

DATED

19th June

2019

HEATHROW AIRPORT LIMITED

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**

CESSNA ROAD HEATHROW AIRPORT LONDON

PLANNING APPLICATION NUMBER 62360/APP/2017/3000

Planning & Corporate Team
Attn: Beejal Soni
Legal Services
London Borough of Hillingdon
Civic Centre
High Street
Uxbridge
Middlesex UB8 1UW
Ref: 3E/04/BS/012418

THIS DEED OF VARIATION is dated

19th June

2019

and is made **BETWEEN:**

- (1) **HEATHROW AIRPORT LIMITED** (Co. Regn. No. 1991017) a company registered in England whose registered office is situated at The Compass Centre Nelson Road Hounslow, Middlesex TW6 2GW ("**the Owner**")
- (2) **THE LONDON BOROUGH OF HILLINGDON** of the Civic Centre, High Street, Uxbridge, Middlesex, UB8 1UW ("**the Council**")

BACKGROUND

- A The Council is the local planning authority for the purposes of the Town and Country Planning Act 1990 (as amended) ("TCPA 1990") in respect of the Land.
- B The Owner holds the freehold interest in the Land comprised under Title Number MX186386 at the Land Registry subject to a charge in favour of Deutsche Trustee Company Limited ("**the Mortgagee**")
- C The Mortgagee has an interest in the Land by way of a legal charge between the Owner and the Mortgagee dated 18 August 2008 and has confirmed its approval, in respect of the obligations, in a separate consent letter.
- D On 19 November 2015 a planning application ("the Original Planning Application") was submitted to the Council for permission to develop the Land for the purposes and in the manner described in the Original Planning Application which was given by the Council reference 62360/APP/2015/4277.
- E The Original Planning Permission was duly granted by the Council on 1 December 2016 under reference 62360/APP/2015/4277
- F The Council resolved at its Major Applications Planning Committee meeting on 10 January 2018 to delegate authority to determine the Planning Application to the Director of Residents Services subject to the prior completion of this Deed.

- G This Deed is supplemental to the 2016 Agreement.
- H Following Implementation of the Original Planning Permission, the Council and the Owners have agreed to vary the 2016 Agreement in the manner described below.
- I The purpose of this Deed is to vary the 2016 Agreement in the manner described below.

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 2016 Agreement"	means the legal agreement dated 30 November 2016 made under Section 106 of the Town and Country Planning Act 1990 between Heathrow Airport Limited and the Council;
"Parties"	means the Council, the Mortgagee, and the Owner;
"the Original Planning Permission"	means planning permission granted pursuant to a planning application given the Council's reference number 62360/APP/2015/4277

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

- 1.2.1. References to clauses paragraphs and schedules are references to those in the 2016 Agreement; and
- 1.2.2. Words and phrases whose meanings are not varied by this Deed have the same meanings as in the 2016 Agreement.

1.3 This Deed is made pursuant 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 TCPA 1990, the Localism Act 2011 and all other powers so enabling apply.

- 1.4 The Mortgagee consents to the Owner entering into this Deed and acknowledges that the Land shall be bound by the terms and obligations contained in this Deed and PROVIDED THAT the Mortgagee shall otherwise have no liability under this Deed unless it takes possession of the Land in which case it too will be bound by the obligations as if it were a person deriving title from the Owner.
- 1.5 This Deed contains planning obligations made pursuant to the 2016 Agreement which is enforceable by the Council and which binds each and every part of the Land.

2. **VARIATIONS TO THE 2016 AGREEMENT**

- 2.1 The Parties agree that, except as varied by this Deed, the 2016 Agreement shall remain in full force and effect.
- 2.2 Nothing in this Deed affects the Council's powers in respect of any antecedent breach or omission in relation to the 2016 Agreement.
- 2.3 The Parties agree that upon the grant of the Planning Permission the following definitions contained within the 2016 Agreement shall be deleted in their entirety and shall be replaced as follows:-

Current definition to be deleted	New definition to be inserted
"Planning Application" means the application for planning permission for outline application for the erection of a 298 room hotel (Matters reserved: Landscaping) at Terminal 2 Heathrow Airport under	"Planning Application" means the application for planning permission under the Council's reference number 62360/APP/2017/3000;

the Council's reference number 62360/APP/2015/4277	
"Planning Permission" means the planning permission to be granted pursuant to the Planning Application in the form set out in Appendix 3";	"Planning Permission" means the planning permission to be granted pursuant to the Planning Application substantially in the form set out in Appendix 1 of this Deed ";

- 2.4 The parties agree that upon the grant of the Planning Permission the 2016 Agreement shall be varied by the insertion of a new schedule (Schedule 9 - Disabled Parking) as follows:

"Schedule 9
Disabled Parking

The Owner hereby covenants with the Council as follows:

1. Prior to Occupation of the Development to provide 4 disabled parking bays within the multi storey car park adjacent to the site (as shown on the plan(s) numbered 083-L (PL)-903 Rev P3 submitted with the Planning Application) to serve the Development.
2. Not to Occupy or cause or permit Occupation of the Development unless and until the disabled parking bays referred to in paragraph 1 above have been provided, and approved in writing by the Council.
3. The Owner covenants to provide the approved disabled parking bays (meaning the disabled parking bays referred to in paragraph 1 above) or such other necessary disabled parking bays as need to be re-provided in a different (but no less convenient) location during the lifetime of the Development. "

3. 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.

4. REGISTRATION OF THIS DEED

- 4.1 This Deed shall be treated and registered as a local land charge by the Council.

5. CONTRACTUAL RIGHTS OF THIRD PARTIES

No person other than a party to this Deed and their respective successors and permitted assigns shall have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Deed.

6. GOVERNING LAW

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.

Please refer to the title block for the drawing. It is the responsibility of the client to ensure that the drawing is used for the purpose for which it was prepared and that it is not used for any other purpose without the written consent of the author.

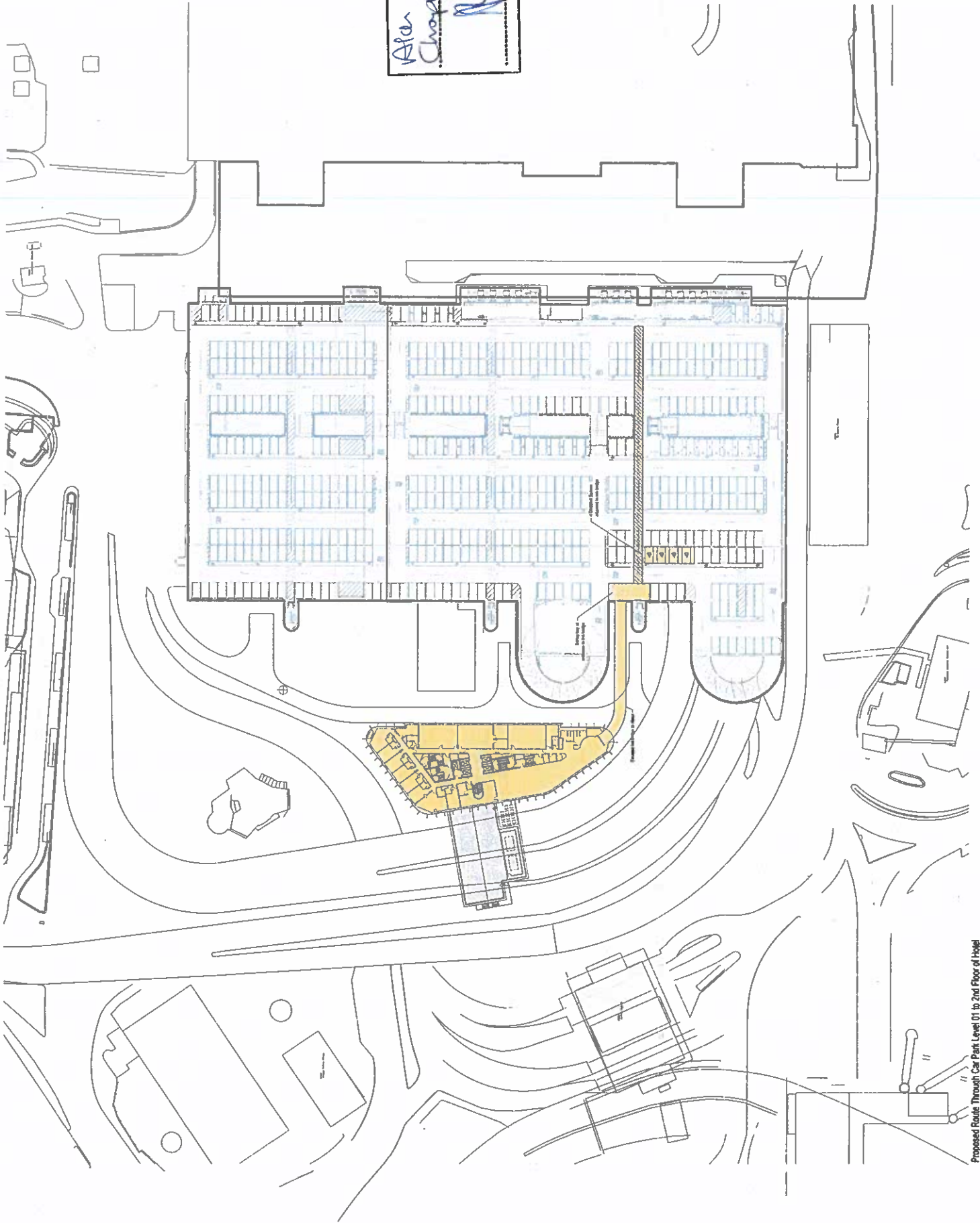
Author: J. P. Smith
 Date: 10.08.17
 Project: 003-L (PL)-303
 Drawing: 003-L (PL)-303

MEMBER OF
 THE COUNCIL
 AUTHORISED
 OFFICER

After
Chopra

PRELIMINARY

Project	Grove Developments
Client	Proposed Hotel at T2 Heathrow
Access Route	Proposed Bridge Link Access Route
Scale	1:1000
Author	J. P. Smith
Check	J. P. Smith
Drawn	J. P. Smith
Sheet	003-L (PL)-303
Page	P3



Proposed Route Through Car Park Level 01 to 2nd Floor of Hotel

APPENDIX 1

DRAFT PLANNING PERMISSION

Executed as a Deed and delivered once dated.

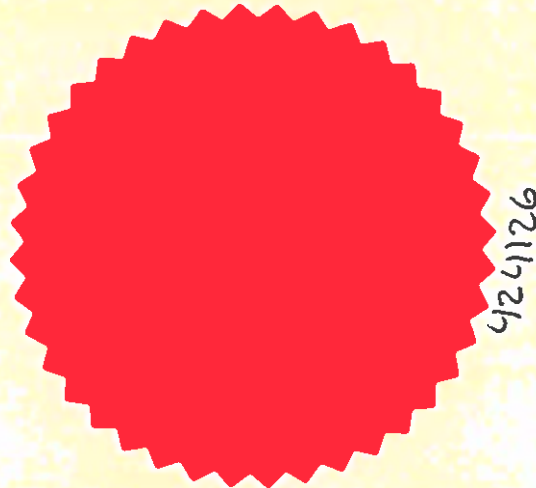
IN WITNESS of which this Deed has been duly executed as a Deed and has been delivered once dated.

THE COMMON SEAL of the
MAYOR AND BURGESSES OF THE
LONDON BOROUGH OF HILLINGDON
was duly affixed to this Deed AS A DEED
in the presence of:-

MEMBER OF
THE COUNCIL

Alan Chapman

AUTHORISED OFFICER



EXECUTED as a DEED by
as attorney for HEATHROW AIRPORT
LIMITED under a power of attorney
dated 9 January 2017

)
)
)
)

John Allthorpe

As attorney for Heathrow Airport Limited

In the presence of:

Witness Signature:

S. M. P. H. A. N. T.

Witness Name:

S. M. P. H. A. N. T.

Witness Address:

*COMPASS CENTRE
NELSON ROAD HOUNSLOW*

Witness Occupation:

CHARTERED SURVEYOR

DRAFT

Mr Tim Jurdon
World Business Centre 2
Newall Road
Heathrow Airport
Hounslow TW6 2SF

Application Ref: 62360/APP/2017/3000

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:

Section 73 application to amend condition 3 (approved plans) of planning permission ref. 62360/APP/2015/4277 dated 01-12-2016 for Outline application for the erection of a 298 room hotel (Matters reserved: Landscaping) at Terminal 2 Heathrow Airport. Changes include alterations to footprint, increase in height to include additional storey and roof top boardroom, increase in bedrooms provided from 298 to 360, relocation of elevated pedestrian link from first floor level to second floor level, revised external appearance, revised car parking, drop-off lay-by and internal re-arrangements.

Location of development: Land At Cessna Road Heathrow Airport Hounslow

Date of application: 17 August 2017

Plan Numbers: See attached Schedule of plans

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

Draft Decision Notice produced: 1 June 2018

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: 62360/APP/2017/3000

SCHEDULE OF CONDITIONS

- 1 . The development hereby permitted shall begin either before the expiration of three years from 1st December 2016, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended)

- 2 . Details of the landscaping (hereinafter called "the reserved matters") shall be submitted to the local planning authority before the expiry of three years from the date of outline permission 62360/APP/2015/4277 (dated the 1st of December 2016) and approved in writing before any development begins. The submitted details shall also include details of:

- (i) Any phasing for the development.

The development shall be carried out in accordance with the approved details.

REASON

To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (As Amended).

SCHEDULE OF CONDITIONS

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

A-1001- Red Line Plan

083-L(PL)-204 P3 Location Plan;
083-L(PL)-300 P2 Proposed floor plan level 0;
083-L(PL)-301 P1 Proposed floor plan level 1;
083-L(PL)-302 P1 Proposed floor plan level 2;
083-L(PL)-303 P2 Proposed floor plan levels 3-13;
083-L(PL)-314 P1 Proposed floor plan level 14;
083-L(PL)-401 P2 Section A;
083-L(PL)-402 P3 Section B;
083-L(PL)-403 P3 Section C;
083-L(PL)-404 P3 Section D;
083-L(PL)-405 P3 Section E;
083-L(PL)-406 P3 Section F;
083-L(PL)-407 P3 Section G;
083-L(PL)-408 P3 Section H;
083-L(PL)-501 P4 Elevation 1;
083-L(PL)-502 P4 Elevation 2;
083-L(PL)-503 P4 Elevation 3;
083-L(PL)-504 P4 Elevation 4;
083-L(PL)-505 P4 Elevation 5;
083-L(PL)-506 P4 Elevation 6;
083-L(PL)-507 P4 Elevation 7;
083-L(PL)-508 P4 Elevation 8;
083-L(PL)-509 P4 Elevation 9;
083-L(PL)-900 P3 Proposed Bridge Link Plans;
083-L(PL)-901 P2 Proposed Link Bridge Typical Bridge Sections Details;
083-L(PL)-902 P3 Proposed Link Bridge Elevations;
083-L(PL)-903 P3 Proposed Link Bridge Access Route;
083-L(PL)-904 P1 Proposed Link Bridge Access through car park;

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

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

SCHEDULE OF CONDITIONS

- 4 The development hereby permitted shall be carried out in accordance with the specified supporting plans and/or documents:

Reduction in energy use and renewable technology installation
Surface Water Drainage Strategy
Lifetime Homes Standards
Wheelchair Units
Cycle Parking and Cyclist Facilities
Refuse and Recycling Storage
Obscure Glazing
Noise Mitigation Measures
Design and Access Statement Addendum prepared by Unum Partnership
Planning Statement; Section 73 Application.

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

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

- 5 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 BE 13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

- 6 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 BE 13 of the 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 Covered and secure cycle storage for 22 bicycles
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts (including demonstration that 1 parking space is served by electrical charging points)
- 2.e Hard Surfacing Materials
- 2.f External Lighting

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 BE 13, BE 38 and AM 14 of the 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 (i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:
- (a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;
 - (b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and
 - (c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.
- (ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and
- (iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.
- (iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, 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 soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE 11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

SCHEDULE OF CONDITIONS

- 9 · Prior to the commencement of development a scheme for the inclusion of Photovoltaic Panels shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include a final roof plan showing the inclusion of the PVs as set out in the Energy Strategy (January 2016), accompanied by the PV specifications and how the effectiveness of the panels will be monitored. The development must proceed in accordance with the approved plans.

REASON

To ensure a sustainable form of development is provided in accordance with the requirements of London Plan (2015) Policy 5.2.

- 10 · No development shall commence until a low emission strategy has been submitted to and approved in writing by the Local Planning Authority. The low emission strategy shall address the fleet composition serving the Hotel to be Euro 5 or above or have implemented retrofitting devices that will enable compliance with such Euro standards.

The strategy shall detail the steps that will be followed in addressing the lower emissions requirements stated above and what measures will be taken to take into account future changing standards and available technologies and be updated accordingly in agreement with the local planning authority. The measures in the agreed scheme shall be maintained throughout the life of the development.

The Low emissions strategy shall make reference to The London Councils 'Air Quality and Planning Guidance'; DEFRA Practice Guidance 3: Practice guidance on Measures to Encourage the Uptake of Low Emission Vehicles, February 2009; and Low Emission Strategies: Using the Planning System to Reduce Transport Emissions, Good Practice Guidance prepared by the Beacons Low Emission Strategies, June 2008.

REASON

As the the application site is within an Air Quality Management Area and to comply with paragraph 124 of the NPPF, policy 7.14 of the London Plan (2015), and policy OE 1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

- 11 · Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

REASON

The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community, in accordance with policy OE8 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012) and London Plan (2015) Policy 5.12.

SCHEDULE OF CONDITIONS

- 12 · No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON

To comply with policy OE8 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012) and London Plan (2015) Policy 5.12, and because the proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

- 13 · Prior to occupation of the development hereby approved a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall:
- i) rationalise the number of delivery and servicing trips, particularly during peak traffic periods, with the aim of reducing the impact of residual freight activity;
 - ii) ensure there is provision of adequate loading facilities;
 - iii) ensure that the delivery space and time is actively controlled through a site booking plan;
 - iv) Provide details of measures which will be implemented to reduce neighbourhood impacts.

Operators should also be able to demonstrate their sustainability through membership of the Freight Operators Recognition Scheme (FORS) or similar.

REASON

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy AM2 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 6,14 of the London Plan (2015).

SCHEDULE OF CONDITIONS

- 14 · Prior to the commencement of development a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall consider the cumulative impacts of construction traffic and provide details of likely construction trips generated, and mitigation proposed. Details should include;
- i) site access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours),
 - ii) booking systems,
 - iii) construction phasing,
 - iv) vehicular routes,
 - v) scope for load consolidation in order to reduce the number of road trips generated,
 - vi) measures to improve safety to vulnerable road users'
 - vii) measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities),

The CLP would also need to take account of construction of other developments in the area.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON

To reduce the impacts of construction on the surrounding highway network and to safeguard the amenity of surrounding areas in accordance with Policies OE1 and AM2 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 6.14 of the London Plan (2015).

- 15 · Prior to commencement of development details of signage, to improve wayfinding and direct guests to the hotel, particularly from the station area, shall be submitted to and approved in writing by the Local Planning Authority. The signage shall be installed in accordance with the approved details and retained and maintained for the lifetime of the development.

REASON

To ensure easy wayfinding and encourage use of public transport in accordance with policy T1 of the Hillingdon Local Plan: Part 1 Strategic Policies (November 2012).

- 16 · Prior to commencement of development full details of the proposed drop-off lay-by for taxis, cars and vans, to include details of layout and a management plan, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON

To ensure the development has no adverse impact on the local highway network in accordance with policies AM2 and AM7 of the of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

SCHEDULE OF CONDITIONS

- 17 · The building(s) 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 (2015) Policies 7.1 and 7.3.

- 18 · Notwithstanding the approved plans, the minimum provision of accessible bedrooms as a percentage of the total number of bedrooms shall be:

- i. 5% without a fixed tracked-hoist system;
- ii. 5% with a fixed tracked-hoist system or similar system giving the same degree of convenience and safety;
- iii. 5% capable of being adapted in the future to accessibility standards (i.e. with more space to allow the use of a mobile hoist, wider doors, provision for services and with enclosing walls capable of supporting adaptations, e.g. handrails).

REASON

To ensure a fully inclusive environment in accordance with Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) R16 and AM13 and Policy 7.2 of the London Plan (2015).

- 19 · Prior to occupation of the development an Hotel Accessibility Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall provide details to demonstrate how the management and operation of the hotel will meet the needs of future users and include the measures to ensure the awareness and training of staff responsible for day-to-day contact with visitors using the building and facilities.

REASON

To ensure a fully inclusive environment in accordance with Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) R16 and AM13 and Policy 7.2 of the London Plan (2015).

SCHEDULE OF CONDITIONS

- 20 · Prior to the commencement of development a scheme for the provision and management of surface water run-off through the use of sustainable drainage techniques shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall (a) clearly identify and detail the existing surface water management regime (up to and including the 1:100 year storm event) across the whole of the site within the red-line boundary and (b) shall include details of the techniques and technology to reduce the surface water run-off from the pre development levels identified in

(a) The methods to reduce and attenuate the runoff

(b) shall follow the drainage hierarchy set out in the London Plan and should target a greenfield run-off rate (in a 1:100 year storm event) with appropriate justification provided where this is not feasible. The scheme shall also

(c) demonstrate how the management and storage of surface water run-off contributes to an efficient use of water consumption within the proposed development through harvesting and re-use (such as WC flushing and grey water use). The development must proceed in accordance with the approved scheme.

REASON

To ensure the development delivers a sustainable use of water and the reduction in surface water run-off thereby reducing the risk of flooding in accordance with Policy EM6 of the Local Plan Part 1, Policy OE8 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.12 and 5.13 of the London Plan (2015).

- 21 · No construction work shall commence on site until a Radar Mitigation Scheme (RMS), (including a timetable for its implementation during construction), has been agreed with the Operator and approved in writing by the London Borough of Hillingdon.

No construction work shall be carried out on site above 25m AGL unless and until the approved Radar Mitigation Scheme has been implemented and the development shall thereafter be operated fully in accordance with such approved Scheme.

REASON

In the interests of the safe operation of Heathrow Airport and of NATS En-route PLC.

- 22 · No construction work shall commence on site until the Developer has agreed a "Crane Operation Plan" which has been submitted to and has been approved in writing by the Local Planning Authority in consultation with the "Radar Operator".

Construction at the site shall only thereafter be operated in accordance with the approved "Crane Operation Plan".

REASON

In the interests of the safe operation of Heathrow Airport and of NATS En-route PLC.

SCHEDULE OF CONDITIONS

- 23 · No development shall take place until mitigation has been agreed and put in place to ensure that the proposed development will have no impact on the H10 Radar at Heathrow Airport.

REASON

To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment.

- 24 · No Development can take place until further assessment has confirmed that there is no impact or mitigation has been agreed and put in place to ensure that the proposed development will have no impact on the Multilateration systems at Heathrow Airport.

REASON

To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment.

- 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 following:

Details of cranes and other tall construction equipment (including crane locations, operating heights and details of obstacle lighting). Such schemes shall comply with Advice Note 4 'Cranes and Other Construction issues' (available at [www.aoa.org.uk/operations & safety/safeguarding. asp](http://www.aoa.org.uk/operations%20&%20safety/safeguarding.asp)). 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 breach the Obstacle Limitation Surface (OLS) at Heathrow Airport and endanger aircraft movements and the safe operation of the aerodrome. and to ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment.

- 26 · Before development commences details of the construction & permanent lighting scheme for the development shall be submitted to the Local Planning Authority for their written approval. No subsequent alterations shall take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON

It is necessary to control the construction & permanent lighting arrangements on this development to avoid confusion with aeronautical ground lights which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

SCHEDULE OF CONDITIONS

- 27 . Any external cladding used on the building must comply with all applicable parts of Schedule 1 to the Building Regulations including Approved Document B guidance.

In particular;

- External surfaces should meet the performance set out in Diagram 40,
- Each element of the cladding system including any insulation product, filler material etc. should be of limited combustibility (as defined in table A7 - eg Class A2 to BS EN 13501-1).
- Cavity barriers should be provided to close the edges of cavities, around openings, and in line with every compartment floor and wall.

Or alternatively:

- Cladding systems (including any necessary compartmentation and cavity barriers) shown to meet the performance criteria in BR 135 using full scale test data from BS 8414 -1 or -2 as appropriate will be acceptable.

Fixings should take account of the condition of the building substrate and performance in a fire.

REASON:

To ensure and maintain a secure and safe environment in accordance with Policy 7.13 of the London Plan (2016).

- 28 . The development hereby approved shall be implemented in full accordance with the mitigation measures identified in the Environmental Noise Survey report (Ref 1515844 dated 26th Jan 2016). The development shall not be occupied until the mitigation measures have been implemented in full and shall be retained thereafter.

If during the course of construction, changes are required to the proposed noise mitigation measures, full details should be submitted and approved in writing by the Local Planning authority.

REASON

To reduce the impacts of construction on the surrounding highway network and to safeguard the amenity of surrounding areas in accordance with Policies OE1 and AM2 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 6.14 of the London Plan (2015).

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 (2015) and national guidance.

SCHEDULE OF CONDITIONS

BE13	New development must harmonise with the existing street scene.
BE36	Proposals for high buildings/structures in identified sensitive areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
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
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
A4	New development directly related to Heathrow Airport
T2	Location of tourist accommodation and conference facilities
T4	Hotels, guest houses and other tourist accommodation - location, amenity and parking requirements
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
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
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
LPP 4.5	(2016) London's Visitor Infrastructure
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 7.14	(2016) Improving air quality
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.7	(2016) Location and design of tall and large buildings
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy

SCHEDULE OF CONDITIONS

- 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 . You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- 5 . 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).
- 6 . 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.
- 7 . 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 - 1¼ million Btu/hr and/or the construction of a chimney serving a furnace with a minimum rating of 1¼ 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).
- 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:-

SCHEDULE OF CONDITIONS

material used for the floor of the waste storage area must be able to withstand weight of the bulk bins. If the 40 cubic yard roll-on roll-off bin option is chosen, 10 Newton metre concrete would be required to withstand regular bin movements. Ideally the walls of the bin storage area should be made of a material that has a fire resistance of one hour when tested in accordance with BS 472-61.

When gates / doors are added to the waste storage area these need to be made of metal, hardwood, or metal clad softwood and ideally have fire resistance of 30 minutes when tested to BS 476-22. The door frame should be rebated into the wall. Again the doorway should allow sufficient clearance either side of the bin when it is being moved for collection. The door(s) should have a latch or other mechanism to hold them open when the bins are being moved in and out of the storage area.

If 100 litre bulk bins are used for the collection of certain waste streams these bins should not have to be moved more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard).

On a gradient of any path that the bulk bins (1,100 litres) have to be moved on, it should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

The access road to the waste storage area must be able to withstand the load of a collection vehicle. Allow up to 32 tonnes for front end loader or roll on roll off bins. It must also be 4 metres wide.

Final Point

The client for the building work should ensure that the contractor complies with the Building Regulations, created by Section 33 and 34 of the Environmental Protection Act.

We are advised that the principles of inclusive design in terms of communication, lighting, WC facilities, adjoining bedrooms and accessible ensuite facilities, signage and evacuation, should be in line with the relevant specifications of BS 8300:2010+ and, BS 9999:2008

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.: 62360/APP/2017/3000

SCHEDULE OF PLANS

083-L(PL)-402 Rev P3 - Section B - received 07 Sep 2017
083-L(PL)-403 Rev P3 - Section C - received 07 Sep 2017
083-L(PL)-404 Rev P3 - Section D - received 07 Sep 2017
083-L(PL)-405 Rev P3 - Section E - received 07 Sep 2017
083-L(PL)-406 Rev P3 - Section F - received 07 Sep 2017
083-L(PL)-501 Rev P4 - Elevation 1 - received 07 Sep 2017
083-L(PL)-502 Rev P4 - Elevation 2 - received 07 Sep 2017
083-L(PL)-503 Rev P4 - Elevation 3 - received 07 Sep 2017
083-L(PL)-504 Rev P4 - Elevation 4 - received 07 Sep 2017
083-L(PL)-505 Rev P4 - Elevation 5 - received 07 Sep 2017
Addendum to Design and access statement 170815 - received 15 Aug 2017
083-L(PL)-204 P3 - Location Plan - received 15 Aug 2017
083-L(PL)-300 P2 - Proposed floor plan level 0 - received 15 Aug 2017
083-L(PL)-301 P1 - Proposed floor plan level 1 - received 15 Aug 2017
083-L(PL)-302 P1 - Proposed floor plan level 2 - received 15 Aug 2017
083-L(PL)-900 P3 - Proposed Bridge Link Plans - received 15 Aug 2017
083-L(PL)-901 P2 - Proposed Link Bridge Typical Bridge Sections Details - received 15 Aug 2017
083-L(PL)-902 P3 - Proposed Link Bridge Elevations - received 15 Aug 2017
083-L(PL)-903 P3 - Proposed Link Bridge Access Route - received 15 Aug 2017
083-L(PL)-904 P1 - Proposed Link Bridge Access through car park - received 15 Aug 2017
083-L(PL)-303 P2 - Proposed floor plan levels 3-13 - received 15 Aug 2017
083-L(PL)-314 P1 - Proposed floor plan level 14 - received 15 Aug 2017
083-L(PL)-401 P2 - Section A - received 15 Aug 2017
083-L(PL)-407 P3 - Section G - received 15 Aug 2017
083-L(PL)-408 P3 - Section H - received 15 Aug 2017
Covering Letter -T2 Hotel S73. - received 15 Aug 2017
083-L(PL)-506 Rev P4 - Elevation 6 - received 07 Sep 2017
083-L(PL)-507 Rev P4 - Elevation 7 - received 07 Sep 2017
083-L(PL)-508 Rev P4 - Elevation 8 - received 07 Sep 2017

083-L(PL)-509 Rev P4 - Elevation 9 - received 07 Sep 2017

A-1001 Red Line Plan - received 01 Dec 2016

