

DATED

17th March

2023

GS HAYES OWNER LIMITED

AND

THE LONDON BOROUGH OF HILLINGDON

DEED OF VARIATION
in connection with a Section
106 Agreement made under
Section 106 of the Town and
Country Planning Act 1990 (as
amended) relating to Crown
Trading Centre, Clayton Road

PLANNING APPLICATION NUMBERS: 73955/APP/2022/2613
and 73955/APP/2020/139

Planning and Corporate Team
Legal Services
London Borough of Hillingdon
Civic Centre
High Street
Uxbridge
Middlesex UB8 1UW
Ref: 3E/04/NF/021372

THIS DEED IS MADE ON THE DAY OF

17th March

2023

BETWEEN

- (1) **GS HAYES OWNER LIMITED** (company number OE001340) a company incorporated and registered in Jersey of 22 Grenville Street, St Helier, Jersey JE4 8PX ("the Owner");

and

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

It is agreed

1 Definitions

- 1.1 In this Deed the following words and expressions shall have the following meanings:

"Deed"	means this deed;
"First Deed of Variation"	means the deed of variation in connection with the Section 106 Agreement and pursuant to the Second Planning Application;
"Original Planning Application"	means the application for planning permission under the Council's reference number 73955/APP/2020/139;
"Original Planning Permission"	means the planning permission granted on 27 August 2021 under the Council's reference number 73955/APP/2020/139;
"Second Planning Application"	means the planning application submitted to the Council pursuant to Section 73 of the 1990 Act under reference number 73955/APP/2021/3362;
"Second Planning Permission"	means the planning permission granted pursuant to the Second Planning Application and dated 20 January 2022;
"Section 106 Agreement"	means the agreement made pursuant to Section 106 of the 1990 Act between (1) the Owner and (2) the Mortgagees (as defined therein) (3) the Developer (as defined therein) and (4) the Council dated 24 August 2021 pursuant to planning application reference 73955/APP/2020/139 as varied by the First Deed of Variation;

"Third Planning Application"	means the planning application submitted to the Council pursuant to Section 73 of the 1990 Act under reference number 73955/APP/2022/2613 validated by the Council on 29 September 2022;
"Third Planning Permission"	means the planning permission granted pursuant to the Third Planning Application substantially in the form attached to Schedule 1 of this Deed;

1.2 Where the context so requires:

- (a) Unless the context otherwise requires, all words and phrases defined in the Section 106 Agreement shall have the same meaning in this Deed.
- (b) All references in this Deed to clauses in the Section 106 Agreement are to clauses within the Section 106 Agreement save as varied by this Deed.
- (c) Any covenant by the Owner not to do any act or thing shall be deemed to include a covenant not to cause permit or suffer the doing of that act or thing.
- (d) Where in this Deed reference is made to any clause, paragraph or schedule or recital such reference (unless the context otherwise requires) is a reference to a clause, paragraph or schedule in this Deed.
- (e) Words importing the singular meaning where the context so admits include the plural meaning and vice versa.
- (f) Words of the masculine gender include the feminine and neuter genders.
- (g) Words denoting actual persons include companies, corporations and firms and all such words shall be construed interchangeably in that manner.
- (h) Where more than one person is obliged to observe or perform an obligation the obligation can be enforced against all such persons jointly and against each individually unless there is an express provision otherwise.
- (i) Any reference to an Act of Parliament shall include any modification, extension or re-enactment of that Act for the time being in force and shall include all instruments, orders, plans, regulations, permissions and directions for the time being made, issued or given under that Act or deriving validity from it.
- (j) References to any party to this Deed shall be deemed to include the successors in title to that party and to any person deriving title through or under that party and in the case of the Council the successors to their respective statutory functions.
- (k) The provisions of the Section 106 Agreement 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.

2 Recitals

- 2.1 The Council is the local planning authority for the purposes of the 1990 Act for the area within which the Site is situated and is the authority by whom the obligations hereby created are enforceable.
- 2.2 The Original Planning Permission was granted on 27 August 2021 following the completion of the Section 106 Agreement.
- 2.3 The Second Planning Permission was granted on 20 January 2022 following completion of the First Deed of Variation.
- 2.4 This Deed is supplemental to the Section 106 Agreement and varies the Section 106 Agreement only to the extent as set out in this Deed.
- 2.5 The Owner has a freehold interest in those parts of the Site registered under the following title numbers at the Land Registry: AGL43484, AGL46813, AGL52088, AGL54212, AGL45542, AGL47573, and AGL50655.
- 2.6 The Owner has a freehold interest in those parts of the Site by transfers awaiting registration at the Land Registry in relation to title numbers:

AGL45541, AGL44190, AGL45540 (transfer date 21 April 2022);
AGL45164 (transfer date 4 August 2022);
AGL48775 and AGL45803 (transfer date 10 August 2022); and
AGL46837, AGL56244, AGL51648, AGL47138, AGL47577, NGL96167 and AGL52062 (transfer date 21 September 2022).
- 2.7 The Equans Regeneration Limited (who is "the Developer" in the Section 106 Agreement) is no longer involved in the Development and the Owner intends to develop the Site pursuant to the Planning Permission.
- 2.8 Pursuant to section 73 of the Act on 18 August 2022, a new planning application was submitted for a minor material amendment to the Second Planning Permission with reference 73955/APP/2022/2613.
- 2.9 The Third Planning Application (as hereinafter defined) was submitted to the Council seeking to vary conditions 2, 3 and 5 of the Second Planning Permission.
- 2.10 The parties hereto have agreed that the Section 106 Agreement shall be varied as set out in clause 3.3 of this Deed and the parties have agreed to enter into this Deed in order to vary the terms of the Section 106 Agreement accordingly.

3 Operative provisions

- 3.1 This Deed is made pursuant to section 106 and section 106A of the 1990 Act, Section 16 of the Greater London Council (General Powers) Act 1974, and all other powers so enabling and is a planning obligation for the purposes thereof with the intent that it shall bind the Owner and its successors in title to each and every part of the Site as provided in these clauses and in the clauses of the Section 106 Agreement.

3.2 This Deed shall become effective on the date of this Deed.

3.3 The parties mutually agree to vary and supplement the terms of the Section 106 Agreement so that the Section 106 Agreement shall from and including the date of this Deed be read and construed as follows:

- (a) The parties agree that upon the grant of the Third Planning Permission (as defined below) the following new definitions shall be inserted into clause 1.1 of the Section 106 Agreement:

"Third Planning Application"	means the planning application submitted to the Council pursuant to Section 73 of the 1990 Act under reference number 73955/APP/2022/2613 validated by the Council on 29 September 2022;
"Third Planning Permission"	means the planning permission granted pursuant to the Third Planning Application substantially in the form attached to Schedule 1 of this Deed;

- (b) The definitions for "Carbon Offset Contribution", "Planning Application" and "Planning Permission" in clause 1.1 of the Section 106 Agreement shall be deleted and replaced with the following definitions:

"Carbon Offset Contribution"	means the Index Linked sum of Three Hundred and Sixty-Six Thousand Seven Hundred and Ninety-Five pounds (£366,795) referred to in Schedule 5 as a contribution to be used by the Council towards the provision of offsite carbon reduction measures within the Authority's Area in the vicinity of the Development;
"Planning Application"	means the application for planning permission under reference 73955/APP/2020/139 or the application for planning permission under reference 73955/APP/2021/3362 or the application for planning permission under reference 73955/APP/2022/2613;
"Planning Permission"	means the Original Planning Permission or the Second Planning Permission or the Third Planning Permission;

4 It is hereby agreed and declared as follows:

- 4.1 The provisions of the Section 106 Agreement continue to be enforceable by the Council and continue to bind the Site in all respects save as varied by this Deed, but for the avoidance of doubt the alterations and amendments hereby agreed shall to the extent only that they are material supersede specific provisions to the contrary in the Section 106 Agreement.
- 4.2 A person who is not a party to this Deed has no right under the Contracts (Rights of Third Parties) Act 1999 to enforce any term hereof provided that this clause shall not affect any right of action of any person to whom this Deed is lawfully assigned or in whom it becomes vested in law.
- 4.3 This Deed shall be registered as a Local Land Charge.
- 4.4 The Owner covenants that if the permission granted pursuant to the Third Planning Application is Commenced the Owner will not Commence or resume Commencement of the permission granted pursuant to the Original Planning Application nor the Second Planning Application.
- 4.5 Performance or part performance of the obligations in the Section 106 Agreement prior to the date of this Deed shall constitute performance or (as applicable) partial performance of the obligations in the Section 106 Agreement as varied by this Deed.
- 4.6 It is agreed that if any part of this Deed is declared unlawful or invalid by a Court of competent jurisdiction then (to the extent possible) the offending provision(s) will be severed from the Deed and the remainder of this Deed shall continue in full force and effect.
- 4.7 This Deed and any dispute or claim arising out of or in connection with it or its subject matter or formation shall be governed by and construed in accordance with the law of England, and the parties submit to the non-exclusive jurisdiction of the courts of England and Wales.
- 4.8 The Owner shall pay to the Council its reasonable legal fees on completion of this Deed.

Executed as a deed by the parties or their duly authorised representatives on but not delivered until the date of this Deed.

**SCHEDULE 1
Draft Decision Notice**

DRAFT

Isobel McGeever
Iceni Projects
Iceni Projects
Da Vinci House
44 Saffron Hill
London
EC1N 8FH

Application Ref: 73955/APP/2022/2613

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders permission for the following:

Description of development:

Section 73 application to vary Conditions 2, 3 and 5 of application reference 73955/APP/2021/3362 dated 2001-2022 (Section 73 application to vary Conditions 2 and 3 of application reference 73955/APP/2020/139 (Demolition of existing buildings for residential-led mixed use development comprising buildings between 3 and 11 storeys to provide residential units (Use Class C3) and ground floor employment floorspace (Use Class B1) with associated access and car and cycle parking, landscape and amenity areas and associated servicing) to link internal corridors, relocate the consented gym use, relocate a duplex unit, change duplex units to single level, amend the refuse strategy and amend the layout of the car park & cycle stores) to include a second staircase, reduction in car parking, change to energy strategy, internal flat changes to address fire regulations, change to residential unit mix, and amendments to landscaping.

Location of development: Crown Trading Estate Clayton Road Hayes

Date of application: 29th September 2022

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

DRAFT

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Application Ref: 73955/APP/2022/2613

SCHEDULE OF CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the 27th August 2021.

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:

PL020

PL023

PL026

PL027

PL000 Rev P04

PL000.5 Rev P03

PL001 Rev P03

PL002 Rev P03

PL003 Rev P03

PL004 Rev P03

PL005 Rev P03

PL006 Rev P03

PL007 Rev P03

PL008 Rev P03

PL009 Rev P03

PL010 Rev P01

PL100 Rev P03

PL101 Rev P03

PL102 Rev P03

PL103 Rev P03

PL104 Rev P03

PL200 Rev P03

PL202 Rev P03

PL203 Rev P03

PL204 Rev P03

PL205 Rev P03

PL206 Rev P03

PL207 Rev P03

PL208 Rev P03

PL209 Rev P03

PL210 Rev P03

PL211 Rev P03

PL212 Rev P03

PL213 Rev P03

PL214 Rev P03

PL215 Rev P03

PL216 Rev P03

SK002 Rev P02; and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 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:

Design and Access Statement

Section 73 Application DAS Addendum

Design and Access Statement - Proposed Scheme Amendments 16.08.22

Affordable Housing Schedule

Affordable Housing Offer

Aviation Risk Assessment Version 5 18 November 2019

BRE Daylight Sunlight Study (Within) 3rd December 2019

Daylight or Sunlight assessment Addendum 6th August 2021

BRE Daylight Sunlight (Neighbouring Properties) 28 November 2019

Daylight and Sunlight Assessment letter 4th August 2022

Daylight and Sunlight Report (Within Development Assessment based on 2011 BRE Guidance) 27 September 2022

Daylight and Sunlight Report (Within Development Assessment based on 2022 BRE Guidance) 27 September 2022

Fire Strategy Report BWC/FS/1468/V3

Fire Statement 16th September 2021

Updated Design Details Option 8 (Fire Safety) 3rd September 2021

Fire Statement Form - The Linear Building 12/08/2022

Fire Statement Form - The Perimeter Building 12/08/2022

Fire Statement (London Plan) GL8257/R2 Issue 2

Heritage and Townscape Visual Impact Assessment November 2019

Heritage and Townscape Addendum March 2020 V.1

Noise Impact Assessment NIA/8645/19/8635/v4/Clayton Road 26th November 20

Noise Impact Addendum - 26.03.20

Overheating Strategy OHA77071-CTC.I03 Nov 2019

London Plan Energy Strategy Report PRO-062096 ES1

Planning Statement December 2019

Pedestrian Wind Environment Assessment WF087-02F02 (REV3) August 18 2020

Wind Microclimate Technical Addendum WF087-03 16th August 2022

Foul Water Surface Water and SUDS Strategy Report JR006098-ISS-XX-XX-RP-C-7301 Rev P03

Accessibility Report - 01.05.20

Urban Greening Factor - 19.03.20

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 Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

- 4 Detailed drawings or samples of materials as appropriate, in respect of the following shall be submitted to and approved in writing by the local planning authority before the relevant part of the works is begun, and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained:
- (a) Samples of materials
 - (b) Details of roof parapets, window and door reveals, spandrel panels
 - (c) Details of balconies, railings, metal cladding, rainwater pipes
 - (d) Details of signage

Sample panels required

Sample panels of facing brickwork showing the proposed colour, texture, facebond and pointing shall be provided on site, and approved in writing by the local planning authority before the relevant parts of the approved works are commenced, and the sample panels shall be retained on site until the work is completed in accordance with the panel (s) so approved.

Windows and doors

Elevational drawings at a scale of 1:20 and plan and vertical sectional drawings at a scale of 1:2 of the proposed windows and doors shall be submitted to and approved in writing by the local planning authority. The works shall be undertaken in accordance with the approved details.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 5 Development shall not begin (excluding demolition and site clearance) 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 (727 long stay cycle spaces, 26 short stay cycle spaces)
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts (including 189 car parking spaces, demonstration that 183 are residential carparking spaces and 6 car parking spaces are for the commercial uses, that 38 parking spaces

(20%) are served by active electrical charging points and 153 (80%) are served by passive electrical charging points, 6 accessible spaces, 2 car club spaces, plus 10 motorcycle spaces)

2.e Hard Surfacing Materials

2.f External Lighting

2.g Other structures (such as play equipment and furniture)

3. Living Walls and Roofs

3.a Details of the inclusion of living walls, screens and/or roofs. The living walls, screens and/or roofs shall incorporate native nectar rich planting.

3.b Justification as to why no part of the development can include living walls and roofs

4. Details of Landscape Maintenance

4.a Landscape Maintenance Schedule for a minimum period of 5 years.

4.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.

5. Schedule for Implementation

6. Other

6.a Existing and proposed functional services above and below ground

6.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 DMHB 11, DMHB 14, DMEI 1 and DMT 6 of the Hillingdon Local Plan Part 2 (2020) and Policies G5, G6, T5 and T6 of the London Plan (2021).

- 6 Prior to above ground works, an ecological enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall show dedicated area(s) for the management of wildlife that can double as an outdoor learning space. The plan shall also include a diverse range of planting through an updated landscaping plan that has been developed to improve biodiversity. Finally, the plan shall also show the inclusion of wildlife enhancement features (i.e. bat and bird boxes as well log piles) throughout the landscaped areas and within the fabric of the buildings. The development must proceed in accordance with the approved plan.

REASON

To ensure the development incorporates measures to improve biodiversity whilst protecting the interests of aircraft safety in compliance with policies DMAV 1 EM7 of the Local Plan Part 1, Policy DMEI 7 of the Hillingdon Local Plan Part 2 (2020) and London Plan (2021) Policy G6.

- 7 Prior to occupation of the development, details of the boundary treatment between the application site and the Grand Union Canal shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust.

REASON

To ensure the development provides a safe and secure environment in accordance with Policies DMHB 15 and DMT 5 of the Hillingdon Local Plan Part 2 (2020).

- 8 No external lighting related to the development hereby permitted shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning.

REASON

In the interests of the protection of the biodiversity of the Blue Ribbon Network in accordance with Policy EM7 of the Local Plan Part 1, Policy DMEI 7 and DMEI 8 of the Hillingdon Local Plan Part 2 (2020) and London Plan (2021) Policy G6.

- 9 Prior to the commencement of development (excluding demolition outside of the Canal Exclusion Zone) hereby permitted, a slope stability assessment of the canal cutting shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust. The assessment shall indicate protection measures necessary to ensure the stability of the slope during the demolition and construction works associated with the permitted development.

Demolition works outside of the Canal Exclusion Zone (as defined by approved plan no. JR006098-ISSXX-ZZ-DR-S-2851 Rev P01) shall be carried out in accordance with the details submitted and approved under application reference 73955/APP/2022/2408.

REASON

In the interests of the land stability of the site and the structural integrity of the Grand Union Canal, in accordance with paras 174 and 184 of the NPPF (2021) and DMEI 8 of the Hillingdon Local Plan Part 2 (2020).

- 10 Prior to the commencement of the development (excluding demolition outside of the Canal Exclusion Zone) hereby permitted, a survey of the condition of the waterway wall shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust, along with a Risk Assessment and Method Statement setting out the details of any repair works to be undertaken to safeguard the integrity of the waterway wall during demolition and construction. The Risk Assessment and Method Statement shall detail how any items of heritage interest found during the survey or subsequent repair works will be documented and protected, as required. The works to the waterway wall shall be carried out in accordance with the approved details.

Demolition works outside of the Canal Exclusion Zone (as defined by approved plan no. JR006098-ISSXX-ZZ-DR-S-2851 Rev P01) shall be carried out in accordance with the details submitted and approved under application reference 73955/APP/2022/2408.

REASON

In the interests of the structural stability of the Grand Union Canal, in accordance with paras 174 and 184 of the NPPF (2021) and DMEI 8 of the Hillingdon Local Plan Part 2 (2020).

- 11 Prior to the commencement of development (excluding demolition outside of the Canal Exclusion Zone), a Risk Assessment and Method Statement shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust. The Risk Assessment and Method Statement shall specify the measures to be taken to ensure the protection of the structural

stability, water quality and biodiversity of the waterway, as well as protection of its users. The construction and demolition shall be carried out in accordance with the approved details.

Demolition works outside of the Canal Exclusion Zone (as defined by approved plan no. JR006098-ISSXX-ZZ-DR-S-2851 Rev P01) shall be carried out in accordance with the details submitted and approved under application reference 73955/APP/2022/2408.

REASON

In the interests of the structural stability, water quality and biodiversity of the Grand Union Canal, in accordance with paras 174 and 184 of the NPPF (2021) and DMEI 8 of the Hillingdon Local Plan Part 2 (2020).

- 12 Prior to occupation of the development, a Verification Report demonstrating that the approved drainage/SuDS measures have been fully implemented shall be submitted to the Local Planning Authority for approval in writing. This report must include:
- As built drawings of the sustainable drainage systems including level information (if appropriate) - Photographs of the completed sustainable drainage systems throughout the construction process - Any relevant certificates from manufacturers/suppliers of any drainage features. - Confirmation statement of the above signed by a chartered engineer.

Prior to occupation a management and maintenance plan should be submitted to the Local Authority for approval in writing. This should cover the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime, including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.

Where there is overland flooding proposed, the plan should include the appropriate actions to ensure the safety of the users of the site should that be required.

REASON

To ensure the sustainable management of water, minimise flood risk, minimise discharge of surface water outside of the curtilage of the property and ensure that the drainage system will remain functional throughout the lifetime of the development in accordance with EM6 Flood Risk Management and DMEI 10 of the Hillingdon Local Plan Part 2 (2020), Policies SI 12 & SI 13 of the London Plan (2021) and the NPPF 2021.

- 13 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 prevent any detrimental impact on local underground sewerage utility infrastructure and/or contamination of controlled waters from existing land mobilised by the building work and new development in accordance with Policy DMEI 10 of the Hillingdon Local Plan Part 2 (2020).

- 14 Prior to above ground works, a Bird Hazard Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Heathrow Airport Limited. The submitted plan shall include details of:

- management of any flat/shallow pitched on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design'.
- signs deterring people from feeding the birds.

The Bird Hazard Management Plan shall be implemented as approved on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of aircraft safety in compliance with Policy DMAV 1 of the London Borough of Hillingdon Local Plan Part 2 - Development Management Policies (January 2020).

- 15 No building or structure of the development hereby permitted shall exceed 67.95m AOD.

REASON

In the interests of aircraft safety in compliance with Policy DMAV 1 of the London Borough of Hillingdon Local Plan Part 2 - Development Management Policies (January 2020).

- 16 Prior to the commencement of development (excluding demolition) a Crane Operation Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Heathrow Airport Limited. The submitted plan shall include details of:

- cranes and other tall construction equipment (including the details of obstacle lighting)

Such schemes shall comply with Advice Note 4 'Cranes and Other Construction Issues' (available at www.aoa.org.uk/policy-campaigns/operations-safety).

The approved Crane Operation Plan (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

Demolition works shall be carried out in accordance with the details submitted and approved under application reference 73955/APP/2022/2479.

REASON

In the interests of aircraft safety in compliance with Policy DMAV 1 of the London Borough of Hillingdon Local Plan Part 2 - Development Management Policies (January 2020).

- 17 The development hereby approved shall ensure that 10% (41) of the residential units are constructed to meet the standards for Category 3 M4(3) dwelling with a floor plan at no less than 1:100 submitted for each of the different M4(3) units and agreed in writing by the Local Planning Authority. All details, to include transfer zones, wheelchair storage area, and other spatial requirements within bedrooms, bathrooms, living and dining areas, should be shown on a separate plan for every different unit type. All remaining units designed to the standards for Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON

To ensure an appropriate standard of housing stock in accordance with London Plan (2021) Policy D7, is achieved and maintained.

- 18 Prior to occupation of the development, details in respect of the play equipment accessible to disabled children, including those with a sensory impairment, or complex multiple disabilities, shall be submitted and approved in writing by the Local Planning Authority. Furthermore all areas of hard and soft landscaping shall be constructed to accord with the prescribed standards and tolerances set out in BS8300:2018.

REASON

To ensure development achieves a high standard of inclusive design in accordance with London Plan (2021) Policy S4.

- 19 Prior to development commencing (excluding demolition), the applicant shall submit a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall comprise such combination of measures for controlling the effects of demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority. The CEMP shall address issues including the phasing of the works, hours of work, noise and vibration, air quality, waste management, site remediation, plant and equipment, site transportation and traffic management including routing, signage, permitted hours for construction traffic and construction materials deliveries. It will ensure appropriate communication with, the distribution of information to, the local community and the Local Planning Authority relating to relevant aspects of construction. Appropriate arrangement should be made for monitoring and responding to complaints relating to demolition and construction. All demolition, construction and enabling work at the development shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the LPA.

Demolition works shall be carried out in accordance with the details submitted and approved under application reference 73955/APP/2022/2958.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 and DMT 7 of the Hillingdon Local Plan: Part 2 Development Management Policies (January 2020) and Policy T7 of the London Plan (2021).

- 20 There shall be no loading or unloading of commercial vehicles, including the collection of waste from the site outside of the hours of:-

0700 and 2300 hours, Monday to Saturday, and
09:00 and 18:00 hours on Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 21 Prior to any properties becoming occupied a Service and Delivery Management Plan should be submitted in writing and agreed by the Council to address the following:

A loading area should be clearly marked to divert traffic during collections from the main bin store area due to the length of time that collections will take. The RCV must be able to easily manoeuvre through the site without obstruction caused by parked vehicles. The pathway between bin stores and the RCV stopping point must be at least 2 metres wide without obstructions during collection times to prevent damage to parked vehicles.

The plan should also include the following:

- How waste from the ground floor duplex properties will be managed.
- Responsibilities of swapping inaccessible bins to ensure enough capacity is available at all times.
- Rotation of bins under chutes.
- All bin store doors must be designed so that the door can be secured in an open position during collection, but self closing and fire resistant.
- No access to residents for the main bin area which houses the chutes.
- Fire prevention measures for the main bin area which will hold approximately 50,000 litres of waste and recyclables with chute access to communal areas.

Further details of the proposed chutes should also be agreed:

- Ability to close chutes during rotation of bins or collections.
- Process for clearing blocked chutes.
- Width of chutes
- Waste / recycling chutes to be identifiable within the bin area to ensure the correct bin is placed underneath.
- Signage for residents to ensure waste and recycling is correctly segregated at the chute entrance.

REASON

To ensure appropriate servicing of the site, to safeguard highway safety, and to safeguard the free flow of traffic, in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 Development Management Policies (January 2020).

- 22 Development shall not begin (excluding demolition and site clearance) until details of all traffic arrangements (including where appropriate carriageways, footways, turning space, safety strips, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces, loading facilities, closure of existing access and means of surfacing) have been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until all such works have been constructed in accordance with the approved details. Thereafter, the parking areas, sight lines and loading areas must be permanently retained and used for no other purpose at any time. Disabled parking bays shall be a minimum of 4.8m long by 3.6m wide, or at least 3.0m wide where two adjacent bays may share an unloading area.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking and loading facilities in compliance with Policy DMT 6 of the Hillingdon Local Plan Part 2 (2020) and Chapter 10 of the London Plan (2021).

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

REASON

To enable the Local Planning Authority to assess all the implications of the development and to ensure that adequate parking and loading facilities can be provided on the site, in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020).

- 24 The commercial units hereby approved, shall not be used as a religious or any other associated cultural facility or banqueting hall, retail, health centre, day nursery or education use unless approved

in writing by the Local Planning Authority. Furthermore no units shall be amalgamated or subdivided without approval in writing by the local planning authority.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties, to ensure that adequate parking and loading facilities can be provided on the site and to protect the viability of the Town Centre, in accordance with Policies DMHB 11, DMTC 1, DMT 1 and DMT 6 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020).

- 25 The commercial premises shall not be open for customers outside the following hours: 0800 and 2300 Mondays - Fridays
0800 to 2300 Saturdays
1000 to 1800 Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020).

- 26 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 5dBA as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020).

- 27 No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 28 The noise level in habitable residential rooms at the development hereby approved shall meet the internal noise standard specified in BS8233:2014.

REASON

To safeguard the amenity of the occupants of the proposed development in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 29 Prior to occupation of the development, details of the acoustic fence between the podium of Blocks A and D of the site and the land to the west shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust.

REASON

To safeguard the amenity of the occupants of the proposed development in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 30 Prior to occupation of the development, details demonstrating the proposed wind protection measures, as set out in the submitted Pedestrian Wind Environment Assessment WF087-02F02 (REV3) August 18 2020, shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To safeguard the amenity of the occupants of the proposed development in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 31 Access to the flat roof areas not within private balconies or terraces hereby approved shall be for maintenance or emergency purposes only and the flat roofs shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

REASON

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

- 32 Prior to above ground works, full specifications of the amount, type and location of the air source heat pumps and roof mounted PV array shall be submitted to and approved in writing by the Local Planning Authority. The specifications shall detail the technology to be used and demonstrate the savings set out in the energy strategy (FHP, November 2019) will be achieved. The specifications shall also include full details of the orientation, pitch, fixing mechanisms of the PVs as well as the noise emissions in relation to air source heat pumps. Maintenance of the technology solutions shall also be detailed.

The development must proceed in accordance with the approved plans.

REASON

To ensure the development contributes to a reduction in CO2 emissions in accordance with Policy SI 12 of the London Plan (2021) and policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) to ensure the design integrity of the development and wider environs.

- 33 Prior to occupation, a detailed monitoring and reporting plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall provide full details of how the carbon savings set out in the energy strategy shall be monitored with details of how and when these will be reported to Local Authority. The submitted report shall demonstrate the carbon reduction proposals have been implemented and that the development is compliant with the savings set out in the energy strategy. Measures to remedy any shortfall in carbon savings will be required. The development must be operated in accordance with the approved plan.

REASON

To ensure the development contributes to a reduction in CO2 emissions in accordance with Policy SI 12 of the London Plan (2021).

- 34 No above ground works shall be undertaken until a clear and effective plan for air quality emission and exposure reduction plan have been submitted to and approved in writing by the Local Planning Authority. The plan shall include, but not be restricted to:

a) effective ways to encourage and enable residents and employees to use the cleanest vehicles possible (Euro 6/VI or cleaner (e.g. electric) and or use sustainable modes of travel. These should be listed as conditions in any future sustainable procurement procedures either during sale or lease of the premises and target the occupier(s) of the site.

b) provision of a clean supply of energy to the site. Gas boilers will have to conform with the London Ultra Low NOx requirements. The boilers to be specified to meet ultra-low NOx emissions standards of < 40mg/kWh. Evidence needs to be supplied so that the diesel backup generator will achieve the cleanest possible emissions in the market, not entailing excessive costs.

c) an electric vehicle charging bay. This is to be implemented as part of the proposal with the minimum requirements as per the London Plan.

Measures to support and encourage modal shift, will include but be not restricted to incentives for residents and employees to use public transport to reduce their car ownership. The measures in the agreed scheme shall be maintained throughout the life of the development.

REASON

As the application site is within an Air Quality Management Area and to reduce the impact on air quality in accordance with policy EM8 of the Local Plan: Part 1 (November 2012), policy DMEI 14 of the London Borough of Hillingdon Local Plan (Part 2), London Plan (2021) Policy SI 1 and paragraph 186 of the National Planning Policy Framework (2021).

- 35 All Non-Road Mobile machinery (NRMM) of net power of 37kW and up to and including 560kW used during the demolition, site preparation and construction phases shall comply with the emissions standards set out in chapter 4, proposal 4.2.3.a of the London Environment Strategy. Unless it complies with the standard set out in the London Environment Strategy, no NRMM shall be onsite, at any time, whether in use or not, without the prior written consent of the LPA. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register <https://nrmm.london/>

REASON

As the application site is within an Air Quality Management Area and to reduce the impact on air quality in accordance with policy EM8 of the Local Plan: Part 1 (November 2012), Policy DMEI 14 of the London Borough of Hillingdon Local Plan (Part 2), London Plan (2021) Policy SI1 and paragraph 186 of the National Planning Policy Framework (2021).

- 36 (i) Construction (with the exception of demolition and site preparation works) shall not commence until a finalised scheme to deal with contamination has been submitted to the Local Planning Authority (LPA) in accordance with the Supplementary Planning Guidance Document on Land Contamination, and approved by the LPA. All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:
- (a) A written method statement providing details of a definitive and detailed 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 the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.
 - (ii) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and
 - (iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall

include the details of the final remediation works and their verification to show that the works for each phase have been carried out in full and in accordance with the approved methodology.

(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 Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination

- 37 The principles of the submitted Fire Strategy Report shall be implemented on site in conjunction with a suitably qualified consultant. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development meets Fire Safety Standards in accordance with Policy D12 of the London Plan (2021).

- 38 The buildings and car park 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 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 ensure the development provides a safe and secure environment in accordance with Hillingdon Local Plan Part 2 (2020) Policy DMHB 15 and London Plan (2021) Policy D11.

- 39 Prior to above ground works, further detailed design of the development shall be submitted and approved by the Local Planning Authority to identify the design features incorporated to prevent overheating of the units, this shall include the overnight temperature. The details approved shall be implemented in full and retained for the lifetime of the development.

REASON: To ensure adequate living accommodation is provided for all future residents in accordance with Policies SI 3 and SI 4 of the London Plan (2021).

- 40 Prior to above ground works, the following details shall be submitted to and approved in writing by the Local Planning Authority;
(a) Details of obscure glazing to be installed in the following locations:

Apartment 398; Kitchen glazing;
Apartment 399; Kitchen glazing;

Apartment 400; Kitchen glazing;
Apartment 404 Kitchen glazing;

- (b) Details of installation of fin or louvre panels to the bedroom windows of Apartments 399 and 400 (at 2nd floor level).

The development must proceed in accordance with the approved plans and retained for the life of the development.

REASON

To safeguard the amenity of the occupants of the proposed development in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 41 No residential unit nor any commercial space, hereby approved shall be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Authority Planning Authority. Thereafter the parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy DMT 6 of the Hillingdon Local Plan: Part Two Development Management Policies (January 2020) and Policies T6 and T6.1 of the London Plan (2021).

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 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. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
- 3 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillingsdon.gov.uk. The Council will then issue a Demand Notice setting out the date and the amount of CIL that is

payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at:

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

- 4 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 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.

- 5 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.
- 6 "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 7 The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Heathrow Airside Operations staff. In some instances, it may be

necessary to contact Heathrow Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

- 8
1. The applicant/developer is advised to review the Canal & River Trust's 'Code of Practice for Works affecting the Canal & River Trust and contact the Trust's Works Engineer (Mansoor.omar@canalrivertrust.org.uk) in order to ensure that any necessary consents are obtained and that the works are compliant. (<https://canalrivertrust.org.uk/business-and-trade/undertaking-workson-our-propertyandour-code-of-practice>).
 2. The applicant/developer is advised that surface water discharge to the Grand Union Canal will require prior consent from the Canal & River Trust and should contact Chris Lee in the Canal & River Trust's Utilities Team regarding such an agreement (chris.lee@canalrivertrust.org.uk).
 3. The applicant/developer is advised that any oversail, encroachment or access to the waterway requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust regarding the required access agreement.

In addition to the above, the Canal and Rivers Trust have suggested that consideration is given to use of the canal for waterborne freight during the demolition and construction phases of development. They have also suggested that consideration is also given to the use of canal water for heating and/or cooling the development. Should you wish to discuss this opportunity further please contact Darren Leftley (Darren.Leftley@canalrivertrust.org.uk)

The developer should contact the Trust's Estates Team (Bernadette.McNicholas@canalrivertrust.org.uk) to determine what maintenance and management responsibilities they have for maintenance of the canal wall. Any access to or use of the Canal and River Trust's land, including on a temporary basis (such as crane oversailing), will require a commercial agreement with the Trust.

END OF SCHEDULE

Address:

Development Management
Directorate of Place
Hillingdon Council
3 North, Civic Centre, High Street, Uxbridge UB8 1UW
www.hillingdon.gov.uk

DRAFT

Application Ref: 73955/APP/2022/2613

SCHEDULE OF PLANS

JR006098-ASE-ALL-01-DR-L-021 Rev R3 Site - Podium Landscape Masterplan - received 18 Aug 2022

Fire Statement Form - The Linear Building 12.08.22 - received 18 Aug 2022

JR006098-ASE-ALL-01-DR-L-0200 Rev P4 Ground Floor General Arrangement Plan - received 18 Aug 2022

PL000.5 Rev P03 Mezzanine Plan - received 18 Aug 2022

PL001 Rev P03 First Floor Plan - received 18 Aug 2022

PL002 Rev P03 Second Floor Plan - received 18 Aug 2022

PL003 Rev P03 Third Floor Plan - received 18 Aug 2022

PL004 Rev P03 Fourth Floor Plan - received 18 Aug 2022

PL005 Rev P03 Fifth Floor Plan - received 18 Aug 2022

PL006 Rev P03 Sixth Floor Plan - received 18 Aug 2022

PL007 Rev P03 Seventh Floor Plan - received 18 Aug 2022

PL008 Rev P03 Eighth Floor Plan - received 18 Aug 2022

PL009 Rev P03 Ninth Floor Plan - received 18 Aug 2022

PL206 Rev P03 Building B and C - Ground Floor - received 18 Aug 2022

PL207 Rev P03 Building B and C - Mezzanine - received 18 Aug 2022

PL208 Rev P03 Building B and C - First Floor - received 18 Aug 2022

PL209 Rev P03 Building B and C - Second Floor - received 18 Aug 2022

PL210 Rev P03 Building B and C - Typical Upper Floor - received 18 Aug 2022

PL211 Rev P03 Building E and F - Ground Floor - received 18 Aug 2022

PL212 Rev P03 Building E and F - Mezzanine - received 18 Aug 2022

PL213 Rev P03 Building E and F - First Floor - received 18 Aug 2022

PL214 Rev P03 Building E and F - Second Floor - received 18 Aug 2022

PL215 Rev P03 Building E and F - Typical Upper Floor - received 18 Aug 2022

PL216 Rev P03 Building E and F - Seventh Floor - received 18 Aug 2022

PL100 Rev P03 Elevations - South - received 18 Aug 2022

PL101 Rev P03 Elevations - East - received 18 Aug 2022

PL102 Rev P03 Elevations - North - received 18 Aug 2022

PL103 Rev P03 Elevations - West - received 18 Aug 2022

PL104 Rev P03 Elevations - Residential Park - received 18 Aug 2022

Car Park Management Plan 17th August 2022 - received 18 Aug 2022

Design and Access Statement - Proposed Scheme Amendments 16.08.22 - received 18 Aug 2022

Daylight and Sunlight Assessment letter 4th August 2022 - received 18 Aug 2022

JR006098-ASE-ALL-01-DR-L-0210 Rev R3 Site - Podium Landscape Masterplan - received 18 Aug 2022

Fire Statement Form - The Perimeter Building 12.08.22 - received 18 Aug 2022

PRO-062096 ES1 London Plan Energy Strategy Report - received 18 Aug 2022

GL8257/R2 Issue 1 Fire Statement (London Plan) - received 18 Aug 2022

GL8257/R2 Issue 2 Fire Statement (London Plan) - received 18 Aug 2022

WF087-03 16th August 2022 Wind Microclimate Technical Addendum - received 18 Aug 2022

Daylight and Sunlight Report (Within Development Assessment based on 2011 BRE Guidance) 27.09.22
received 30 Sep 2022

Daylight and Sunlight Report (Within Development Assessment based on 2022 BRE Guidance) 27.09.22
received 30 Sep 2022

443574-03(00) 11th August 2022 Technical note regarding Crown Trading Centre Air Quality Assessment
received 18 Aug 2022

Covering Letter 7th Feb 2023 - received 07 Feb 2023

PL000 Rev P04 Ground Floor Plan - received 24 Jan 2023

PL010 Rev P01 Roof Plan - received 24 Jan 2023

PL200 Rev P03 Building A Plan - Ground Floor and Mezzanine - received 24 Jan 2023

PL202 Rev P03 Building A - 1st and Typical Upper Floor - received 24 Jan 2023

PL203 Rev P03 Building D Plan - Ground Floor and Mezzanine - received 24 Jan 2023

PL204 Rev P03 Building D - 1st and Typical Upper Floor - received 24 Jan 2023

PL205 Rev P03 Building D - Seventh Floor - received 24 Jan 2023

RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

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 8424). Appeal forms can be downloaded from the Planning Inspectorate website at www.Planning-inspectorate.gov.uk

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

Further details are available at www.gov.uk/government/collections/casework-dealt-with-by-inquiries

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 an 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 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 officer 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 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.

This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.

THE COMMON SEAL of the
**MAYOR AND BURGESSES OF THE
LONDON BOROUGH OF HILLINGDON**
was duly affixed to this Agreement
in the presence of:-

MEMBER OF THE COUNCIL.....

AUTHORISED OFFICER.....



427695

**EXECUTED as a DEED by
GS HAYES OWNER LIMITED**
a company incorporated in Jersey, acting by

ANGELA RUSSELL and

BELLA PEACOCK being persons who,
in accordance with the laws of that territory, are acting
under the authority of the company

GS HAYES OWNER LIMITED

Signature in the name of the Company

Angela Russell

Authorised Signatory

Bella Peacock

Authorised Signatory