point, the case of *Panton and Farmer v Secretary of State for the Environment, Transport and the regions and Vale of White Horse DC* [1999] remains pertinent.

In this regard, the Class B8 use of the building was acquired as a result of continuous and uninterrupted occupation of the building for Storage and Distribution use for a period exceeding ten years. The whole of the building is undergoing refurbishment for reoccupation for that use. This use has not been lost by abandonment, replacement by a different use, or extinguishment following the formation of a new planning unit.

It should also be noted that Commercial Rates continue to apply to the full building, as detailed by the Valuation Office Agency (VOA). The description of the Commercial Rates is 'Warehouse and premises' (Islington Council Ref: N00000236322256) and comprises a base rate of £80 per m²/unit from April 2010 and £99 per m²/unit from April 2017. The relevant extracts from the Commercial Rates information provided by the VOA is included under Appendix 5 of this document.

Summary and Conclusion

In summary, we consider that the existing lawful use of the building comprising units A-D is Class B8 (Storage and Distribution). The Applicant's evidence demonstrates that the building was operated from 1992 to 2013 by BT and then by Telereal Trillium as a warehousing/storage depot with ancillary offices. In December 2013, Telereal Trillium vacated the site and a new 10-year lease was granted to Royal Mail in January 2014 for a Parcel Force distribution warehouse. The lease with Royal Mail was terminated in the Spring of 2017 and the building has since been marketed as an industrial warehouse.

We include the evidence to demonstrate the lawful use within the appendices, which include:

- Appendix 1: Planning History Pertaining to the Bush Industrial Estate;
- Appendix 2: Statutory Declaration of Mr Damian Mark Molony;
- Appendix 3: Extract from the Leasehold Agreement with Royal Mail;
- Appendix 4: Copy of Marketing Brochure from Strettons;
- Appendix 5: Extract of Commercial Rates from Valuation Office Agency.

We consider that the evidence presented by the Applicant demonstrates that on the balance of probability, the existing building comprising units A-D, has an established B8 use for Storage and Distribution. This use has not been lost by abandonment, replacement by a different use, or extinguishment following the formation of a new planning unit.

We look forward to receiving confirmation of the registration of this application and should you require clarification with regard to any of the points set out, please do not hesitate to contact us.

Yours faithfully



Jonathan Rowlatt
Director

Enc.

Appendix 1

Planning History Pertaining to the Bush Industrial Estate

Bush Industrial Estate

Planning History

No	Ref	Address	Proposal	Decision	Date
1	820784	Unit 4 Bush Industrial Estate Station Road N19	One non-illuminated panel sign 3.8m x 1.2 lower edge positioned 3.8m above ground level.	Approved	03-09-82
2	821726	Units 3 7 8 9 & 10 Bush Industrial Estate, Station Road N19	Creation of additional office floorspace at first floor level: alterations to elevations; removal of two vehicle access doors and construction of LPG store.	Approved	01-03-83
3	831248	Units 1 & 2 Bush Industrial Estate Station Road N7	Change of use from industry to Telecommunications Service Centre.	Approved	02-08-83
4	831429	Unit 1 Bush Industrial Estate Station Road N7	Change of use to builders suppliers.	Approved	01-09-83
5	831626	Bush Industrial Estate Station Road N 19	Erection of an industrial building to house British Telecom Regional Power Workshops and ancillary buildings for storage diesel repair and engine testing with associated vehicle parking. (as amended by letter dated 25th April 1984)	Approved	25-04-1984
6	841399	Unit 3 Bush Industrial Estate Station Road N19	Erection of additional internal office space on first floor and minor alterations to west elevation.	Approved	31-08-1984
7	850281	Unit 9 Bush Industrial Estate Station Road N19	Erection of 2 portacabins on the forecourt for the purposes of staff training. Applicants plan nos. BTL/NC 58217 10.022 and SP0005 plus catalogue details.	Approved	15-02-1985
8	850343	Units 1 & 2 Bush Industrial Estate Station Road N19	Provision of a first floor mezzanine floor for ancillary staff facilities and installation of new windows to ground and mezzanine floors the erection of a paint store to the rear and the erection of a 3m. high palisade fence and gates.	Approved	25-02-1985
9	850507	Bush Industrial Estate Station Road N 19	Approval of details of facing materials pursuant to Condition 6 of the planning permission dated 17th May 1984 for erection of British Telecom	Approved	25-03-1985

			Regional Power Workshops. 1) Main Building - L.B.C. Heather brickwork with natural mortar - colour-coated profiled metal cladding in BS 04C39 and BS 10B19; - Blue 'Syntha Pulvin' finish window frames. 2) Store and Diesel Repair Building - L.B.C. Heather brick as above with contrasting bands of L.B.C. 'Dapplelight' brick.		
10	851277	Land at rear of units 3-10 Bush Industrial Estate, Station Road N19	Formation of a vehicle park and cable compounds.	Approved	20-08-85
11	860091	Bush Industrial Estate Station Road N19	Approval of landscaping details pursuant to condition (04) of planning permission dated 11th December 1985 (application reference No. 85/1277).APPLICANT'S PLAN NOS: BTL/NC/58912AO 58832AO as amended & rec'd 6.3.86.	Approved	06-03-86
12	870522	Unit 4 Bush Estate Station Road N 19	Provision of new personnel door to front elevation.	Approved	30-03-87
13	871423	Units 3, 7 and 8 Bush Industrial Estate Station Road N19	The insertion of new windows to the ground floor. APPLICANTS PLAN NOS.: 2672/120A 121 122A 300C 301C 302 303A	Approved	03-09-87
14	970001	UNITS 9 & 10, BUSH INDUSTRIAL ESTATE, STATION ROAD, N7	Use for any purposes within Class B8 (storage and distribution) Applicants Plan Nos: 1 unnumbered location plan	Approved	06-01-97
15	970081	UNIT 4, BUSH INDUSTRIAL ESTATE, STATION ROAD, N19	Use of the premises for light industrial purposes within Class B1 of the Town and Country Planning (Use Classes) Order 1987. APPLICANT'S PLAN NOS.: Unnumbered location plan and site plan.	Approved	16-01-97
16	970896	UNIT 3, BUSH INDUSTRIAL ESTATE, STATION ROAD, N19	Formation of external facing brick enclosure for stand-by generator; security fence and free standing air-conditioning units.	Approved	14-05-97
17	972040	UNITS 7 & 8 AND CONNECTION HOUSE, BUSH INDUSTRIAL ESTATE, STATION ROAD, N19	Change of use of Connection House and Units 7 & 8 to electrical supply (SEEBOARD) offices.	Approved	04-11-97
18	991972	UNITS 11-13, BUSH INDUSTRIAL ESTATE, STATION ROAD, N19	Formation of a 24 hour floodlit cable drum storage facility enclosed by a 3 metre high security fence with 2 lighting masts and associated parking	Approved	20-03-00

19	P001272	CONNECTION HOUSE, BUSH INDUSTRIAL ESTATE, STATION ROAD, N19	Installation of additional windows on the south-west flank elevation. APPLICANTS' PLAN NOS.: 26829.CAP.GA01	Approved	19-06-00
20	P001883	BUSH INDUSTRIAL ESTATE, STATION ROAD, N19	The erection of a direction sign board in connection with Bush Industrial Estate APPLICANT'S PLAN NOS.: 1 x sign photo; 1 x sign detail; location plan; 4 x specification (all dated 30/08/00)	Approved	30-08-00
21	P001472	UNITS 11-13, BUSH INDUSTRIAL ESTATE, STATION ROAD, N19	Approval of floodlight details pursuant to condition 3 of planning permission reference: 99/1972, dated 23rd May 2000. APPLICANTS' PLAN NOS. Manufacturer's details; extract from 24-01-1/F Agent's letter (Citex) dated 28/9/00.	Approved	29-09-00
22	P001378	UNITS 11-13, BUSH INDUSTRIAL ESTATE, STATION ROAD, N19	Approval of noise control detail pursuant to condition 2 of planning consent ref: 99/1972. APPLICANTS' PLAN NOS.: 24-01-1/F Agent's letter (Citex) dated 28/9/00.	Approved	29-09-00
23	P011183	UNIT 1, BUSH INDUSTRIAL ESTATE, STATION ROAD, N19	Change of use of premises to storage and hire of lifting and handling equipment associated minor alterations.	Approved	11-06-01
24	P022769	UNITS 11-13 BUSH INDUSTRIAL ESTATE, STATION ROAD, N19	Certificate of Lawfulness in connection with existing use as motor transport workshop (Class B2). APPLICANTS' PLAN NOS.: Support Statement dated 14th November 2002.	Approved	14-11-02
25	P041157	Unit 1, Bush Industrial Estate, Station Road, Islington, London, N19 5UN	Use for any purpose within classes B1 (Business) or B8 (Storage or distribution).	Approved	02-06-04
26	P041315	Units 5 & 6, Bush Industrial Estate, Station Road, Islington, London, N19 5UN	Change of use from storage and distribution (B8 use) to construction skills training centre (D1 use).	Approved	04-06-04
27	P072824	Bush Industrial Estate, Station Road, Islington, London, N19 5UN	Erection of a detached double garage, replacement of existing condenser units with new external alterations to the building fabric to include new entrance door, goods door, ventilation grilles, and a new external canopy.	Approved	23-11-07
28	P080388	Units 11-13, Bush Industrial Estate, Station Road, Islington, London, N19 5UN	New ramp to main entrance of building and alterations to the front elevation including creation of a new door.	Approved	15-02-08

29	P072824(C3)	Bush Industrial Estate, Station Road, Islington, London, N19 5UN	Approval of Details pursuant to Condition 3 (Cycle Storage) of planning consent ref: P072824	Approved	22-02-08
30	P072824(MA01)	Bush Industrial Estate, Station Road, Islington, London, N19 5UN	Minor amendment to alter the approved hipped roof form to gable ends (with no increase in overall height).	Approved	21-04-08
31	P101443	Bush Industrial Estate, Station Road, Islington, London, N19 5UN	Enlargement of site currently used for external storage and erection of indoor tennis court with area to side for external storage.	Refusal	01-10-10
32	P110878	Units 11 & 12 Bush Industrial Estate, Station Road, Islington, London, N19 5UN	Various alterations to the existing facades of the building including the installation of new windows, ventilation louvres, ductwork and replacement doors. Extension of the existing single storey enclosure within the curtilage of the larger building to provide a refuse store and area to house plant.	Approved	14-04-11
33	P110995	British Telecom, Bush Industrial Estate, Station Road, London, N19 5UW	Erection of single storey building, together with change of use from warehouse and storage use (Class B8) and footway to part warehouse and storage (Class B8) part private tennis court (Class D1).	Refusal	29-04-11
34	P120247	Unit 11, 12 & 13 Bush Industrial Estate, Station Road, Islington, London, N19 5UW	Change of use from Class B2 (General Industry) to Class B1(c) (Light Industry) and/or Class B2 (General Industry) and/or Class B8 (Storage and Distribution), erection of security fencing, revised parking arrangement and demolition of outbuildings.	Approved	02-02-12
35	P120247(MA01)	Unit 11, 12 & 13 Bush Industrial Estate, Station Road, Islington, London, N19 5UW	Non material amendment of planning permission ref. P120247 dated 13 July 2012 for the change of use from Class B2 (General Industry) to Class B1(c) (Light Industry) and/or Class B2 (General Industry) and/or Class B8 (Storage and Distribution), erection of security fencing, revised parking arrangement and demolition of outbuildings. The amendments are: A] To amend wording of condition 5 to include reference to 'Royal Mail Group Limited and any associated companies and any successors to the business of Royal Mail Group Limited'.	Approved	20-07-12
36	P121652	Unit 11 12 and 13, Bush Industrial Estate, Station Road, Islington, London, N19 5UW	Display of fascia sign to front elevation of main building plus seven freestanding signs to forecourt of premises.	Approved	24-07-12
37	P121653	Unit 11 12 and 13, Bush Industrial Estate, Station Road, Islington, London, N19 5UW	Alterations to existing building and yard, including to windows and doors, installation of cycle shelter, refuse store and smoking shelter, revisions to existing lighting and parking layout and other associated alterations.	Approved	10-08-12

38	P2013/1792/FUL	Unit 11-13 Bush Industrial Estate, Station Road, London N19 5UW	Installation of external lighting.	Approved	17-06-13
39	P2016/1510/FUL	Unit 4 Bush Industrial Estate Station Road LONDON N19 5UN	Change of use of the existing premises to allow for flexible uses within Classes B1(b), B1(c), B2 and B8.	Approved	06-05-16
40	P2016/5026/AO D	Unit 4 Bush Industrial Estate Station Road Islington LONDON N19 5UN	Approval of Details of Condition 4 (delivery and servicing) in pursuant to P2016/1510/FUL.	Approved	09-01-17
41	P2018/0394/FUL	Unit 3, Bush Industrial Estate, Station Road, London, N19 5UN	Erection of solar shading louvers above the external air-conditioning condenser compound to the west side of the building.	Approved	09-02-18
42	P2018/2082/FUL	Unit 11 12 And 13 Bush Industrial Estate Station Road Islington London N19 5UN	Creation of new vehicular access and associated security gate and installation of two-storey, eight bay mechanical car parking system	Approved	02-08-18

Appendix 2

Statutory Declaration of Mr Damian Mark Molony

Statutory Declaration of Damian Mark Molony

I Damian Mark Molony of 140 London Wall London EC2Y 5DN (this is my present office address) do solemnly and sincerely declare as follows;

1. I am able to make this declaration from my own knowledge and declare that the information provided is complete and accurate.
2. I am a Chartered Surveyor (RICS) of 30 years standing with experience in a wide range of property and town planning related matters and am employed by Telereal Trillium as an Asset Manager, a position I have held since 2002.
3. I make this declaration for the purposes of confirming the existing use of land and premises comprising Units A, B, C and D, Bush Industrial Estate, Station Road, London, N19 5UN ("Site") and in support of an application for a certificate of existing lawful use in respect of the Site. There is now produced and shown to me and marked ["DM1"] a plan showing the extent of the Site edged green.
4. The Site comprises four interlinked warehouse units with ancillary offices.
5. I was previously employed by British Telecommunications Property ("BT") in various London offices from 1991 – 2002 as a chartered surveyor with responsibilities for rationalising surplus property in the London area, including the Site which I first became familiar with in 1992.
6. Telereal Trillium acquired the majority of BT's property estate, including the Site, in 2002 and my employment was transferred to Telereal Trillium at that time. I have continued to be responsible for the Site from 2002 to date.
7. In the period between 1992 and 2002 I had direct responsibility for the rationalisation and consolidation of BT's operations at the Site and was involved in relocating operations from the adjoining leasehold units that BT occupied on the adjoining Bush Industrial Estate. When I first became responsible for the Site in 1992 it was already fully operational as a warehousing/storage depot.
8. I confirm that, since at least 1992, the whole of the Site was in use as a warehousing/storage (Class B8) depot with ancillary offices and as far as I am aware, this use has been continuous throughout. The Site was primarily used for stores for field engineers with ancillary office areas. There is now produced and shown to me and marked [DM2] a series of photographs which are typical of the uses which were
9. The yard areas associated with the warehouse store buildings were used for the parking of BT service vehicles and external storage of equipment until BT vacated and the buildings were leased to Royal Mail.

In December 2013 BT vacated the site and a new 10 year lease was granted to Royal Mail in January 2014 for a Parcel Force distribution warehouse. Royal Mail terminated the lease in 2017 after which time the Site was marketed as an industrial warehouse and is currently undergoing refurbishments.

10. I dispose of the above information from my own knowledge of the use of these buildings and the site generally.

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835

Declared by the said Damian Molony

At HGF Law LLP

This 12 day of February 2019

Before me

Signature

Name MAHERUNESA KHANDAKER

Address HGF LAW LLP, 140 LONDON WALL, EC24 5DN

A ~~[commissioner for oaths (or)]~~ solicitor empowered to administer oaths]

This is the exhibit marked ["DM1"] referred to in the Statutory Declaration of Damian Molony

Sworn this.....12.....day of.....February.....2019.

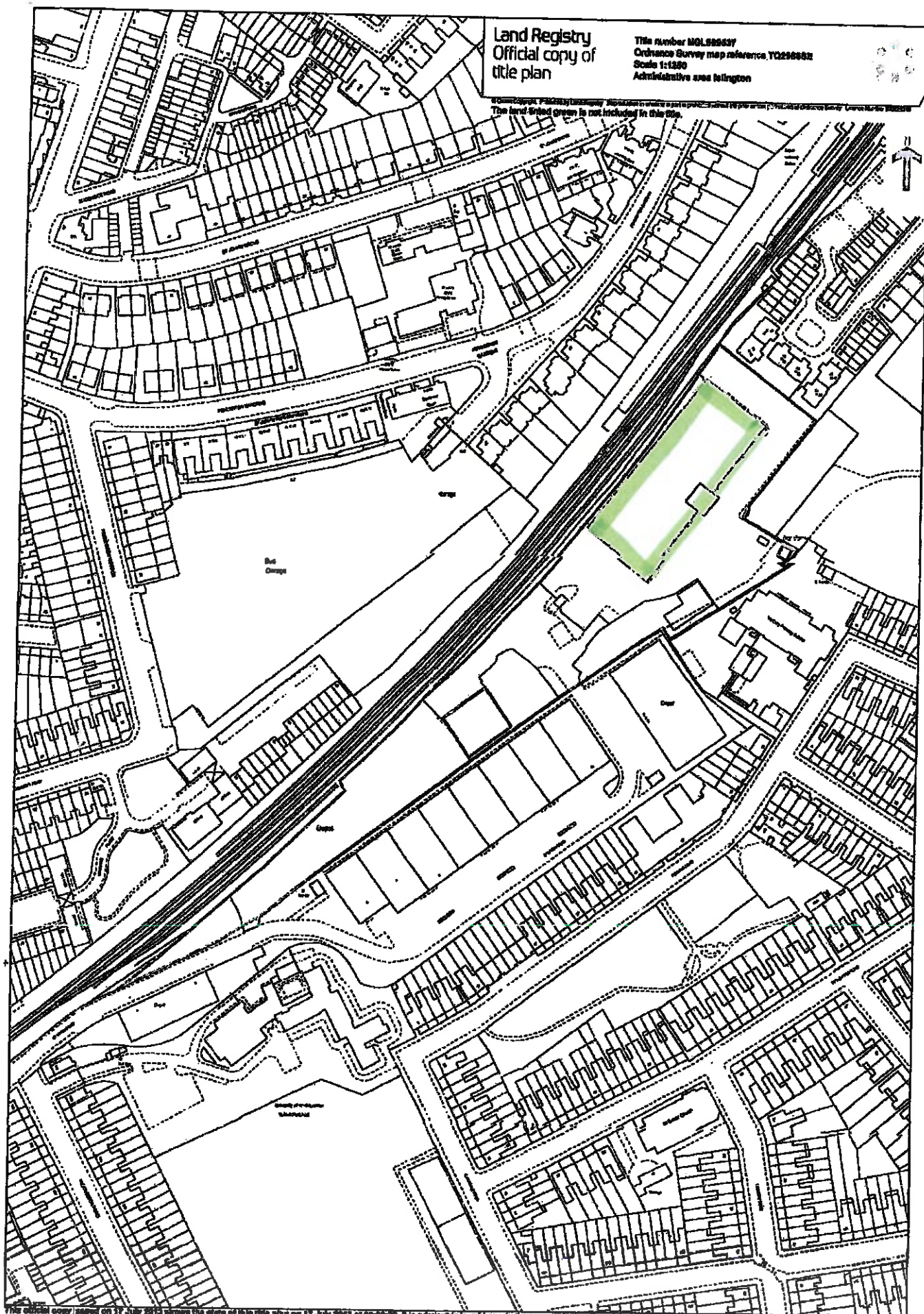
Declared before me..[REDACTED].....MAHERUNESA KHANDAKER

A [~~commissioner for oaths (or)~~ solicitor empowered to administer oaths]

Land Registry
Official copy of
title plan

Title number MGL586597
Ordnance Survey map reference YQ290652
Scale 1:1250
Administrative area Islington

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This official copy issued on 17 July 2013 shows the state of this title plan as of 17 July 2012 at 00:00:00. It is advisable to refer to the same extent as the original (L67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries. This title is dealt with by Land Registry, Wales Office.

This is the exhibit marked ["DM2"] referred to in the Statutory Declaration of Damian Molony

Sworn this.....12.....day of.....February.....2019.

Declared before me...[REDACTED].....MAHERUNESA KHANDAKER.....

A [~~commissioner for oaths (or)~~ solicitor empowered to administer oaths]







Appendix 3

Extract from the Leasehold Agreement with Royal Mail



EVERSHEDS

Dated

27 JANUARY

2014

- (1) AUTUMNWINDOW LIMITED
- (2) ROYAL MAIL GROUP LIMITED

CERTIFIED TO BE A TRUE AND
COMPLETE COPY OF THE ORIGINAL

DATE 26/02/14
CMS Cameron McKenna LLP
2 Colledge Square
Anchor Road
Bristol, BS1 5UE



SEQ51



COPY

Lease

relating to premises known as Tufnell Park, Station Road, Upper Holloway,
Islington

Eversheds LLP
1 Callaghan Square
Cardiff
CF10 5BT

Tel 0845 497 9797
Fax 0845 498 7333
Int +44 29 2047 1147
DX 33016 Cardiff
www.eversheds.com

CONTENTS

Lease Particulars

Clause	Page
1 INTERPRETATION.....	1
1.1 Defined terms	1
1.2 Construction	5
1.3 Particulars	6
1.4 Contracts (Rights of Third Parties) Act 1999.....	6
1.5 Landlord and Tenant (Covenants) Act 1995	6
2 LETTING, TERM AND TERMINATION	6
2.1 Creation of the Term.....	6
2.2 Quiet enjoyment.....	6
2.3 Right of re-entry to end this Lease.....	7
2.4 Contracting out	7
2.5 Break right.....	7
2.6 Effect of the Lease coming to an end.....	8
3 RIGHTS AND RESERVATIONS	8
3.1 Rights granted	8
3.2 Rights reserved	9
3.3 Exercise of rights reserved.....	10
3.4 Title matters	11
3.5 Title indemnity.....	11
3.6 Third party rights	11
3.7 Exclusion of implied rights	11
3.8 Creation and loss of easements.....	11
3.9 Compliance with Landlord's requirements	12
3.10 Exclusion of liability	12
4 RENTS PAYABLE.....	12
4.1 Obligation to pay rent	12
4.2 Initial payment of rents.....	12
4.3 Direct payment of principal rent	12
4.4 Value Added Tax	12
4.5 Interest on late payment.....	12
5 RENT REVIEW.....	13
6 INSURANCE.....	14
6.1 Landlord to insure	14
6.2 Insured risks and level of cover	14
6.3 Policy exclusions and excesses	14
6.4 Provision of information.....	15
6.5 Insurance rent	15
6.6 Reinstatement.....	15
6.7 Means of reinstatement.....	15
6.8 Reinstatement of tenant's alterations.....	16

	6.9	Termination following damage to or destruction of the Premises.....	16
	6.10	Ownership of insurance proceeds if reinstatement impossible.....	16
	6.11	Suspension of rent.....	17
	6.12	Tenant's insurance obligations.....	17
	6.13	Uninsured risks.....	17
	6.14	References to 'fit for occupation and use'.....	19
7		COSTS AND OUTGOINGS	19
	7.1	Payment of outgoings.....	19
	7.2	Landlord's costs.....	19
	7.3	Tenant's indemnity.....	20
8		REPAIRS, MAINTENANCE AND ALTERATIONS	20
	8.1	Upkeep of the Premises.....	20
	8.2	Compliance with notices to repair.....	21
	8.3	Landlord's right to enter and repair.....	21
	8.4	Defective Premises Act 1972.....	21
	8.5	Restriction on alterations.....	21
	8.6	Standard of works.....	22
	8.7	Colour schemes on redecoration.....	22
	8.8	Removal of unauthorised alterations.....	22
	8.9	Reinstatement of alterations.....	22
9		USE OF THE PREMISES	22
	9.1	Authorised use.....	22
	9.2	Prohibited uses.....	22
	9.3	Restrictions on use.....	23
	9.4	Lawful use.....	23
10		ALIENATION	24
	10.1	Restrictions on alienation.....	24
	10.2	Right to share occupation.....	24
	10.3	Right to grant licences.....	24
	10.4	Right to underlet.....	24
	10.5	Direct covenants on underletting.....	24
	10.6	Terms of an underlease.....	24
	10.7	Additional terms for underlettings of part.....	25
	10.8	Contracting out the underlease.....	25
	10.9	Restrictions on further underleases.....	25
	10.10	Restriction on occupation.....	25
	10.11	Obligations in relation to underleases.....	25
	10.12	Charging.....	26
	10.13	Notification of dispositions.....	26
	10.14	Notification of rights of occupation.....	26
11		LEGISLATION AND PLANNING	27
	11.1	Compliance with legislation.....	27
	11.2	Fire precautions.....	27
	11.3	Notices.....	27
	11.4	Planning applications.....	27
	11.5	Completion of works.....	28

	11.6	Planning agreements	28
12		ENVIRONMENTAL LAW	28
	12.1	Compliance with environmental law	28
	12.2	Compliance with notices	29
	12.3	Prevention of contamination	29
	12.4	Environmental surveys	29
	12.5	Obtaining an EPC for the Premises	29
	12.6	Production of EPCs	30
	12.7	Duty to co-operate	30
13		END OF THE TERM	30
	13.1	Return of the Premises	30
	13.2	Tenant's goods left in the Premises	30
	13.3	Exclusion of right to compensation	30
14		SUPERIOR LEASE AND ADJOINING LEASE	30
	14.1	Landlord's obligations	30
	14.2	Tenant's obligations	31
	14.3	Consents	32
	14.4	Superior Landlord	32
	14.5	Rights and reservations	32
	14.6	Tenant's Covenants	32
15		WAYLEAVE AND OTHER UTILITY AGREEMENTS	33
16		DETERMINATION OF DISPUTES	33
	16.1	Appointment of Independent person	33
	16.2	Provisions applying to experts	33
	16.3	Provisions applying to arbitrators	34
	16.4	Responsibility for costs	34
	16.5	Date of the determination or award	34
17		ENFORCEMENT	34
	17.1	Applicable law	34
	17.2	Service of notices	34
	17.3	Jurisdiction	34
18		INDEMNITY	34
19		EXECUTION	35

PARTICULARS

PART 1: LAND REGISTRY PARTICULARS

LR1.	Date of lease	27 JANUARY 2018
LR2.	Title number(s)	
LR2.1	Landlord's title number(s)	NGL869536
LR2.2	Other title numbers	NGL871922
LR3.	Parties to this lease	
	Landlord	Autumnwindow Limited (a trust corporation) (registered number 04109614) whose registered office is at 81 Newgate Street London EC1A 7AJ.
	Tenant	Royal Mail Group Limited (registered number 04138203) whose registered office is at 100 Victoria Embankment London EC4Y 0HQ.
LR4	Property	<p>In the case of a conflict between this clause and the remainder of this lease then, for the purposes of registration, this clause shall prevail.</p> <p>The premises (referred to in this Lease as "the Premises") known as Tufnell Park, Station Road, Upper Holloway shown edged red on Plan 1 including:</p> <ul style="list-style-type: none">A. all buildings from time to time on the Premises;B. all alterations, improvements and additions made to the Premises;C. landlord's fixtures which are in on or upon the Premises; andD. conduits within the Premises vested in the Landlord
LR5.	Prescribed statements etc	
LR5.1	Statements prescribed under rules 179 (dispositions in favour of a charity), 180 (dispositions by a charity) or 196 (leases under the	Not applicable.

**Leasehold Reform, Housing
and Urban Development Act
1993) of the Land Registration
Rules 2003**

- LR5.2** This lease is made under, or by reference to, provisions of: Not applicable.
- LR6.** Term for which the Property is leased From and including the date of this Lease (referred to in this Lease as "the Term Commencement Date")
To and including 26 JANUARY 2024
(being the date 10 years from the Term Commencement Date)
(This term is referred to in this Lease as "the Contractual Term")
- LR7.** Premium None
- LR8.** Prohibitions or restrictions on disposing of this lease This Lease contains a provision that prohibits or restricts dispositions.
- LR9.** Rights of acquisition etc
- LR9.1** Tenant's contractual rights to renew this lease, to acquire the reversion or another lease of the Property, or to acquire an interest in other land None
- LR9.2** Tenant's covenant to (or offer to) surrender this lease None
- LR9.3** Landlord's contractual rights to acquire this lease None
- LR10.** Restrictive covenants given in this lease by the Landlord in respect of land other than the Property None
- LR11.** Easements
- LR11.1** Easements granted by this lease for the benefit of the Property The rights specified in clause 3.1.
- LR11.2** Easements granted or reserved by this lease over the Property for the benefit of other property The rights specified in clause 3.2.

- LR12. Estate rentcharge burdening the Property None.
- LR13. Application for standard form of restriction None
- LR14. Declaration of trust where there is more than one person comprising the Tenant Not applicable

PART 2: OTHER PARTICULARS

Authorised Use

- A. the use of the Premises within Class B1, B2 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987; and/or
- B. parking (whether as ancillary to the use of the buildings on the Premises or not); and/or
- C. any use which comprises the provision of postal services and services for or connected with the distribution or communication by whatever means of all descriptions of goods information or other things.

Break Dates

each of the following dates:

27 JANUARY 2017 (being the third anniversary of the Term Commencement Date)

27 JANUARY 2021 (being the seventh anniversary of the Term Commencement Date) and

27 JANUARY 2022 (being the eighth anniversary of the Term Commencement Date).

Principal Rent

[REDACTED]

Quarter Days

25 March, 24 June, 29 September and 25 December in each year

Rent Commencement Date

the Term Commencement Date.

Review Dates

each anniversary of the Term Commencement Date.

THIS LEASE is made on the date set out in clause LR1 of the Land Registry Particulars
BETWEEN

- (1) the Landlord; and
- (2) the Tenant.

OPERATIVE PROVISIONS

1. INTERPRETATION

1.1 Defined terms

In this Lease, the following words and expressions have the following meanings:

"Agreement for Underlease" an agreement for the grant of this underlease dated the 12 December 2013 and made between Autumnwindow Limited (1) and Royal Mail Group Limited (2)

"Adjoining Lease" the lease dated 12 January 2009 made between (1) Autumnwindow Limited and (2) British Telecommunications plc of Connection House as registered at the Land Registry under title number EGL550517

"Base Index Value" the Index Figure published for the calendar month preceding the Term Commencement Date

"Connection House" means the property of the Landlord adjoining the Premises known as Connection House and shown edged red on Plan 2

"Contracted-out Tenancy" a tenancy;

- (a) that contains an agreement between the landlord and the tenant excluding the operation of sections 24 to 28 Landlord and Tenant Act 1954 in relation to it; and
- (b) in respect of which the landlord and the tenant have taken all steps required under Part II of the Landlord and Tenant Act 1954 and The Regulatory Reform (Business Tenancies) (England and Wales) Order 2003 before the grant of the tenancy or, if earlier, the exchange of any contract to grant the tenancy, to ensure that the agreement referred to in paragraph (a) is not void

"Environmental Law" all statutes, regulations and subordinate legislation, European laws, treaties and common law which at any time relate to the

Appendix 4

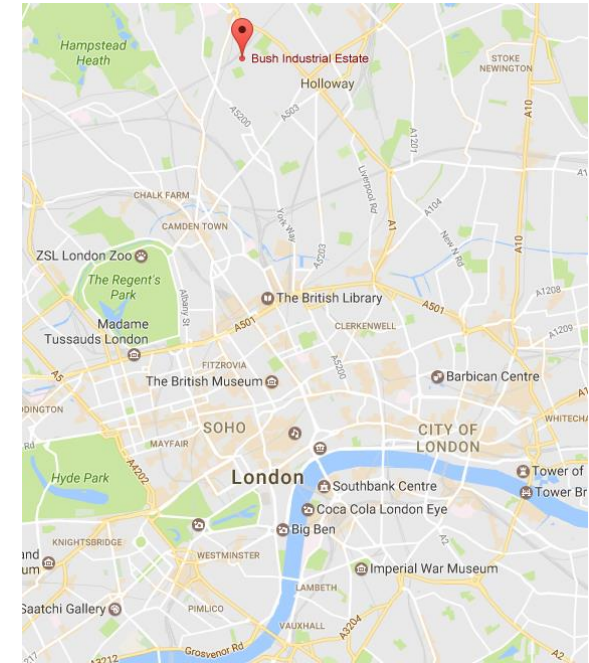
Copy of Marketing Brochure from Strettons

TO LET- PRELIMINARY DETAILS

INDUSTRIAL WAREHOUSE

BUSH INDUSTRIAL ESTATE, STATION ROAD, TUFNELL PARK, LONDON, N19 5UN

4,318 ft² (401 m²), 12,500 ft² - 49,000 ft² (1,161 m² - 4,552 m²) on 2.89 acres



BUSH INDUSTRIAL PARK, STATION ROAD, TUFNELL PARK LONDON, N19 5UN



A unique opportunity for industrial and warehouse accommodation close to Central London. Located in the London Borough of Islington, Bush Industrial Estate is on Station Road, immediately off the A400 Junction road approximately 2.4 miles from Kings Cross.

Description:

The property provides a combination of industrial units and open storage space. The buildings were constructed at various times during the 1970s through to late 1999 and one due to be refurbished.

Amenities:

- Loading yards
- Steel cladding
- Loading doors
- Open storage
- Floodlighting
- Security
- CCTV

The estate has a unrivalled location close to Tufnell Park Tube Station and the A1 (approximately 0.6 miles/1km distant) which provides easy access to the surrounding areas of Camden, Kentish Town, Highgate the West End of London and the national road network.

Accommodation:

	ft ²	m ²	Site Area (acres)
Units A-D	12,500-48,866	1,161-4,552	2.32
Former Vehicle Maintenance Unit	4,318	401.1	0.57
Total	53,184	4,953.1	2.89

Floor areas have been provided to us by the Landlord and have not been physically verified. Incoming Tenants must satisfy themselves as to the accuracy of areas.

These particulars do not constitute an offer or a contract. Applicants should satisfy themselves as to the correctness of the details. Value added tax may be payable on rents, prices or premiums. Photographs are for illustration only and may depict items which are not included in the sale of the property.

Lease

A new lease is available, direct from the landlord, on a term to be agreed.

Rent

To be confirmed

Service Charge

Budget 2017/2018: To be confirmed.

Business Rates

London Borough of Islington.

Interested parties are advised to make their own inquiries with the Local Authority.

EPC

Band - TBC

Legal Costs

The incoming Tenant is to be responsible for both parties legal costs incurred in the transaction.

Viewing

Strictly by appointment with sole agents

Strettons
Central House
189-203 Hoe Street
London, E17 3SZ
Tel: 020 8520 1918
Fax: 020 8520 8022
strettons.co.uk

Paul Quy

Paul.quy@strettons.co.uk

020 8509 4426

Neal Matthews

neal.matthews@strettons.co.uk

020 8509 4401

Appendix 5

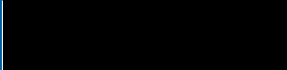
Extract of Commercial Rates from Valuation Office Agency

Other valuation

Units A-d & Adj Prems Bush Industrial Estate, Station Road, London, N19 5RZ

Description	Warehouse and premises	Valuation scheme reference	445462
Local authority	Islington	Special category code	096G
Local authority reference	N00000236322256	Effective date	1 April 2017
Base rate			
Transitional Relief certificate issued	No ?		

The rateable value is rounded down to



This is not the amount you will pay. The rateable value is used to calculate your rates bill.

This is the summary valuation.

If you're the owner or occupier, you can register or sign in and claim this property to:

- view the detailed valuation
- confirm your property details or tell us that something is incorrect (check)
- tell us that you disagree with the valuation (challenge)

Register

Already registered? [Sign in](#)

Parts of the property

Floor	Description	Area m ² /unit	Price per m ² /unit	Value
Ground	Office	91.72		
Ground	Warehouse	482.97		
Ground	Office	119.4		
Ground	Warehouse	508.43		
Mezzanine	Warehouse	49.73		
Mezzanine	Store	174.11		
Ground	Mess / staff Room	21.51		
Ground	Office	20.69		
Ground	Warehouse	545.82		
Ground	Loading Bay	78.1		
Ground	Office	104.9		
Ground	Internal Storage	60.24		
Ground	Plant Room	88.8		
Ground	Warehouse	534.01		
Ground	Office	31.06		
Ground	Staff Toilets	2.4		
Ground	Kitchen	12.97		
Ground	Reception / Entrance	11.28		
Ground	Office	232.08		
Ground	Canopy	93.5		

First	Office	184.24	
First	Office	11.2	
First	Office	30.58	
Mezzanine	Plant Room	203.32	
Mezzanine	Office	88.92	
First	Office	130.85	
Mezzanine	Office	148.28	
First	Office	93.57	
First	Store	5.6	
First	Kitchen	223.37	
First	Office	15.54	
Mezzanine	Store	51.08	
Ground	Gatehouse	15	
Ground	Portable Building	12.5	
Ground	Workshop	140	
Ground	Office	130	
		4,747.77	

Units A-d & Adj Prems Bush Industrial Estate, Station Road, London, N19 5RZ

Description	Warehouse and premises	Valuation scheme reference	122999
Local authority	Islington	Special category code	096G
Local authority reference	N00000236322256	Effective date	1 April 2010
Base rate		List alteration date	6 March 2012
Transitional Relief certificate issued	No ?	Appeals	1

The rateable value is rounded down to



This is not the amount you will pay. The rateable value is used to calculate your rates bill.

The 2010 rating list is now closed and appeals can only be made in limited circumstances.

An appeal can be made:

- no later than 30 September 2017 when citing a decision of a Valuation Tribunal, or higher court or
- within 6 months of a Valuation Office Agency (VOA) 'notice of alteration'

[Propose changes to this valuation](#)

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