

DATED *Fourteenth April*

2020

HILLINGDON HOSPITALS NHS FOUNDATION TRUST

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

HILLINGDON HOSPITAL, FIELD HEATH ROAD, UXBRIDGE

4058/APP/2019/3286

Planning and Corporate Team
Legal Services
London Borough of Hillingdon
Civic Centre
High Street
Uxbridge
Middlesex UB8 1UW
Ref: 3E/04/16577

THIS DEED IS MADE ON THE 14th DAY OF April

2020

BETWEEN

- (1) **HILLINGDON HOSPITALS NHS FOUNDATION TRUST** whose principal office is at Hillingdon Hospital, Pield Heath Road, Uxbridge UB8 3NN ("the Owner").
- (2) **THE LONDON BOROUGH OF HILLINGDON** of the Civic Centre, High Street, Uxbridge, Middlesex, UB8 1UW ("the Council")

WHEREAS

- (A) The Council is the local planning authority for the purposes of the Act in respect of the Land and by whom the obligations in this Deed are enforceable.
- (B) The Owner has the freehold interest in the Land registered under Title Nos. MX68687 and AGL30168 at Land Registry.
- (C) The Original Planning Permission was granted pursuant to the completion of the Original Deed which was entered into on 14th August 2013 between the Owner and the Council pursuant to Section 106 of the Town and Country Planning Act 1990 ("the Original Deed").
- (D) On 8th October 2019 the Owner submitted the Second Planning Application to the Council and on 4th March 2020 the Council resolved at its Central South Planning Committee that delegated powers be given to the Council's Head of Planning Transportation and Regeneration to grant the Second Planning Permission subject to the completion of this Deed.
- (E) The Owner intends to develop the part of the Land shown on the Deed of Variation Plan pursuant to the Second Planning Permission.
- (F) This deed is supplemental to the Original Deed.
- (G) For the purpose of securing satisfactory arrangements for the development of the Land and without prejudice to the terms of the other covenants contained in the Original Deed the Parties hereto have agreed to vary the terms of the Original Deed as hereinafter provided.

IT IS AGREED AS FOLLOWS:-

1. INTERPRETATION & DEFINITIONS

IN THIS DEED, UNLESS THE CONTEXT OTHERWISE REQUIRES:

"the Act"	means the Town and Country Planning Act 1990;
"Deed"	means this Deed of Variation;
"Deed of Variation Plan"	means the plan attached to this Deed at Annex 1 numbered 19103-OA-A-B1-DR-2008-00 P2;
"Off-Site Environmental Enhancements Contribution"	means the Index Linked sum of ten thousand pounds (£10,000) being a contribution towards environmental enhancements, including tree planting at the neighbouring public open space, Colham Green Park, to offset the effects of the Proposed Development;
"Original Deed"	means the legal agreement dated 14 August 2013 under Section 106 of the Town and Country Planning Act 1990 between the Owner and the Council;
"Original Planning Permission"	means the planning permission granted on 14 August 2013 by the Council for the Land under the Council's reference number 4058/APP/2013/99;
"Proposed Development"	means the development authorised by the Second Planning Permission;
"Second Planning Application"	means the application for planning permission for erection of a temporary single storey prefabricated system building together with a link to the AMU building, with a total floor area of 888 sq.m, to provide for a 28 bed space decant and winter overspill ward, including 4 parking spaces; demolition of

	Building 17 and the creation of 30 replacement staff car parking spaces; reconfiguration of the parking area to the east of the Womens' Services Building resulting in a net provision of 11 replacement visitor parking spaces (amended scheme). under the Council's reference number 4058/APP/2019/3286;
"Second Planning Permission"	means the planning permission to be granted pursuant to the Second Planning Application in the form set out in Annex 2 to this Deed and the approved plan(s);
"Updated Site Wide Travel Plan"	means a comprehensive review of the travel plan for the Hospital Site, based upon the travel plan submitted by the Owner in 2014 under planning reference 4058/APP/2014/2373;

2. THE FOLLOWING DEFINITIONS AND RULES OF INTERPRETATION APPLY IN THIS DEED.

- 2.1 All words and phrases defined in the Original Deed shall have the same meaning in this Deed save where the context otherwise requires and for the avoidance of doubt the Original Deed shall remain in full force and effect save as varied by this Deed.
- 2.2 All references in this Deed to clauses in the Original Deed are to clauses within the Original Deed.
- 2.3 Where in this Deed reference is made to a clause schedule or recital such reference (unless the context otherwise requires) is a reference to a clause schedule or recital of this Deed.
- 2.4 Headings are for ease of reference only and are not intended to be construed as part of this Deed and shall not be construed as part of this Deed and shall not affect the construction of this Deed.
- 2.5 Unless the context otherwise requires references to the singular shall include the plural and vice versa.

- 2.6 Unless the context otherwise requires, a reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.
- 2.7 A reference to any party shall include that party's personal representatives, successors or permitted assigns and in the case of the Council the successors to its respective statutory functions.
- 2.8 Where an obligation falls to be performed by more than one person, the obligation can be enforced against every person so bound jointly and against each of them individually.
- 2.9 The provisions of the Original Deed in relation to its interpretation and in relation to statutory provisions interests bound disputes liability notices and jurisdiction apply to this Deed except to the extent that they are expressly varied by this Deed.

3. **VARIATION OF THE ORIGINAL DEED**

- 3.1 The Parties agree that, except as varied by this Deed, the Original Deed shall remain in full force and effect.
- 3.2 Nothing in this Deed affects the Council's powers in respect of any antecedent breach or omission in relation to the Original Deed.
- 3.3 The Parties agree that with effect from the date of this Deed, the Original Deed shall be varied as set out below:
- 3.4 The following paragraph shall be inserted after paragraph 5 of Schedule 2 to the Original Deed:

"6. Notwithstanding the provisions in this Schedule 2, the parties agree that for the purposes of this Deed, in this instance, the restrictions set out in paragraphs 1-5 of said Schedule 2 shall not prevent the Owner from bringing forward the Second Planning Application and seeking or implementing the Second Planning Permission. The Original Deed shall remain unchanged in all other respects."
- 3.5 The following definitions shall be inserted within the Original Deed:

"Deed of Variation Plan"	means the plan attached to this Deed at Annex 1 numbered 19103-OA-A-B1-DR-2008-00 P2;
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"Off-Site Environmental Enhancements Contribution"	means the Index Linked sum of ten thousand pounds (£10,000) being a contribution towards environmental enhancements, including tree planting at the neighbouring public open space, Colham Green Park, to offset the effects of the Proposed Development;
"Proposed Development"	means the development authorised by the Second Planning Permission;
"Second Planning Application"	means the application for planning permission for erection of a temporary single storey prefabricated system building together with a link to the AMU building, with a total floor area of 888 sq.m, to provide for a 28 bed space decant and winter overspill ward, including 4 parking spaces; demolition of Building 17 and the creation of 30 replacement staff car parking spaces; reconfiguration of the parking area to the east of the Womens' Services Building resulting in a net provision of 11 replacement visitor parking spaces (amended scheme). under the Council's reference number 4058/APP/2019/3286;
"Second Planning Permission"	means the planning permission to be granted pursuant to the Second Planning Application and the approved plan(s);

"Updated Site Wide Travel Plan"	means a comprehensive review of the travel plan for the Hospital Site, based upon the travel plan submitted by the Owner in 2014 under planning reference 4058/APP/2014/2373;
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- 3.6 The following schedules shall be added to the Original Deed: Schedule 3 (Updated Site Wide Travel Plan), Schedule 4 (Off-Site Environmental Enhancement Contribution) as set out below:

3.6.1

**"SCHEDULE 3
UPDATED SITE WIDE TRAVEL PLAN**

The Owner hereby covenants with the Council as follows:

1. Prior to Occupation of the Proposed Development to submit the Updated Site Wide Travel Plan to the Council for its written approval (such approval not to be unreasonably withheld or delayed).
2. Not to Occupy or cause or allow or permit to be Occupied any part of the Proposed Development until the Updated Site Wide Travel Plan is approved by the Council in writing.
3. The Owner will have regard to any reasonable recommendations made by the Council as to further requirements that should be included in the Updated Site Wide Travel Plan.
4. To observe and perform the requirements, objectives, recommendations and principles of the Updated Site Wide Travel Plan for the ten year period to which it applies."

"SCHEDULE 4
Off-Site Environmental Enhancement Contribution

The Owner hereby covenants with the Council as follows:

- 1 Prior to Commencement of the Proposed Development to pay to the Council the Off-Site Environmental Enhancement Contribution; and
- 2 Not to Commence or cause or allow or permit Commencement of the Proposed Development before the Off-Site Environmental Enhancement Contribution has been paid."

4. STATUTORY PROVISION

This Deed is made pursuant to Sections 106 and 106A of the Act, Section 111 of the Local Government Act 1972, Section 16 of the Greater London Council (General Powers) Act 1974, Section 1 of the Localism Act 2011 and any other enabling powers, to the intent that it will bind the Owner and their successors in title to the Land.

5. COVENANTS TO THE COUNCIL

The Owner covenants to observe and perform the covenants, restrictions and obligations contained in the Original Deed as varied by this Deed.

6. REGISTRATION AS LOCAL LAND CHARGE

The covenants in the Original Deed as modified by this Deed are planning obligations for the purposes of Section 106 of the Act and are enforceable by the Council as provided in the Original Deed as modified by this Deed and the Council shall register this Deed in its register of Local Land Charges.

7. THIRD PARTIES

A person who is not a party to this Deed shall not have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Deed.

8. INVALIDITY OF CERTAIN PROVISIONS

If any of this Deed or the application thereof to any person or circumstances shall to any extent be invalid or unenforceable the same shall be severable and the remainder of this Deed as to the application of such term to persons or circumstances

other than those as to which it is held invalid or unenforceable shall not be affected thereby and each term and provision of this Deed shall be valid and enforced to the fullest extent permitted by law.

9. CONFIRMATION

It is hereby declared by the parties to this Deed saving and excepting for as is expressly provided for by the provisions of this Deed the covenants and provisions contained in the Original Deed continue to have full force and effect.

10. COSTS

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

11. VALUE ADDED TAX

11.1 All consideration given in accordance with the terms of this Deed shall be exclusive of any VAT properly payable.

11.2 If at any time VAT is or becomes chargeable in respect of any supply made in accordance with the terms of this Deed then to the extent that VAT has not been previously charged in respect of that supply the party making the supply shall have the right to issue a VAT invoice to the party to whom the supply was made and the VAT shall be paid accordingly.

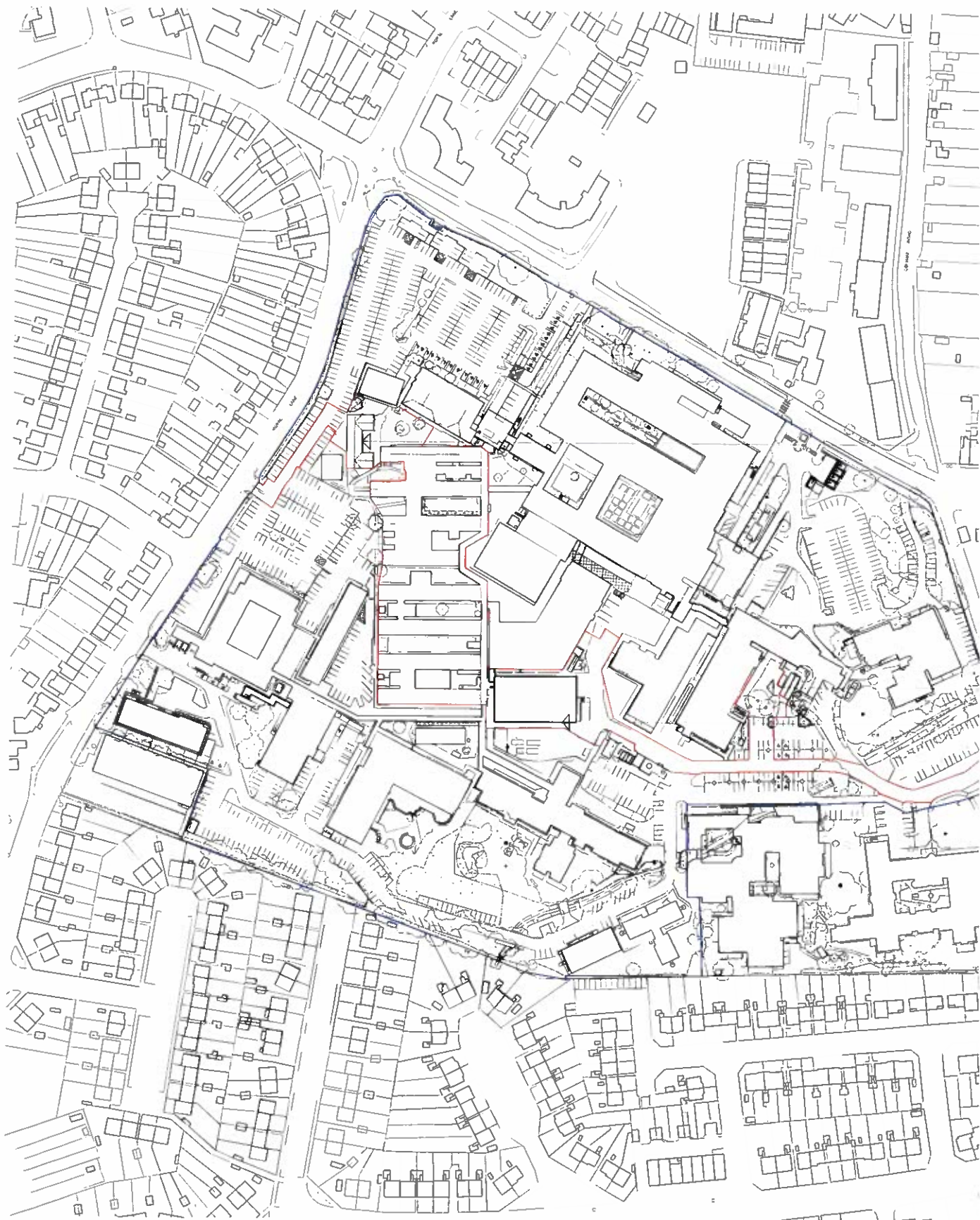
12. JURISDICTION

This Deed and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

In witness whereof this document has been executed and delivered as a deed on the date first stated above.

ANNEX 1

DEED OF VARIATION PLAN



ANNEX 2
DRAFT PLANNING PERMISSION

DRAFT

Mr Adrian Keal
Nexus Planning
5th Floor, Thames Tower
Station Road
Reading RG1 1LX

Application Ref: 4058/APP/2019/3286

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:

Erection of a temporary single storey prefabricated system building, together with a link to the AMU building, with a total floor area of 888 sq.m, to provide for a 28 bed space decant and winter overspill ward, including 4 parking spaces; demolition of Building 17 and the creation of 30 replacement staff car parking spaces; reconfiguration of the parking area to the east of the Womens' Services Building resulting in a net provision of 11 replacement visitor parking spaces (amended scheme).

Location of development: Hillingdon Hospital Field Heath Road Hillingdon

Date of application: 08 October 2019

Plan Numbers: See attached Schedule of plans

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

Draft Decision Notice produced: 5 March 2020

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: 4058/APP/2019/3286

SCHEDULE OF CONDITIONS

- 1 . The decant and winter ward building and use hereby permitted shall be discontinued and the land restored to a condition to be agreed with the Local Planning Authority on or before the expiration of the period of 10 years from the date of this decision, in accordance with a scheme of work that shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON

1. The development is by definition a non permanent fixture and it is not envisaged as a permanent structure, in order to comply with the terms of the application, in order not to prejudice the outcome of a future masterplan and to accord with Policies OE1 and AM7 of the the Hillingdon Local Plan: Part 2 -Saved UDP Policies (November 2012).

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

19103-OA-A-B1-DR-2003-00-P3
19103-OA-A-B1-DR-2000-00-P5
19103-OA-A-B1-DR-2010-00-P9
19103-OA-A-B1-DR-3000-00-P2
19103-OA-A-B1-DR-4002-00-P5
19103-OA-A-B1-DR-5001-00-P4
19103-OA-A-B1-DR-5003-00-P3

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 (2016).

SCHEDULE OF CONDITIONS

- 3 - The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Addendum to Workplace Travel Plan
Flood Risk Assessment (Ref: CV8190857/AQ/DW/001)
Appendix K (Proposed Surface Water Drainage Strategy)

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 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 (March 2016), Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019), Policy 5.15 Water use and supplies of the London Plan (March 2016), the National Planning Policy Framework and the Planning Practice Guidance (March 2014).

- 4 - 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) and Policy DMHB 1 of the Hillingdon Local Plan: Part Two Development Management Policies With Modifications (March 2019).

SCHEDULE OF CONDITIONS

5. A landscape scheme shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun. 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 Car Parking Layouts for 45 parking bays, including 5 disabled parking bays and demonstration that 18 of the parking spaces are served by an electrical charging point (9 active and 9 passive)
 - 2.c Hard Surfacing Materials
 - 2.d External Lighting
 - 2.e 7 Secure cycle storage bays
 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 in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), Policies DMHB 1, DMHB 4, DMHB 11 DMHB 14 of the Hillingdon Local Plan: Part Two Development Management Policies With Modifications (March 2019) and Policy 5.17 (refuse storage) of the London Plan (2016).

SCHEDULE OF CONDITIONS

- 6 . Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs.'

Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

- 7 . Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 (or any others revoking and re-enacting this provision with or without modification), no additional internal floorspace shall be created in excess of that area expressly authorised by this permission.

REASON

To enable the Local Planning Authority to assess all the implications of the development and to ensure that adequate parking facilities can be provided on the site, in accordance with Policies AM14 and AM15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

SCHEDULE OF CONDITIONS

- 8 · Notwithstanding the submitted plans, prior to commencement of external works, 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 manages water and demonstrate ways of controlling the surface water on site, in accordance with Policy 5.15 of the London Plan and will:
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation; and
 - iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
- 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 proceed in accordance with the approved scheme.

REASON

- i) To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding in accordance with Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) and Policy 5.12 Flood Risk Management of the London Plan (March 2016), Policies DME1 9 and DME1 10 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019)
- ii) To ensure that surface water run off is handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (March 2016), and
- iii) To conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (March 2016), the National Planning Policy Framework (March 2012), and the Planning Practice Guidance (March 2014).

- 9 · The building shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No building shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (2016) Policies 7.1 and 7.3.

SCHEDULE OF CONDITIONS

- 10 . Notwithstanding the submitted plans, the approved development shall not be brought into use until the 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, closure of existing access and means of surfacing) 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 for the lifetime of the development. 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.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off street parking, and loading facilities in compliance with Policies AM14 and AM15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), Policies DMT 1, DMT 2 and DMT 6 of the the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019) and Chapter 6 of the London Plan (2016).

- 11 . Notwithstanding the submitted plans details of how the fire exits meet the needs of people with disabilities shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided prior to the occupation of the development and shall be retained thereafter.

REASON

To ensure that the use of the double decker bus as a library is fully inclusive for people with disabilities in accordance with Policy C11 of the Hillingdon Local Plan: Part One (Strategic Policies) 2012, Policy 7.2 of the London Plan 2016 and the Accessible Hillingdon Supplementary Planning Document 2017.

INFORMATIVES:

- 1 . 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).
- 2 . 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMCI 2	New Community Infrastructure
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMHB 14	Trees and Landscaping
DMT 2	Highways Impacts
DMEI 10	Water Management, Efficiency and Quality
DMEI 2	Reducing Carbon Emissions

SCHEDULE OF CONDITIONS

DMEI 9	Management of Flood Risk
DMHB 1	Heritage Assets
DMHB 11	Design of New Development
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
LPP 5.3	(2016) Sustainable design and construction
LPP 5.12	(2016) Flood risk management
LPP 7.3	(2016) Designing out crime
LPP 7.14	(2016) Improving air quality
LPP 8.3	(2016) Community infrastructure levy
NPPF	National Planning Policy Framework

- 3 . On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.
- 4 . Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).
- 5 . The Council's Commercial Premises Section and Building Control Services should be consulted regarding any of the following:-
 The installation of a boiler with a rating of 55,000 - million Btu/hr and/or the construction of a chimney serving a furnace with a minimum rating of 1/4 million Btu/hr;
 The siting of any external machinery (eg air conditioning);
 The installation of additional plant/machinery or replacement of existing machinery.
 Contact:- Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190). Building Control Services, 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).
- 6 . 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:-

SCHEDULE OF CONDITIONS

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.

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.

- 7 . 1. 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 adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.
2. Fixtures, fittings and furnishings, particularly hard materials should be selected to ensure that sound is not adversely reflected. The design of all learning areas should be considerate to the needs of people who are hard of hearing or deaf. Reference should be made to BS 8300:2009+A1:2010, Section 9.1.2, and, BS 223 in selecting an appropriate acoustic absorbency for each surface.
3. Care should be taken to ensure that the internal decoration achieves a Light Reflectance Value (LRV) difference of at least 30 points between floor and walls, ceiling and walls, Including appropriate decor to ensure that doors and door furniture can be easily located by people with reduced vision.
4. Induction loops should be specified to comply with BS 7594 and BS EN 60118-4, and a term contract planned for their maintenance.
5. Care must be taken to ensure that overspill and/or other interference from induction loops in different / adjacent areas does not occur.
6. Flashing beacons/strobe lights linked to the fire alarm should be carefully selected and installed to ensure they remain within the technical thresholds not to adversely affect people with epilepsy.
7. It is recommended that the Hospital Trust takes full advantage of the opportunity that this development offers, to improve the accessibility of the premises to people with mobility and sensory impairments. Such provisions should include height adjustable adult sized beds, and track ceiling hoists within the larger examination cubicles. Policies, practices and procedures should be put in place and training provided to ensure that staff are familiar with the protocols to direct disabled people to a larger, accessible cubicle.

SCHEDULE OF CONDITIONS

- 8 . In accordance with the provisions of the NPPF, the Local Planning Authority has actively engaged with the applicant both at the pre application and application stage of the planning process, in order to achieve an acceptable outcome. The Local Planning Authority has worked proactively with the applicants to secure a development that improves the economic, social and environmental conditions of the area. In assessing and determining the development proposal, the Local Planning Authority has applied the presumption in favour of sustainable development. Accordingly, the planning application has been recommended for approval.

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.: 4058/APP/2019/3286

SCHEDULE OF PLANS

Addendum to Workplace Travel Plan - received 12 Dec 2019

Clinical Justification - received 09 Oct 2019

Planning Statement - received 24 Feb 2020

19103-OA-A-B1-DR-2003-00-P3 - received 09 Oct 2019

19103-OA-A-B1-DR-2001-00 site plan existing - received 09 Oct 2019

19103-OA-A-B1-DR-2000-00-P5 - received 21 Feb 2020

19103-OA-A-B1-DR-2010-00-P9 - received 21 Feb 2020

19103-OA-A-B1-DR-3000-00_P2 - received 21 Feb 2020

19103-OA-A-B1-DR-4002-00-P5 - received 21 Feb 2020

19103-OA-A-B1-DR-5001-00-P4 - received 21 Feb 2020

19103-OA-A-B1-DR-5003-00-P3 - received 21 Feb 2020

Proposed Surface Water Drainage Strategy - received 21 Feb 2020

Cover letter 21st February 2020 - received 21 Feb 2020

Flood Risk Assessment (Ref: CV8190857/AQ/DW/001) - received 09 Oct 2019

Cover Letter/Statement (Ref: 34380/1) - received 08 Oct 2019

19103 Design and access statement REV - received 21 Feb 2020

THE COMMON SEAL of the
**MAYOR AND BURGESSES OF
HILLINGDON** was duly affixed to
this Deed in the presence of:

MEMBER OF THE COUNCIL

Alan Chapman

424796

AUTHORISED OFFICER

J. Mollay

THE COMMON SEAL of
**HILLINGDON HOSPITALS
NHS FOUNDATION TRUST**
was duly affixed to this Deed
in the presence of two
Authorised Signatories:

[Signature]

Authorised Signatory

[Signature]

Authorised Signatory

