

DATED

8<sup>th</sup>

November

2022

**THE LONDON BOROUGH OF HILLINGDON**

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

**LAND ADJACENT TO WHITEHEATH JUNIOR SCHOOL WHITEHEATH AVENUE**  
**65410/APP/2020/4020**

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Planning and Corporate Team  
Legal Services  
London Borough of Hillingdon  
Civic Centre  
High Street  
Uxbridge  
Middlesex UB8 1UW  
Ref: 3E/04/HS/018451



THIS DEED IS MADE ON THE 8<sup>th</sup> DAY OF November 2022

**BETWEEN**

1. **THE LONDON BOROUGH OF HILLINGDON** of the Civic Centre, High Street, Uxbridge, Middlesex, UB8 1UW ("the Council and the Owner").

**WHEREAS**

- (A) The Council is the local planning authority for the purposes of the Act in respect of the Site and by whom the obligations in this Deed are enforceable.
- (B) The Owner has the freehold interest in that part of the Site registered under Title Number MX84934 at the Land Registry.
- (C) The Original Planning Permission was granted on the 19 March 2020 and the Original Deed was entered into on the 8<sup>th</sup> November 2022.
- (D) This Deed is supplemental to the Original Deed.
- (E) For the purpose of securing satisfactory arrangements for the development of the Site 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:

<b>"the Act"</b>	means the Town and Country Planning Act 1990 (as amended);
<b>"this Deed"</b>	means this Deed of Variation;
<b>"Implemented"</b>	means the carrying out of a material operation as defined in section 56(4) of the Act at the Site in connection with the Development;
<b>"Original Deed"</b>	means the Statement of Intent dated 8 <sup>th</sup> November 2022 under the Act by the London Borough of Hillingdon;
<b>"Original Planning Permission"</b>	means the planning permission granted on 19 March 2020 by the Council under planning reference 64510/APP/2019/1412;
<b>"the Parties"</b>	means the Council and the Owner;
<b>"Site"</b>	means the land known as land and buildings adjacent to Whiteheath Junior School Whiteheath Avenue and shown edged in red on the Plan to the Original Deed and registered under title no. MX84934.

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

- 2.1 Unless the same are given alternative definitions in this Deed all words and phrases defined in the Original Deed shall have the same meaning in this Deed 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 in title or permitted assigns or any person deriving title through or under that party 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. VARIATIONS TO 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 upon the grant of the 2020 Planning Permission the following definitions shall be added to the Original Deed:

<b>"2020 Planning Permission"</b>	means the planning permission granted for the Development pursuant to the 2020 Planning Application substantially in the form of the draft permission at Appendix 5 hereto;
<b>"2020 Planning Application"</b>	means the application for planning permission under the Council's reference number <b>64510/APP/2020/4020</b> ;
<b>"Original Planning Permission"</b>	means the planning permission granted on 19 March 2020 for the Development pursuant to the Planning Application;

- 3.4 The Parties agree that upon the grant of the 2020 Planning Permission the definition of "Planning Permission" in the Original Deed shall be deleted and replaced with the following definition:

<b>"Planning Permission"</b>	means the Original Planning Permission or the 2020 Planning Permission
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- 3.5 The Parties agree that upon the grant of the 2020 Planning Permission in clause 4.7, 4.9, 5.1.1 and 5.1.2 of the Original Deed the reference to "Planning Permission" shall be deleted and replaced with "the Original Planning Permission or the 2020 Planning Permission".
- 3.6 In the event that the 2020 Planning Permission is Implemented, the Owner undertakes not to continue to carry out the Development pursuant to the Original Planning Permission.
- 3.7 The Parties agree that upon the grant of the 2020 Planning Permission a new Appendix 5 shall be added to the Original Deed and the draft 2020 Planning Permission at Annex 1 to this Deed shall appear as though it had been originally annexed to Appendix 5 of the Original Deed.

**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 Site.

**5. COVENANTS TO THE COUNCIL**

The Owner covenant 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 Owners 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 paid.

11.2 The Owner hereby acknowledges and agrees that if at any time VAT is required to be paid in respect of the Site and the Contributions then to the extent that VAT had not been previously charged in respect of that payment the Council shall have the right to issue a VAT invoice to the Owner 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**

### **Draft 2020 Planning Permission**



# DRAFT

Mr Satish Vekaria  
London Borough Of Hillingdon  
Capital Programme Works Service, 2.E/10  
Residents Services, Civic Centre  
High Street  
Uxbridge  
UB8 1UW

Application Ref: 64510/APP/2020/4020

## 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 vary Condition 2 of planning permission ref. 64510/APP/2019/1412 dated 19-03-2020 (Application for erection of 2 x 4 bed dwellings with associated landscaping, car parking and ecological area to the rear of the site) to facilitate the relocation of car parking spaces for House A, facilitate changes to hard & soft landscaping for House A, adjust the position of House A by setting the proposed dwelling back 1.5m and set in 0.6m from the previously approved position together with the erection of a close boarded timber fence with 300mm trellis over to the side of House A.

**Location of development:** Land Adjacent To Whiteheath Junior School Whiteheath Avenue Ruislip

**Date of application:** 24th December 2020

**Plan Numbers:** See attached Schedule of plans

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

**Draft Decision Notice produced:**

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

**Amendments required:** YES / NO

**NOTES:** This decision does not purport to convey any approval or consent which may be required under any by-laws, building regulations, or under any enactment other than the Town and Country Planning Act 1990.

# DRAFT

## TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

### GRANT OF PLANNING PERMISSION

Application Ref: 64510/APP/2020/4020

### SCHEDULE OF CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of the original permission.

#### REASON

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

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

2018/D271/P03 rev H  
2018/D271/P/09 rev C  
2018/D271/P/10 rev C  
2018/D271/P/14  
2018/D271/P/13

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 1, Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020) and the London Plan (2021).

- 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:

Arboricultural Impact Assessment & Method Statement - Ref: TH1981/B

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 1, Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020) and the London Plan (2021).

- 4 Notwithstanding the approved plans no development shall take place, not including all the works required to form the new access way along the western boundary of the site associated to the retention of the existing substation to the rear of the site, 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 DMHB

11 of Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

- 5 No site clearance or construction work shall take place, not including all the works required to form the new access way along the western boundary of the site associated to the retention of the existing substation to the rear of the site, 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.

3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections / meetings shall be submitted to 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 DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

- 6 No development shall take place, not including all the works required to form the new access way along the western boundary of the site associated to the retention of the existing substation to the rear of the site, 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 Cycle Storage for 4 bicycles

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts: 4 cars

2.e Hard Surfacing Materials

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 surfacing/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

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 DMHB 14 of Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020).

- 7 Trees, hedges and shrubs shown to be retained on the approved plan(s) 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 (or after) 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 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 DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply

with Section 197 of the Town and Country Planning Act 1990.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

#### REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

- 9 No development shall commence, (excluding demolition and site clearance) not including all the works required to form the new access way along the western boundary of the site associated to the retention of the existing substation to the rear of the site, until a plan for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. As a minimum, the plan shall show the following details:

i. Identify proposed areas of hardstanding as part of the development, state the material to be used for each area and show the proposed direction of slope. All hardstanding areas shall be formed of permeable surfaces, or slope to a permeable area or soakaway.

ii. Identify proposed downpipes from the development and show where these will discharge to. Collected surface water from roof areas will be directed away from the public sewer network as a preference by using SuDS such as rain gardens, soakaways or other infiltration techniques in line with Building Regulations Approved Document H (2015). Any required connection to the public sewer network to be restricted to greenfield rates.

iii. List the proposed activities that will be undertaken to maintain the surface water drainage network. The drainage system should be maintained (such as gutter clearance, permeable paving jet washing and debris clearance from linear drainage channels) to ensure that it will continue to function over the lifetime of the development and will not increase the risk of surface water flooding.

iv. Identify the water reuse methods to be implemented (i.e. water butts) The development should also use methods to minimise the use of potable water through the use of rainwater harvesting measures (such as water butts) to capture excess rainwater. Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

#### REASON

To ensure that surface water run off is controlled and to ensure the development does not increase the risk of flooding contrary to: Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012); Policy DMEI 10 Water Management, Efficiency and Quality in emerging Hillingdon Local Plan Part 2 Development Management Policies (2020).

- 10 The residential units hereby approved shall not be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. The parking allocation scheme shall, as a minimum, include a requirement that all on-site car parking shall be allocated and dedicated for the use of each of the residential units hereby approved and shall remain allocated and dedicated in such a manner for the life-time of the development.

#### REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with



Policy DMT6 Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

- 11 The development (buildings and parking areas) 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 dwelling 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.

- 12 The dwellings hereby permitted are required to be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015.

**REASON:** To ensure that an appropriate standard of housing stock is achieved and maintained.

- 13 The obscure glazed panel of the rear facing oriel windows hereby approved on Unit B shall remain obscure glazed and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence. All side facing windows on Unit A facing No.1 Whitheath Avenue shall remain obscure glazed and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

**REASON**

To prevent overlooking to adjoining properties and the school in accordance with Policy DMHB 11 of Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

- 14 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. All imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted to the Local Planning Authority for approval.

**REASON:**

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy Policy DMEI 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

- 15 No development shall commence, not including all the works required to form the new access way along the western boundary of the site associated to the retention of the existing substation to the rear of the site until details of step free access via the principal private entrance shall be submitted to and approved in writing by the Local Planning Authority.

**REASON:**

To ensure that an appropriate standard of housing stock is achieved and maintained.

- 16 No development shall commence, not including all the works required to form the new access way along the western boundary of the site associated to the retention of the existing substation to the rear of the site, until the applicant has submitted a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

(i) The phasing of development works

(ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).

(iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.

(iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).

(v) Traffic management and 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).

(vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.

(vii) The storage of demolition/construction materials on site.

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

## REASON

To safeguard the amenity of surrounding areas in accordance with DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy EM8 of Hillingdon Local Plan: Part 1- Strategic Policies (2012).

## 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 You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- 3 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to: carry out work to an existing party wall; build on the boundary with a neighbouring property; in some circumstances, carry out groundworks within 6 metres of an adjoining building. Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.
- 4 Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- 5 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out

between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

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](http://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.

- 6 The proposed refuse and recycling storage areas meet the requirements of the Council's amenity and accessibility standards only. The proposed storage area must also comply with Part H of the Building Regulations. Should design amendments be required to comply with Building Regulations, these should be submitted to the Local Planning Authority for approval. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250400).
- 7 Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp))
- 8 The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.
- 9 This permission is liable for a contribution under the Community Infrastructure Levy (CIL) and a separate CIL liability notice will be provided for your consideration.
- 10 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way.
- 11 The construction of the new access way which leads to the existing electricity substation to the rear of the site has been separated within the pre-commencement requirements so the access can be constructed in order to ensure the substation which powers the school remains available for repair and maintenance whilst the construction of the development is ongoing.

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2021) and national guidance.

#### Part 1 Policies

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

#### Part 2 Policies

OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 6.13	(2016) Parking
LPP 6.9	(2016) Cycling
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

#### **END OF SCHEDULE**

**Address:**  
Development Management  
Directorate of Place  
Hillingdon Council  
3 North, Civic Centre, High Street, Uxbridge UB8 1UW  
[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

## GRANT OF PLANNING PERMISSION

Application Ref: 64510/APP/2020/4020

### SCHEDULE OF PLANS

2018D271P03 rev H - received 29 Jan 2021

## **RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY**

### **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

#### **Appeals to the Secretary of State**

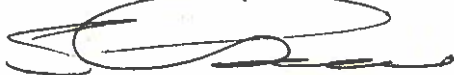
- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 8428). Appeal forms can be downloaded from the Planning Inspectorate's website at [www.planningportal.gov.uk](http://www.planningportal.gov.uk).
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In Practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

#### **Purchase Notices.**

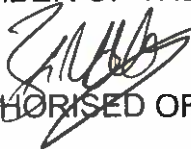
- If either the local planning authority or the office of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



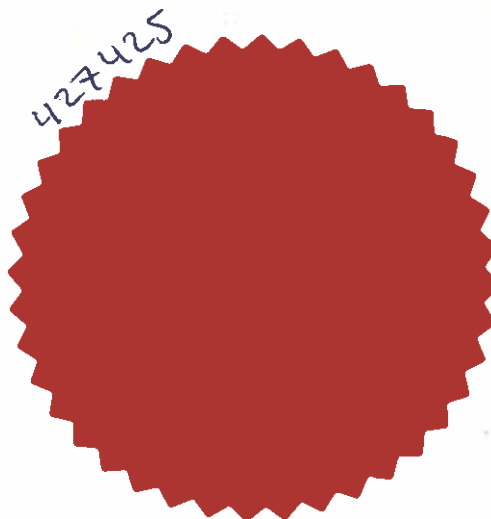
THE COMMON SEAL of the  
**MAYOR AND BURGESSES OF  
HILLINGDON** was duly affixed to  
this Deed in the presence of:



MEMBER OF THE COUNCIL



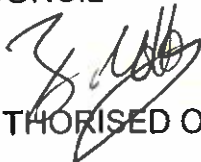
AUTHORISED OFFICER



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



MEMBER OF THE  
COUNCIL



AUTHORISED OFFICER

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