

Cheryl Faithfull

From: Applications Processing Team
Sent: 20 October 2021 11:13
To: DC Online
Subject: FW: URGENT St Andrews Park DoV
Attachments: red line plan.pdf; St Andrews Park Application_to_modify_or_discharge_Section_106_planning_obligation.pdf

Categories: Cheryl, See Above

Cheryl Faithfull
Applications Processing Officer
Corporate Resources and Services
London Borough of Hillingdon
applicationsprocessingteam@hillingdon.gov.uk

From: Ed Laughton <elaughton@hillingdon.gov.uk>
Sent: 20 October 2021 10:39
To: Applications Processing Team <applicationsprocessingteam@hillingdon.gov.uk>
Subject: URGENT St Andrews Park DoV

Dear APT,

Please could I ask you to use the attached to generate an MOD (modification of a s106 obligation) application and allocate it to me. Payment should be resolved shortly.

Many thanks as always

Kind regards

Ed Laughton

Strategic Planning & PPA Lead Officer
Major Applications Team
Planning Department
Residents Services
London Borough of Hillingdon

Please note that the comments made in this email represent officer opinion only and cannot be seen to prejudice the Local Planning Authority's formal determination in relation to any application or planning matter.

From: Dinny Shaw <DShaw@stmodwen.co.uk>
Sent: Wednesday, October 20, 2021 10:19 AM
To: Ed Laughton <elaughton@hillingdon.gov.uk>
Cc: Mina Odedra <Mina.Odedra@stmodwen.co.uk>
Subject: St Andrews Park DoV

Dear Ed

As you are aware VSM are submitting an application to modify the s106 agreement relating to St Andrews Park, please see attached form and further details below. We have also set out below why we do not believe modification is required to the original consent following our discussions yesterday.

St Andrews Park is subject to hybrid planning permission granted in 2012 (585/APP/2009/2752) for:

In outline:

- a. Creation of up to 1296 residential dwellings (class c3) of between 2 and 6 residential storeys;
- b. Creation of up to 77 one-bedroom assisted living retirement accommodation of between 3 and 4 storeys;
- c. Creation of a three form entry primary school of 2 storeys;
- d. Creation of a hotel (Class c1) of 5 storeys and up to 90 beds;
- e. Creation of a 1,200 seat theatre with ancillary café (sui generis); office (class B1a) of up to 13,860sq.m.; energy centre (sui generis) of up to 1,200sq.m.; and retail (class A1 to A5) of up to 2,850sq.m. in buildings between 4 and 6 storeys as well as a tower element associated with the theatre of up to 30m;
- f. Creation of a local centre to provide up to 150sq.m. of retail and 225sq.m. GP surgery (Class D1); means of access and improvements to pedestrian linkages to the Uxbridge town centre; car parking; provision of public open space including district park; landscaping; sustainable infrastructure and servicing.

In full:

- g. Creation of 28 residential dwellings (class c3) to the north of Hillingdon House of between 2 and 3 storeys as well as associated amenity space and car parking;
- h. Change of use of Lawrence House (Building No. 109) to provide 4 dwellings (Class c3), associated amenity space and car parking including a separate freestanding garage;
- i. Change of use and alternations to the Carpenters building to provide 1 residential dwelling (Class c3);
- j. Change of use and alterations to the Sick Quarters (Building no. 91) to provide 4 dwellings (Class c3) as well as associated amenity space and car parking;
- k. Change of use of Mons Barrack Block (Building No. 146A) to provide 7 dwellings (Class c3) as well as associated amenity space and car parking;
- l. Change of use of the Grade II listed former cinema building to provide 600sq.m. Class D1/D2 use (no building works proposed)
- m. Change of use and alterations to the Grade II listed Hillingdon House to provide 600sq.m. for a restaurant (Class A3) on the ground floor and 1500sq.m. of office (Class B1) on the ground, first and second floors.

In 2012 the hybrid permission was varied by 73 application 585/APP/2015/848 the key changes relating to reconfigured land uses across the site, altered massing and consequential amendments to access and landscaping.

The hybrid permission is subject to associated legal agreements. The original agreement was dated 18.1.2012 with subsequent DoV's dated 14.11.2012, 21.12.2012, 18.12.2015, 26.5.2017 and 26.11.2019.

VSM are seeking to vary the original s106 agreement specifically in relation to Schedules 8 and 9 and associated definitions.

Schedule 8 relates to the Cinema Building. It requires the Owners to:

- Submit a Condition Survey to the Council and obtain approval for a programme of works to ensure that the building remains secure and watertight prior to transfer to the Council (Completed 22.6.2012)
- Prior to completion of the 700th dwelling to serve notice on the Council indicating the building is available for transfer (notice served 18.12.19) (the Council have a period of 3 months to accept the transfer – transfer extended to 29.10.2021)
- Upon completion of the transfer pay the Cinema Contribution (not yet triggered)
- In the event that the cinema building is transferred to the Council and not occupied within 5 years the building returns to the Owners free of any restrictions on development
- In the event that the council informs it does not wish to take the cinema building or does not complete any transfer within 12 months of receipt of the transfer notice any restrictions on development of the building cease to have effect

VSM are proposing to delete the schedule relating to the cinema building following a decision by the Council at a cabinet meeting on the 14th October that there is no longer a business case for the Council to take ownership of the cinema building.

Given that the s106 allows for the Council to not accept the transfer of the cinema building under the current consent, the proposed variation is in accordance with the principles of the original consent and s106 and therefore this amendment can be sought without need to vary the original consent.

VSM are proposing to replace Schedule 8 with a new schedule which secures payment of the Social and Environmental Contribution. We would propose to split the payment into 3 tranches payable on commencement of TCW, prior to occupation of 50% of residential dwellings within TCW and prior to occupation of final dwelling at TCW.

Schedule 9 relates to the Theatre Site. It requires the Owners to:

- Submit a plan detailing the location and boundaries of the Theatre Site and set aside the Site until leased to the Council (completed and plans appended to S106)
- Prior to completion of 700th dwelling serve notice on the Council indicating that the site is available for transfer (notice served 11.2.20)
- Complete the transfer within 3 months (transfer extended to 29.10.21)
- In the event that the theatre is transferred to the Council and development has not commenced within 2 years or occupied within 5 years the site returns to the Owners
- In the event that the Council informs it does not wish to take the theatre site or does not complete transfer within 12 months of receipt of the transfer notice any restrictions on development cease to have effect

VSM are proposing to delete the schedule relating to the theatre site following a decision by the Council at a cabinet meeting on the 14th October that there is no longer a business case for a new theatre on the site.

Given that the s106 allows for the Council to not accept the transfer of the theatre under the current consent the proposed variation is in accordance with the principles of the original consent and s106 and therefore this amendment can be sought without need to vary the original consent.

Please find attached the necessary form for modification of the s106.

In respect of certificate B the following list of parties have been notified of the application

- (11) **PERSIMMON HOMES LIMITED** (company number 04108747) whose registered office is at Persimmon House, Fulford, York YO19 4FE ("**Persimmon**"):-
- (12) **ST. MODWEN DEVELOPMENTS LIMITED** (company number 00892832) whose registered office is at Park Point, 17 High Street, Longbridge, Birmingham, B31 2UQ ("**SMD**"):-
- (13) **HILLINGDON HOUSE (UK) LIMITED** (company number 09707517) whose registered office is at Top Floor, Bridgewater House, 866 - 868 Uxbridge Road, Hayes, Middlesex, United Kingdom, UB4 0RR ("**HHUK**"):-
- (14) **BANK OF BARODA** (a company incorporated in India and registered in the United Kingdom with number FC006564) of 86 The Broadway, Southall, UB1 1QD ("**the HHUK Chargee**"):-
- (15) **ST. MODWEN HOMES LIMITED** (company number 09095920) whose registered office is at Park Point, 17 High Street, Longbridge, Birmingham, B31 2UQ ("**SMH**"),
- (16) **ANNINGTON RENTALS (NO.4) LIMITED** (company number 05417120) whose registered office is at 1 James Street, London, W1U 1DR ("**Annington**"):-
- (17) **ANCHOR LIFESTYLE DEVELOPMENTS LIMITED** (company number 06266113) whose registered office is at The Heals Building, 22 - 24 Torrington Place, London, WC1E 7HJ ("**Anchor**"),

The fee is being paid separately today and Mina will circulate confirmation of payment once this is completed.

Please let me know if you have any queries

Kind regards

Dinny



Our Responsible Business ambitions for society and the environment

 **ST.MODWEN**

Dinny Shaw
Director of Planning SL&R
St. Modwen Strategic Land & Regeneration

D: 0333 2418231 M: 07976239006 E: DShaw@stmodwen.co.uk
5th Floor, 180 Great Portland Street, Fitzrovia London W1W 5QZ

St. Modwen Properties Limited

Head Office & Registered Office: Park Point, 17 High Street, Longbridge,
Birmingham, B31 2UQ **T:** 0121 222 9400 **W:** www.stmodwen.co.uk

Company Registration: England & Wales 349201 **VAT Registration :** 299056611

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Director of Planning SL&R
St. Modwen Strategic Land & Regeneration

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