

DATED

10 April

2017

**MICHAEL DERMOT O'BRIEN, PARAIC DUFFY AND BRENDAN JAMES BRIEN
AS TRUSTEES (AND NOT OTHERWISE) OF THE
GAELIC ATHLETIC ASSOCIATION LONDON COUNTY BOARD**

and

THE LONDON BOROUGH OF HILLINGDON

**DEED OF VARIATION PURSUANT TO
SECTION 106A OF THE TOWN AND COUNTRY PLANNING ACT 1990
RELATING TO THE DEVELOPMENT OF LAND AT**

**GAELIC ATHLETIC ASSOCIATION, SPORTS GROUND
WEST END ROAD
RUISLIP
HA4 6QX**

PLANNING AND CORPORATE TEAM

London Borough of Hillingdon
Civic Centre
High Street
Uxbridge
Middlesex
Ref: 3E04/JM/00987

THIS DEED OF VARIATION is dated

10 April

2017

BETWEEN:

- (1) **THE LONDON BOROUGH OF HILLINGDON** of the Civic Centre, High Street, Uxbridge, Middlesex, UB8 1UW ("**the Council**")
- (2) **MICHAEL DERMOT O'BRIEN, PARAIC DUFFY AND BRENDAN JAMES BRIEN** all of Gaelic Club, West End Road, Ruislip, HA4 6QX ("**the Owner**")

BACKGROUND

- A The Council is the local planning authority for the purposes of the Act in respect of the Land.
- B The Owner is has the freehold interest in the Land registered under Title No. AGL27226 at Land Registry.
- C The Original Planning Permission was duly granted by the Council on 11 March 2016 under reference 24373/APP/2014/1946 subject to the completion of the Section 106 Agreement.
- D On 18 April 2016 the Owner submitted the Section 73 Application to the Council to amend the Original Permission and on 14 July 2016 the Council resolved at its Major Applications Planning Committee that delegated powers be given to the Council's Head of Planning and Enforcement to grant the Section 73 Permission subject to the completion of this Deed.
- E The Owner intends to develop the Land pursuant to the Section 73 Permission.
- F The parties have agreed to apply the terms of the Section 106 Agreement to the Revised Development to be carried out on the Land pursuant to the Section 73 Permission. This Deed is made under sections 106 and 106A of the 1990 Act and is supplemental to the Section 106 Agreement.

IT IS AGREED AS FOLLOWS:-

1. INTERPRETATION AND DEFINITIONS.

1.1. In this Deed, unless the context otherwise requires:

"this Deed" means this Deed of Variation;

"the Original Planning Permission" means the planning permission granted by the Council for the Land on [] under the Council's reference number 24373/APP/2014/1946;

"Revised Development" means the development authorised by the Section 73 Permission;

"the Section 106 Agreement" means the legal agreement dated 10 March 2015 made under Section 106 of the Act between (1) the Council and (2) Michael Dermot O'Brien, Paraic Duffy and Brendan Brien of the Gaelic Athletic Association London h
County Court Board ;
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"the Section 73 Application " means the variation of condition 2 of planning permission ref. 24373/APP/2014/1946 dated 13/03/2015 (redevelopment of the GAA Sports Grounds), to allow a reduction in the overall length of the main stand from 136.8m to 101.4m; a reduction in the overall covered area from 54.6m to 39m; removal of proposed terrace on the north boundary; construction of 2 step viewing area to replace the north terrace; construction of 2 step viewing area to east and west of the main stand; and

"the Section 73 Permission" means the planning permission to be granted pursuant to the Section 73 Application in the form set out in Schedule 1 of this Deed

- 1.2 This Deed varies and is supplemental to the Section 106 Agreement.
- 1.3 In this Deed unless the context otherwise requires:
- 1.3.1. References to clauses paragraphs and schedules are references to those in the Section 106 Agreement; and
- 1.3.2. Words and phrases whose meanings are not varied by this Deed have the same meanings as in the Section 106 Agreement.
- 1.4 This Deed is made pursuant to sections 106 and 106A of the Act and to the statutory provisions and in consideration of the covenants contained herein and for the avoidance of doubt it is agreed and declared that the said covenants are ones to which section 111 of the Local Government Act 1972, section 16 of the Greater London Council (General Powers) Act 1974, section 106 of the Act, Section 1 of the Localism Act 2011 and all other powers so enabling apply.
- 1.5 This Deed contains planning obligations which are enforceable by the Council and which bind each and every part of the Land.
- 1.6 The Parties agree that except as varied by this Deed, and to the extent the obligations in the Section 106 Agreement have not already been satisfied, any remaining and/or on-going obligations in the Section 106 Agreement shall remain in full force and effect and shall be binding upon the parties and their respective successors in title and assignees.
- 1.7 Nothing in this Deed affects the validity or effect of the Section 106 Agreement or the Council's powers in respect of any subsisting or antecedent breach or omission in relation to the Section 106 Agreement.

2. VARIATION OF THE SECTION 106 AGREEMENT

- 2.1 The Parties agree that upon the completion of this Deed the following definitions contained within the Section 106 Agreement shall be deleted in their entirety and shall be replaced as follows:

Definition to be amended

"Development" means the development authorised by the Planning Permission;

"the Planning Application" means the application for planning permission under the Council's reference number 35293/APP/2009/1938;

"Planning Permission" means the planning permission to be granted pursuant to the Planning Application in the substantial form set out in Schedule 1 to this Agreement

New definition to be inserted

"Revised Development" means the development authorised by the Section 73 Permission;

"the Section 73 Application" means the variation of condition 2 of planning permission ref. 24373/APP/2014/1946 dated 13/03/2015 (redevelopment of the GAA Sports Grounds), to allow a reduction in the overall length of the main stand from 136.8m to 101.4m; a reduction in the overall covered area from 54.6m to 39m; removal of proposed terrace on the north boundary; construction of 2 step viewing area to replace the north terrace; construction of 2 step viewing area to east and west of the main stand;

"the Section 73 Permission" means the planning permission to be granted pursuant to the Section 73 Application in the form set out in Schedule 1 to this Agreement

2.2 In all other respects the Section 106 Agreement (as varied by this Deed) shall remain in full force and effect.

3. COSTS

3.1 On or before the completion of this Deed the Owner shall pay to the Council the Council's reasonable legal costs in this matter.

IN WITNESS of which this Agreement has been duly executed as a Deed and has been delivered once dated.

APPENDIX 1
DRAFT SECTION 73 PERMISSION

DRAFT

Mr A Doyle, Tobin
Floor 4 Ergon House
Dean Bradley Street
Westminster
London SW1P 2AL

Application Ref: 24373/APP/2016/1511

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **GRANTS** permission for the following:-

Description of development:

Variation of condition 2 of planning permission ref. 24373/APP/2014/1946 dated 13/03/2015 (redevelopment of the GAA Sports Grounds), to allow a reduction in the overall length of the main stand from 136.8m to 101.4m; a reduction in the overall covered area from 54.6m to 39m; removal of proposed terrace on the north boundary; construction of 2 step viewing area to replace the north terrace; construction of 2 step viewing area to east and west of the main stand (Section 73 application).

Location of development: Gaelic Athletic Accos. Sports Ground West End Road Ruislip

Date of application: 18 April 2016

Plan Numbers: See attached Schedule of plans

Permission is subject to the condition(s) listed on the attached schedule:-

Draft Decision Notice produced: 6 September 2016

Checked by:..... **Date:**.....

Amendments required: YES / NO

- NOTES:
- (i) Please also see the informatives included in the Schedule of Conditions.
 - (ii) Should you wish to appeal against any of the conditions please read the attached sheet which explains the procedure.
 - (iii) This decision does not convey any approval or consent which may be required under any by-laws, building regulations or under any Act other than the Town and Country Planning Act 1990 (as amended).

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

Application Ref: 24373/APP/2016/1511

SCHEDULE OF CONDITIONS

- 1 . The development hereby permitted shall be begun before the 22nd January 2018.

REASON

To comply with Section 73 and 91 of the Town and Country Planning Act 1990.

- 2 . The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers

2013 - 44 pp 107 site survey

7321 6200 Location Plan

321 2000 Rev B. Ex drainage

7321 2001 Rev. B proposed storm foul

7321 2002 Rev. B Pitch drainage proposed

7321 2003 Rev. A main stand

7321 2004 Rev. A elevation main stand

7321 2005 Rev. B Internal Road layout

7321 2009 Rev. A Sections

7321 2010 Rev. A west/south

7321 2011 Rev. B Step section

7321- Contrast Drawings

7321- 2004 Rev. A Watermain Layout

7321-1003 Rev. B

7321-SK04 Rev. D

7321-SK05 Rev. E

7321-SK06 Rev. D

7321-SK07 Rev. B

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and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

SCHEDULE OF CONDITIONS

- 3 . The development hereby permitted shall not be occupied until mitigation measures have been completed/put in place in accordance with the specified supporting plans and/or documents:

Reduction in energy use and renewable technology installation [Energy and Sustainability Addendum Report dated 25 September 2014]

Air Quality Mitigation During Construction [Air Quality Assessment dated 30th May 2014]

Noise Mitigation Measures [Noise Assessment - DKN Acoustics]

Flood Risk Assessment September 2014 Ref: 47069067

Maintained Lighting Lux Level [Flood lighting Impact Assessment].

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure that the development complies with the objectives of Policies in the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

- 4 . No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

- 5 . No development shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

SCHEDULE OF CONDITIONS

6. No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:
1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
 2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

SCHEDULE OF CONDITIONS

7. No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

- 2.a Refuse Storage
- 2.b Secure and covered cycle Storage for 30 cycles
- 2.c Means of enclosure/boundary treatments (the submitted details shall demonstrate adequate treatments to ensure privacy for the residents on Masson Avenue)
- 2.d Car Parking Layouts for 122 permanent parking spaces, including demonstration that 20% (12 active and 12 passive) of all permanent parking spaces are served by electrical charging points, 8 disabled parking bays and 11 motorcycle spaces
- 2.e Hard Surfacing Materials
- 2.f External Lighting
- 2.g Other structures

3. Details of Landscape Maintenance

- 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

5. Other

- 5.a Existing and proposed functional services above and below ground
- 5.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities and privacy in compliance with policies BE13, BE38, BE24, and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015).

SCHEDULE OF CONDITIONS

- 8 . Prior to the commencement of development, full details of the PV panels shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
- The amount of PVs required to ensure the development complies with the carbon reduction from 'be green' measures set out in the Energy Strategy
 - The location of the PVs
 - An assessment of shading and shadowing
 - The type and specification of PVs
 - Elevations and plans showing all the PVs in situ on the development site.

The development must proceed in accordance with the approved plans.

REASON

To ensure the development contributes to CO2 reduction in accordance with Policy 5.2 of the London Plan (2015).

- 9 . Prior to the commencement of development an ecological enhancement scheme shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include the measures to enhance and integrate ecological improvements within the development. Bat boxes, bird boxes and living walls should all be considered alongside specific wildlife improvements within the landscape proposals. The north-eastern boundary of the site 'behind' the access road should be considered for specific wildlife improvements. The development shall proceed in accordance with the approved plans.

REASON

To ensure the development contributes to ecological enhancement in accordance with Policy EM7 of the Local Plan and Policy 7.28 of the London Plan (2015).

- 10 . Prior to commencement of development a scheme for the inclusion of living walls, roofs and screens shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the types of living material to be used and the locations and methods of maintenance where necessary. The development should proceed in accordance with the approved plans.

REASON

To ensure the development contributes to a number of objectives in compliance with Policy 5.11 of the London Plan (2015) and Policy EM1 of the Local Plan.

SCHEDULE OF CONDITIONS

- 11 . A) No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority.
- B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

REASON

Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with recommendations given by the borough and Policy BE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012):

SCHEDULE OF CONDITIONS

12. Prior to commencement of the development hereby approved, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it follows the strategy set out in Flood Risk Assessment, produced by URS dated Sept 2014 and Appendix E incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site and:
 - a. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.
 - b. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).
 - c. measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - d. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.
 - e. demonstration that any proposals to utilise existing drainage network not adopted by utilities function appropriately for that purpose through the submission of CCTV
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.
- iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iii. incorporate water saving measures and equipment.
- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

(i) To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (2015) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). (ii) To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (2015), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (2015).

SCHEDULE OF CONDITIONS

- 13 . Notwithstanding the approved plans, development shall not begin until details of all traffic arrangements (including where appropriate carriageways, footways, turning space, safety strips, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces, loading facilities, taxi/coach drop off points, closure of existing access, road markings and means of surfacing) have been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until all such works have been constructed in accordance with the approved details. Thereafter, the parking areas, sight lines and loading areas must be permanently retained and used for no other purpose at any time. Disabled parking bays shall be a minimum of 4.8m long by 3.6m wide, or at least 3.0m wide where two adjacent bays may share an unloading area. Parallel parking shall be at least 6 metres long except end bays.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2015).

- 14 . Development shall not begin until details of the shuttle signals with a vehicle detection system serving the rear overflow car park have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the works which have been approved by the Local Planning Authority have been completed. Thereafter, these facilities shall be permanently retained.

REASON

In the interests of highway safety and in compliance with Policy AM7 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

- 15 . The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

REASON

In the interests of highway and pedestrian safety in accordance with policy AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

SCHEDULE OF CONDITIONS

- 16 . The maximum number of persons attending any game or event at the site shall not exceed the following:
- * A maximum of one game/event per annum, attended by between 1,001 to 3,000 persons;
 - * A maximum of three games/events per annum, attended by between 401 to 1,000 persons;
 - * A maximum of ten games/events per annum, attended by between 200 to 400 persons.

No game or event shall be attended by more than 3,000 spectators.

For the avoidance of doubt, there are no restrictions over the number of games/events attended by less than 200 persons.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off street parking, and loading facilities in compliance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2015).

- 17 . Before any part of the development is occupied a Car Park Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of a pre booking system, and the use of the overflow car park for Tier 1 and 2 games.

The scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off street parking, and loading facilities in compliance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2015).

- 18 . No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties of the Hillingdon Unitary Development Plan and to protect the ecological value of the area in accordance with policies BE13, OE1 and EC3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2015) Policy 7.1.

SCHEDULE OF CONDITIONS

- 19 . The training pitch shall only be illuminated between the hours of 7am and 9pm Monday to Saturday and 8 am to 9pm on Sundays and Bank Holidays. The training pitch shall not be illuminated by the floodlights hereby approved at any other time. The floodlights installed herein shall be fitted with a timer unit to ensure compliance with these times.

REASON

In order to protect the visual amenities of the area in accordance with Policy BE27 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

- 20 . The development shall not begin until a scheme which specifies the provisions to be made for the control of loudspeaker noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical, administrative measures (including hours of use), noise limits and other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

- 21 . The ball catch netting hereby approved shall only be installed when required during match games. The netting shall be dismantled when not in use.

REASON

To protect the visual amenity of the locality and the residential amenities of surrounding residents in accordance with Policies BE21 and OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

- 22 . The northern terrace hereby approved shall only be used by spectators during the Tier 1 and 2 games (i.e. not exceeding a total of four games per year). Details of any proposed safety railings/fencing shall be submitted to and approved by the Local Planning Authority prior to this element of the development commencing.

REASON

To protect the visual amenity of the locality and the residential amenities of surrounding residents in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

- 23 . All imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All imported soils used for the reconstructed pitch and/or landscaping purposes shall be clean and free of contamination.

REASON

To ensure that the users of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

SCHEDULE OF CONDITIONS

- 24 . Prior to the commencement of development, the applicant should demonstrate that the Part L 2013 Target Emission Rate (TER) will be met through energy efficiency measures alone for any treated elements of the building, unless it can be demonstrated that this is not achievable.

REASON

To ensure the development contributes to CO2 reduction in accordance with Policy 5.2 of the London Plan.

- 25 . Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period.

Such a strategy shall include the details of cranes and other tall construction equipment (including the details of obstacle lighting).

The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

REASON

To ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems, in accordance with Policy A4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

INFORMATIVES:

- 1 . Run-off to surface water drains must be clean and uncontaminated to avoid pollution to surface water or groundwater. Contaminated run-off should flow to the foul sewer if available subject to the approval of your sewerage company. If run-off is drained to ground or to a surface watercourse it should be passed either through a suitable sustainable drainage system or through a standard oil separator. Please refer to the Environment Agency pollution prevention guidance on car parks, particularly on oil separators in surface water drainage systems.

The Environmental Permitting Regulations make it an offence to cause or knowingly permit an activity that will result in the input of pollutants to surface water or groundwater, unless authorised to do so by an environmental permit. This development may require an environmental permit from us. The applicant is advised to telephone 03708 506 506, or email enquiries@environment-agency.gov.uk to discuss the issues likely to be raised.

- 2 . The applicant is advised to contact the Council and the Metropolitan Police with regard to arranging temporary traffic management for Tier 1 and 2 games. Private marshals shall not direct traffic on the public highway.
- 3 . The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable

SCHEDULE OF CONDITIONS

adjustment can be incorporated with relative ease. The Act states that service providers should think ahead in order to address physical barriers that may prevent disabled people and their families from participating.

- 4 . Flashing beacons/strobe lights linked to the fire alarm should be carefully selected to ensure they remain within the technical thresholds not to adversely affect people with epilepsy.
- 5 . You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £68,443.05 which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require further information please refer to the Council's Website www.hillingdon.gov.uk/index.jsp?articleid=24738.
- 6 . The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).
- 7 . The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.
- 8 . Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-
 - A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.
 - B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
 - C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

SCHEDULE OF CONDITIONS

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

9. You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE. Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).
10. You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
11. The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.
12. A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.
13. Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

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You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

- 14 . The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
 - 15 . The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.
- | | |
|------|---|
| AM14 | New development and car parking standards. |
| AM15 | Provision of reserved parking spaces for disabled persons |
| AM2 | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM9 | Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities |
| BE13 | New development must harmonise with the existing street scene. |
| BE19 | New development must improve or complement the character of the |

SCHEDULE OF CONDITIONS

	area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
R6	Ancillary recreational facilities
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.12	(2015) Flood risk management
LPP 5.13	(2015) Sustainable drainage
LPP 6.13	(2015) Parking
LPP 6.3	(2015) Assessing effects of development on transport capacity
LPP 7.14	(2015) Improving air quality
LPP 7.15	(2015) Reducing noise and and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.16	(2015) Green Belt
LPP 7.19	(2015) Biodiversity and access to nature
LPP 7.2	(2015) An inclusive environment

SCHEDULE OF CONDITIONS

NPPF National Planning Policy Framework

- 16 . Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- 17 . The development is close to the aerodrome and the approach to the runway. The applicant is advised that there is a need to carefully design any lighting proposals. This is further explained in Advice Note 2, 'Lighting near Aerodromes' (available at www.aoa.org.uk/publications/safeguarding.asp). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.
- 18 . For the purposes of conditions 17 and 22, Tier 1, 2 and 3 games as set out in table 1 (Schedule of Higher Attendance Games) of the submitted Transport Statement are defined as follows:
- Tier 1
- A single Connaught Championship match in late May
- Tier 2
- The one-off London County Football Final annually in August
 - The one-off London Hurling Final annually in August
 - All Ireland Club Football Quater Final
- Tier 3
- National Football league rounds 1-4
 - National Hurling League rounds 1-3
- 19 . You are encouraged to undertake public engagement and consult with the residential occupiers of Masson Avenue in developing plans and proposals for boundary treatment in relation to condition 6 in order to ensure privacy issues are appropriately dealt with. The submission in respect of this condition should include details of the engagement undertaken and how this has been addressed within the proposals.

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

GRANT OF PLANNING PERMISSION

Application Ref.No.: 24373/APP/2016/1511

SCHEDULE OF PLANS

7321 2000 Rev B. Ex drainage - received 18 Apr 2016
7321 2001 B(1). proposed storm foul - received 18 Apr 2016
7321 2002 Rev. B Pitch drainage proposed - received 18 Apr 2016
7321 2003 Rev. A main stand - received 18 Apr 2016
7321 2004 Rev. A elevation main stand - received 18 Apr 2016
7321 6200 Location Plan - received 18 Apr 2016
7321 2005 Rev. B Internal Road layout - received 18 Apr 2016
7321 2009 Rev. A Sections - received 18 Apr 2016
7321 2010 Rev. A west/south - received 18 Apr 2016
7321 2011 Rev. B Step section - received 18 Apr 2016
7321- Contrast Drawings - received 18 Apr 2016
Stage 1 RSA Report V1.0 - received 18 Apr 2016
Revised Flood Risk Assessment Rev02-25-09-03 - received 18 Apr 2016
Revised Transport Assessment & Travel Plan Rev G - received 18 Apr 2016
7321-2001 Rev. B Storm/foul drainage proposed - received 18 Apr 2016
MODE SHARE ASSESSMENT - received 18 Apr 2016
2013 - 44 pp 107 site survey - received 18 Apr 2016
7321-2001 Rev B Revised Drainage Layout - received 18 Apr 2016
7321 - 2004 Rev. A Watermain Layout - received 18 Apr 2016
7321-1003 Rev. B - received 18 Apr 2016
7321-SK04 Rev. D - received 18 Apr 2016
7321-SK05 Rev. E - received 18 Apr 2016
7321-SK06 Rev. D - received 18 Apr 2016
7321-SK07 Rev .B - received 18 Apr 2016
7321 180416 London GAA Planning Statement - received 18 Apr 2016
Air Quality Assessment - received 18 Apr 2016
Tree Survey Report - received 18 Apr 2016
Design and Access Statement - received 18 Apr 2016
Floodlight Assessment - received 18 Apr 2016
Heritage Assessment - received 18 Apr 2016

Noise Assessment Report - received 18 Apr 2016

Utilities Assessment - received 18 Apr 2016

Euromat specification - received 18 Apr 2016

Energy Addendum Report - received 18 Apr 2016

**THE COMMON SEAL of the
MAYOR AND BURGESSES OF THE
LONDON BOROUGH OF HILLINGDON**

was duly affixed to this Agreement
in the presence of:-



422105

P. MacLean

MEMBER OF
THE COUNCIL

AUTHORISED OFFICER

[Signature]

Signed as a deed by

MICHAEL DERMOT O'BRIEN

[Signature]

in the presence of:-

*Mark J. O'Shea
170 Chapter Road
London
NW2 5NR*

Signed as a deed by

PARIAC DUFFY

Pariac Duffy

in the presence of:-

*Aine N. Mahon
5 Summerfield Green
Blanchardstown, Dublin 15.*

Signed as a deed by

BRENDAN JAMES BRIEN

B. Brien

in the presence of:-

*[Signature]
44 Gail E. Street
Lond. W2A 3EP
Solicitor*

