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Planning Department

London Borough of Hillingdon
Civic Centre
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Sent electronically only

Dear Sir/Madam

TAVISTOCK WORKS, TAVISTOCK ROAD, YIEWSLEY, WEST DRAYTON, UB7 7QX

**APPLICATION UNDER SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT (1990) (AS AMENDED) FOR
A NON-MATERIAL AMENDMENT TO AN EXISTING PLANNING PERMISSION**

On behalf of our client, Linea UB7 Ltd, we hereby submit an application for a non-material amendment to planning permission 35810/APP/2024/1651, in accordance with the provisions set out at Section 96a of the Town and Country Planning Act (1990) (as amended).

The description on the decision notice reads:

Variation of Conditions 2 (Approved Plans), 3 (Supporting Documentation), 5 (Landscape Scheme) and 13 (Energy) of Planning Inspectorate decision letter dated 21-09-2022 for appeal reference APP/R5510/W/21/3288333 (LPA planning reference 35810/APP/2021/1234) (Demolition of existing building and replacement with an up to 8-storey building comprising residential units, landscaping and amenity space) in order to:

- Replace winter gardens with balconies;
- Reduce car parking to provide 1no. blue badge car parking space;
- Provide an additional stair core
- Reconfigure ground floor service layout; and
- Provide an additional 6no. units (to total 38 units).

The S96a Proposed Amendments

The proposed amendments relate to Condition 12 of the planning permission. Condition 12 states the following:



Prior to the commencement of works on site, a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall detail:

- (i) *The phasing of the works;*
- (ii) *The hours of work;*
- (iii) *(On-site plant and equipment;*
- (iv) *Measures to mitigate noise and vibration;*
- (v) *Measures to mitigate impact on air quality;*
- (vi) *Waste management;*
- (vii) *Site transportation and traffic management, including: Routing; Signage; Vehicle types and sizes; Hours of arrivals and departures of staff and deliveries (avoiding peaks times of day); Frequency of visits; Parking of site operative vehicles; On-site loading/unloading arrangements; and Use of an onsite banksman (if applicable);*
- (viii) *The arrangement for monitoring and responding to complaints relating to demolition and construction. This plan should accord with Transport for London's Construction Logistic Planning Guidance and the GLA's 'The Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (July 2014) (or any successor document). The construction works shall be carried out in strict accordance with the approved plan.*

This application seeks to split up this condition to enable demolition to commence whilst the process of appointing the main contractor is ongoing, who will prepare the construction phase plan. This will be submitted prior to the construction of works which will not commence until that plan has been approved by the Local Planning Authority.

Therefore, it is proposed that Condition 12 is reworded to state the following:

Prior to the commencement of works on site, a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority.

- A. *Prior to the commencement of demolition of the building on site, a Demolition Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority.*
- B. *Prior to commencement of any construction works, including sub-surface works for the construction of the approved details, a Construction Management and Logistics Plan has been submitted to the Local Planning Authority within 3 months of the discharge of Part A and approved in writing.*

The plans referred to in Parts A and B shall detail: (i) *The phasing of the works;* (ii) *The hours of work;* (iii) *(On-site plant and equipment;* (iv) *Measures to mitigate noise and vibration;* (v) *Measures to mitigate impact on air quality;* (vi) *Waste management;* (vii) *Site transportation and traffic management, including: Routing; Signage; Vehicle types and sizes; Hours of arrivals and departures of staff and deliveries (avoiding peaks times of day); Frequency of visits; Parking of site operative vehicles; On-site loading/unloading arrangements; and Use of an onsite banksman (if applicable);* (viii) *The arrangement for monitoring and responding to complaints relating to demolition and construction. This plan should accord with Transport for London's Construction Logistic Planning Guidance and the GLA's 'The Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (July 2014) (or any successor document). The construction works shall be carried out in strict accordance with the approved plan.*

There is no statutory definition of 'non-material' amendment. In planning terms, the materiality of the proposed revision is a matter of fact and degree. In this case, the proposed amendment to the rewording of Condition 12 merely seeks to split the condition up, and the nature nor reason of the condition has materially changed. The



condition remains compliant with the condition test set out at para. 57 in the National Planning Policy Framework (NPPF) 2024. Therefore, approval should be granted.

In addition to this Covering Letter, the application is supported by a completed application form and the respective fee.

I trust there is sufficient information to validate the application. However, please contact me if you have any queries. I look forward to receiving details of the allocated planning officer in due course.

Yours faithfully



Mark Westcott
Director
CarneySweeney

