

DATED

1 October

2024

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**MILLINGTON ROAD (HPH4) LLP**

**and**

**HEMNALL LIMITED**

**and**

**THE LONDON BOROUGH OF HILLINGDON**

**DEED OF VARIATION UNDER SECTION 106A OF THE TOWN & COUNTRY PLANNING  
ACT 1990 RELATING TO LAND AT HPH4 MILLINGTON ROAD HAYES UB3 4AZ**

**PLANNING APPLICATION NUMBERS:**

**76655/APP/2024/1152 76655/APP/2023/779 76655/APP/2021/3039**

Planning and Corporate Team  
Legal Services  
London Borough of Hillingdon  
Civic Centre  
High Street  
Uxbridge  
Middlesex UB8 1UW  
Ref: 3E/04/NF/024061

**THIS DEED IS DATED**

1 October

**2024**

- (1) **MILLINGTON ROAD (HPH4) LLP** (company registration number OC434989) a company incorporated in England and Wales whose registered office is situated at First Floor, Kirkdale House, 7 Kirkdale Road, London, E11 1HP (“the Owner”);
- (2) **HEMNALL LIMITED** (company registration number 07342913) a company incorporated in England and Wales and whose registered office is situated at Sealand House, Hemnall Street Epping, CM16 4LG (“the Mortgagee”); and
- (3) **THE LONDON BOROUGH OF HILLINGDON** of Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (“the Council”).

- A The Council is the Local Planning Authority for the purposes of the Act within which the Site is situated and by whom the obligations in this Deed are enforceable.
- B The Owner has a freehold interest in the Site registered under Title No. AGL60220 at the Land Registry.
- C The Mortgagee has a charge dated 25 March 2021 in the Site registered under title number AGL60220.
- D The Original Planning Permission was granted on 7 April 2022 following completion of the Original Agreement.
- E Pursuant to Section 73 of the Act on 15 March 2023 the Second Planning Application was submitted for a minor material amendment to the Original Planning Permission with reference 76655/APP/2023/779.
- F Pursuant to Section 73 of the Act on 1 May 2024 the Third Planning Application was submitted to the Council seeking to vary condition 2 of the Second Planning Permission with reference 76655/APP/2024/1152.
- G This Deed is supplemental to the Original Agreement dated 7 April 2022 as amended by a supplemental agreement dated 23 June 2023 entered into between (1) Millington Road (HPH4) LLP (2) Hemnall Limited and (3) The London Borough of Hillingdon and varies the Original Agreement only to the extent set out in this Deed.
- H The Council has authorised the completion of this Deed by delegated authority to the Council’s Director of Planning Regeneration and Public Realm.

## AGREED TERMS

### 1. INTERPRETATION & DEFINITIONS

- 1.1 In this Deed, unless the context otherwise requires the following rules of interpretation apply in this Deed.

<b>"the Act"</b>	means the Town and Country Planning Act 1990
<b>"this Deed"</b>	means this Deed of Variation
<b>"Original Agreement"</b>	means the legal agreement dated 7 April 2022 pursuant to planning permission reference 76655/APP/2021/3039
<b>"Original Planning Permission"</b>	means the planning permission granted on 7 April 2022 under the Council's reference 76655/APP/2021/3039
<b>"the Parties"</b>	means the Council the Owner and the Mortgagee
<b>"Plan"</b>	means the red line plan of the Land at <b>Appendix 1</b> of this Deed
<b>"Second Planning Application"</b>	means the planning application submitted to the Council pursuant to Section 73 of the Act under reference 76655/APP/2023/779
<b>"Second Planning Permission"</b>	means the planning permission granted on 26 June 2023 pursuant to the Second Planning Application
<b>"Third Planning Application"</b>	means the planning application submitted to the Council on 1 May 2024 under planning reference 76655/ APP/2024/1152 to vary Condition 2 of planning reference 76655/APP/2023/779 for re-development of the vacant Site to provide a residential development comprising 131 (C3) residential units, with associated amenity areas, landscaping, car parking and all ancillary and enabling works) to alter the internal layouts and replace 13 no. studio units with 13 no. one-bedroom units) in order to make the following amendments: - addition of a new external access route to a 2nd core (Core B) on 8th floor so that the 4no. top floor flats have access to a second stair core and escape lift; - Insertion of a further escape lift to the southern stair core in Block A from ground to 7th floors; and - Reconfiguration of flats due to internal structural wall changes
<b>"Third Planning Permission"</b>	means the planning permission granted pursuant to the Third Planning Application and

	a draft copy of which is appended at <b>Appendix 2</b> of this Deed
<b>“Site”</b>	means the land known as HPH4 Millington Road, Hayes, Middlesex, UB3 4AZ and shown edged in red on the Plan

- 1.2 Unless the context otherwise requires, all words and phrases defined in the Original Agreement shall have the same meaning in this Deed and for the avoidance of doubt the Original Agreement shall remain in full force and effect save as varied by this Deed.
- 1.3 Clause headings shall not affect the interpretation of this Deed.
- 1.4 A person includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 1.5 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 1.6 Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.
- 1.7 A reference to any party shall include that party's personal representatives, successors or permitted assigns and in the case of the Council the successors to its respective statutory functions.
- 1.8 Unless the context otherwise requires, a reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted and to any subordinate legislation made from time to time under that statute or statutory provision.
- 1.9 Unless the context otherwise requires, a reference to a statute or statutory provision shall include any subordinate legislation made from time to time under that statute or statutory provision.
- 1.10 Unless the context otherwise requires, references to clauses are to the clauses of this Deed.
- 1.11 Any words following the terms **including, include, in particular, for example** or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms.
- 1.12 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. STATUTORY PROVISION

This Deed is made pursuant to the provisions of 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.

### 3. VARIATIONS TO THE ORIGINAL AGREEMENT

- 3.1 The Parties agree that, except as varied by this Deed, the Original Agreement 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 Agreement.
- 3.3 The Parties agree that upon the grant of the Third Planning Permission the following amendments to clause 1.1 of the Original Agreement shall be made as follows:

<b>"Planning Application"</b>	means the application for planning permission under reference 76655/APP/2021/3039 or the application for planning permission under reference 76655/APP/2023/779 or the application for planning permission under reference 76655/ APP/2024/1152
<b>"Planning Permission"</b>	means the Original Planning Permission, or the Second Planning Permission or the Third Planning Permission
<b>"Planning Reference"</b>	means planning reference 76655/APP/2021/3039 or planning reference 76655/APP/2023/779 or planning reference 76655/ APP/2024/1152

- 3.4 The Parties agree that upon the grant of the Third Planning Permission the following new definitions shall be inserted into clause 1.1 of the Original Agreement:

<b>"Third Planning Application"</b>	means the planning application submitted to the Council on 1 May 2024 under planning reference 76655/ APP/2024/1152 to vary Condition 2 of planning reference 76655/APP/2023/779 for re-development of the vacant Site to provide a residential development comprising 131 (C3) residential units, with associated amenity areas, landscaping, car parking and all ancillary and enabling works) to alter the internal layouts and replace 13 no. studio units with 13 no. one-bedroom units) in order to make the following amendments: - Addition of a new external access route to a 2nd core (Core B) on 8th floor so that the 4no. top floor flats have access to a second stair core and escape lift; - Insertion of a further escape lift to the southern stair core in Block A from ground to 7th floors; and -
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	Reconfiguration of flats due to internal structural wall changes.
<b>“Third Planning Permission”</b>	means the planning permission granted pursuant to the Third Planning Application and a draft copy of which is appended at <b>Appendix 2</b> of this Deed.

#### 4. COVENANTS TO THE COUNCIL

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

#### 5. MORTGAGEE'S CONSENT

The Mortgagee consents to the completion of this Deed and acknowledges that from the date of this Deed the Site shall be bound by the terms of this Deed, as if it had been executed and registered as a land charge prior to the creation of the Mortgagee's interest in the Site.

#### 6. LOCAL LAND CHARGE

This Deed shall be registered by the Council as a local land charge.

#### 7. COUNCIL'S COSTS

The Owner shall pay to the Council on or before the date of completion of this Deed, the Council's reasonable and proper legal costs together with all disbursements incurred in connection with the preparation, completion and registration of this Deed.

#### 8. VALUE ADDED TAX

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

#### 9. THIRD PARTY RIGHTS

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.

**10. JURISDICTION/GOVERNING LAW**

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

**11. INTEREST**

All costs, payments and expenses payable to the Council under this Deed shall bear the Interest rate from time to time being charged from the date such payment is due until the payment is received by the Council.

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

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

THE COMMON SEAL of the

426188

**MAYOR AND BURGESSES OF THE  
LONDON BOROUGH OF HILLINGDON**

was duly affixed to this Agreement

in the presence of:-



01/10/2024  
15:18 PM

MEMBER OF THE COUNCIL

R Mills

01/Oct/2024 15:03:49

*Richard Mills*

AUTHORISED OFFICER.

A Dhillon

01/Oct/2024 15:03:57

*A Dhillon*



CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

EXECUTED AS A DEED by )

MILLINGTON ROAD (HPH4) LLP )

acting by a Director in the presence of: )

DocuSigned by:



DIRECTOR..... Laurence Quail  
B739CF66F870441...

Signed by:



Witness Signature.....  
ZA762BC26662408...

Name: Sarah Noonan

Address: 48 PAPHYRUS HOUSE 3 WHARF ROAD LONDON N1

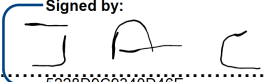
Occupation: 7SA  
EXECUTIVE ASSISTANT

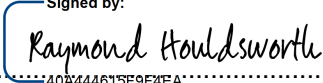
CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

EXECUTED AS A DEED by )

HEMNALL LIMITED )

acting by a Director in the presence of: )

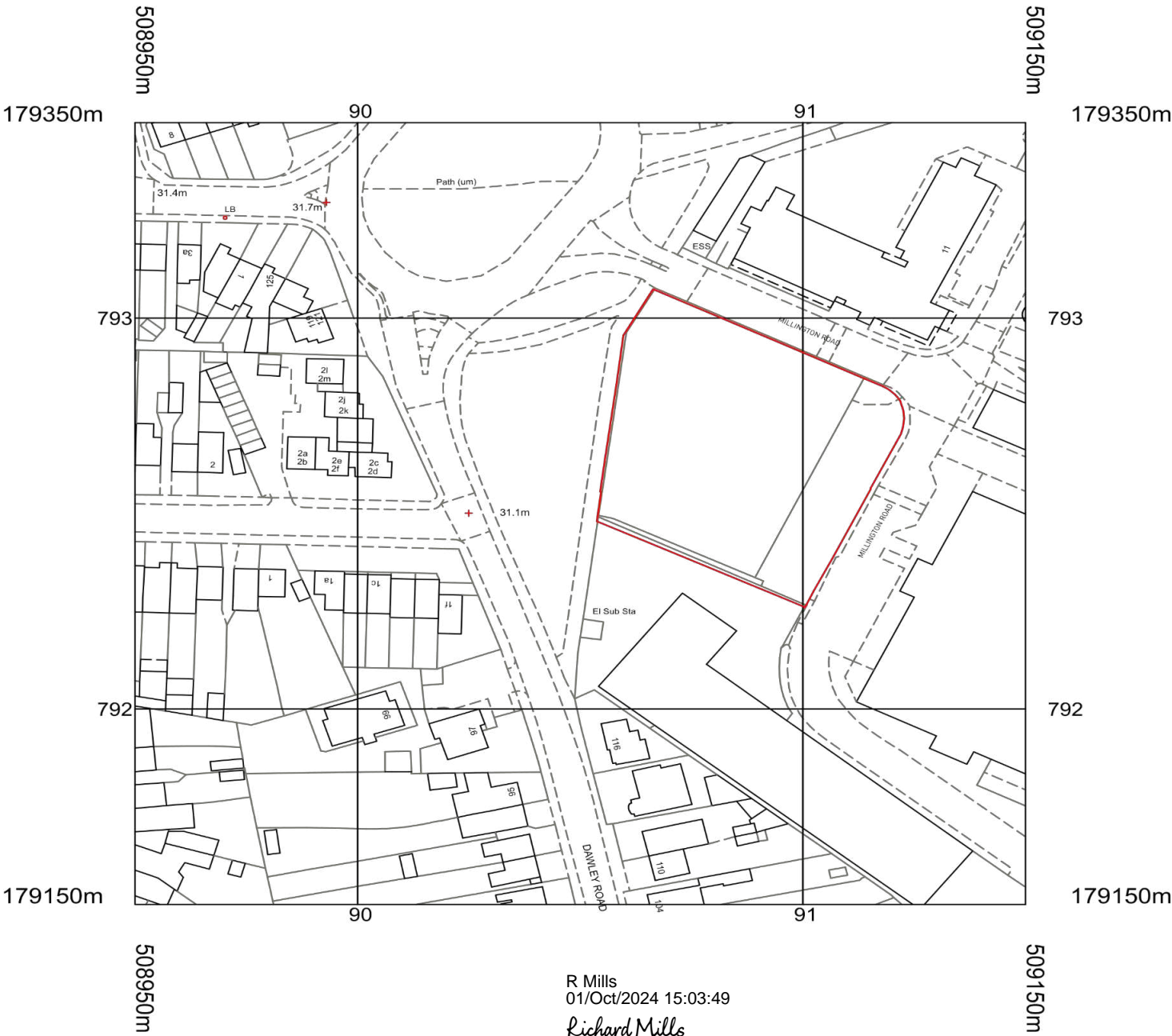
Signed by:  John Alan Clarke  
DIRECTOR.....5226D9C9340D46E.....

Signed by:   
Witness Signature.....407A444615F9F4EA.....

Name: Raymond Houldsworth  
Address: 41 Pole Hill Road E47LZ  
Occupation: Chartered accountant

CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

APPENDIX 1  
The Plan



CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

APPENDIX 2  
Draft Third Planning Permission

DRAFT

Millington Road (HPH4) LLP  
Kirkdale House  
Kirkdale Road  
London  
E11 1HP

Application Ref: 76655/APP/2024/1152

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:**  
Variation of Condition 2 (Accordance with Approved Plans) of planning permission ref. 76655/APP/2023/779 dated 26-06-2023 (Variation of Condition 2 (Accordance with Approved Plans) of planning permission ref. 76655/APP/2021/3039 dated 07-04-2022 (Re-development of the vacant Site to provide a residential development comprising 131 (C3) residential units, with associated amenity areas, landscaping, car parking and all ancillary and enabling works) to alter the internal layouts and replace 13 no. studio units with 13 no. one-bedroom units), in order to make the following amendments:

- Addition of a new external access route to a 2nd core (Core B) on 8th floor so that the 4no. top floor flats have access to a second stair core and escape lift;
- Insertion of a further escape lift to the southern stair core in Block A from ground to 7th floors; and
- Reconfiguration of flats due to internal structural wall changes.

Location of development: Hph4 Millington Road Hayes

Date of application: 1st May 2024

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

CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

DRAFT

TOWN AND COUNTRY PLANNINGACT 1990 (AS AMENDED)

Application Ref: 76655/APP/2024/1152

SCHEDULE OF CONDITIONS

- 1
- The development hereby permitted shall be begun before the expiration of three years from the 7th April 2022.

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:

3552\_PL(90)001 Rev. P01;  
3552\_PL(20)101 Rev. P05;  
3552\_PL(20)102 Rev. P05;  
3552\_PL(20)103 Rev. P05;  
3552\_PL(20)104 Rev. P05;  
3552\_PL(20)105 Rev. P05;  
3552\_PL(20)106 Rev. P05;  
3552\_PL(20)107 Rev. P05;  
3552\_PL(20)108 Rev. P06;  
3552\_PL(20)109 Rev. P06;  
3552\_PL(20)110 Rev. P06;  
3552\_PL(20)300 Rev. P05;  
3552\_PL(20)301 Rev. P05;  
3552\_PL(20)302 Rev. P05;  
3552\_PL(20)303 Rev. P06;  
3552\_PL(20)304 Rev. P06;  
3552\_PL(20)203 Rev. P04;  
3552\_PL(20)204 Rev. P04;  
3552\_PL(20)205 Rev. P01;  
3552\_PL(40)101 Rev. P01;  
3552\_PL(40)102 Rev. P01;  
3552\_PL(40)103 Rev. P02;  
3552\_PL(40)104 Rev. P01;  
3552\_PL(40)105 Rev. P01;

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

REASON

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (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 documents:

2101320-01 Noise Assessment (Dated July 2021) (Part 1);  
 2101320-11 Noise Technical Note (Dated 19th October 2021);  
 20.064-BOSK-00-RP-L-0003 Rev. P01 Landscape Strategy (Dated July 2021);  
 2101320-05 Delivery & Servicing Management Plan (Dated July 2021);  
 2101320-06A Car Park Management Plan (Dated August 2021);  
 2101320-07 Outline Construction Logistics Plan (Dated July 2021);  
 2101320-10A Utilities & Services Statement (Dated August 2021);  
 Circular Economy Statement (Dated 30th July 2021);  
 Daylight, Sunlight and Overshadowing Report V1 (Dated July 2021);  
 Independent Daylight, Sunlight and Overshadowing Review Response (Dated 15th October 2021);  
 F10128 Version 01 Detailed Fire Strategy Report (Dated 16th July 2021);  
 Wind Microclimate (Dated July 2021);  
 EAS/P1234/C1 Aviation Safeguarding Assessment (Dated 21st July 2021);  
 2101320-02A Transport Assessment (Dated August 2021);  
 2101320-04A Travel Plan (Dated August 2021);  
 2101320-08 Flood Risk Assessment and Drainage Strategy (Dated July 2021);  
 Energy and Sustainability Statement (Dated 30th July 2021);  
 2101320-09Air Quality Assessment (Dated July 2021);  
 5796/21-01 Aboricultural Survey (Dated April 2021);  
 Preliminary Ecological Appraisal (Dated May 2021); and  
 P3284J2275/SL Desk Study / Preliminary Risk Assessment Report (Dated 10th May 2021).

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 (2012), Part 2 (2020) and the London Plan (2021).

- 4 Prior to commencement of any superstructure works, details of all materials and external surfaces, including details of balconies, shall be submitted to and approved in writing by the Local Planning Authority. Details should include information relating to make, product/type, colour and photographs/images.

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

### 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 Notwithstanding approved plan references 3552\_PL(20)203 Rev. P01 and 3552\_PL(20)204 Rev. P01, amended details of the hit and miss brick screening and glazing shall be submitted to and approved in writing by the Local Planning Authority. This should include details of further glazing and more decorative art brickwork to provide visual interest.

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

### REASON

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

- 6 Prior to commencement of above ground works, a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Heathrow Airport Ltd and Ministry of Defence. 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

N.B. The landscape scheme should demonstrate the provision of defensible space at the first floor podium deck level to mitigate against loss of privacy and prevent direct access to the private amenity space of these units.

#### 2. Details of Hard Landscaping

##### 2.a Refuse Storage

##### 2.b Cycle Storage, demonstrating provision of:

- 239 no. long stay cycle spaces and 6 no. short stay cycle spaces.

##### 2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts, demonstrating provision of 48 no. car parking spaces (including 5 no. wheelchair accessible car parking spaces, 10 no. parking spaces provided with active electric vehicle charging points and 38 no. car parking spaces provided with passive electric vehicle charging infrastructure) and 3 no. motorcycle parking 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 the living / green / blue / brown / bio-solar roof and/or living walls.

#### 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 surfacing/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. Urban Greening Factor Calculation

6.a The Urban Greening Factor score should be confirmed as part of a stand-alone drawing with calculations attached. This should include:

- A masterplan that is colour-coded according to hard and soft landscape surface cover types; and - A completed Urban Greening Factor table.

#### 7. Other

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

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

7.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

N.B. Any landscaping should be carefully designed to minimise its attractiveness to hazardous species of birds. Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

### 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 12, DMHB 14, DMT 2, DMT 6 and DMEI 1 of the Hillingdon Local Plan: Part 2 (2020) and Policies G1, G5 and T6.1 of the London Plan (2021).

- 7 Prior to commencement of any superstructure works, details of living/green roofs/walls shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Ministry of Defence and Heathrow Airport Ltd. This shall include either:

a) Details and plans identifying the inclusion of living/green roofs/walls, alongside: i) Method of construction; ii) Schedule of framework materials;

iii) Schedule of the species to be planted, method of planting, height and spread at planting and growth projections; iv) An ongoing management and maintenance regime to include irrigation methods and an inspection programme to allow dead or dying plants to be identified and replaced.

The living/green walls shall thereafter be constructed and retained in accordance with the details submitted in perpetuity and shall not be removed or altered without the prior written consent of the Local Planning Authority.

### REASON

To ensure that the landscaped areas are retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with Policies DMHB 11, DMHB 14 and DMEI 1 of the Hillingdon Local Plan: Part 2 (2020).

- 8 Prior to commencement of development (excluding demolition and site clearance), a scheme to protect and enhance the nature conservation interest of the site shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

### REASON

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020), Policy G6 of the London Plan (2021) and Paragraph 174 of the National Planning Policy Framework (2021).

- 9 No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:



## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

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 (2020).

- 10 Prior to commencement of above ground works, details of the play area for children shall be submitted to and approved in writing by the Local Planning Authority. This should include details of accessible play equipment for disabled children, including those with a sensory impairment, or complex multiple disabilities. Thereafter, the play areas shall be provided prior to the occupation of any unit within the development and maintained for this purpose.

### REASON

To ensure that the development makes adequate provision of children's play space in accordance with Policies DMHB 19 and DMCI 5 of the Hillingdon Local Plan: Part 2 (2020) and Policies S4 and D5 of the London Plan (2021).

- 11 Prior to commencement of above ground works, the following shall be submitted to an approved in writing by the Local Planning Authority.
- (i) Details of the materials palette, together with a methodology statement, demonstrating that all external areas would be accessible to older and disabled people, including wheelchair users, installed in accordance with the tolerances set out in BS8300:2018.
  - (ii) Details demonstrating that all amenity areas, including the proposed balconies, are fully accessible to all.

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

## REASON

To ensure that accessible amenity space is provided, in accordance with Policies DMHB 12 and DMHB 18 of the Hillingdon Local Plan: Part 2 (2020) and Policy D5 of the London Plan (2021).

- 12 The dwellings hereby approved shall ensure that 90% 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, and all such provisions shall remain in place for the life of the building.

## REASON

To ensure that sufficient housing stock is provided, in accordance with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 (2020) and Policies D5 and D7 of the London Plan (2021).

- 13 The development hereby approved shall ensure that 2 no. Social Rent units (comprising 3 bedroom 4 person units) are constructed to accord with the technical specifications of Section M4(3)(2)(b) for a Wheelchair Accessible dwelling as set out in Approved Document M to the Building Regulations 2010 (2015 edition).

The development hereby approved shall also ensure that 11 no. 1 bedroom 2 person units are constructed to accord with the technical specifications of Section M4(3)(2)(a) for a Wheelchair Adaptable dwelling as set out in Approved Document M to the Building Regulations 2010 (2015 edition).

## REASON

To ensure that an appropriate housing size mix is achieved and maintained, in accordance with Policies D5, D7 and H10 of the London Plan (2021).

- 14 Prior to occupation of the development, a Parking Management and Allocation Plan shall be submitted to and approved in writing by the Local Planning Authority. It shall detail the following: (i) The arrangements for all parking onsite and include provisions for managing, monitoring, enforcement and review. All on-site parking spaces shall be solely for the use by future residents of the development hereby approved and shall not be used for any other purpose of leased/sub-let. (ii) A Parking Design and Management Plan to ensure that an additional 7% of dwellings could be provided with one designated disabled persons parking space per dwelling in future upon request as soon as existing provision is insufficient.

The approved plan shall be implemented as soon as the development is brought into use and shall remain in place thereafter. Any changes to the plan shall be agreed in writing by the Local Planning Authority.

## REASON

To ensure the appropriate operation of the car parks and prevention of inappropriate/informal parking from taking place by users of the site, in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 (2020).

- 15 Prior to the occupation of development, details of a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority.

This should be in accordance with Transport for London's Delivery and Servicing Plan Guidance. Thereafter the development shall be carried out and maintained in full accordance with the approved details.

## REASON

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

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 (2020) and Policies T3 and T7 of the London Plan (2021).

- 16 Prior to the commencement of works on site, a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with relevant stakeholders). This plan shall detail:

- (i) The phasing of the works;
- (ii) The hours of work;
- (iii) On-site plant and equipment;
- (iv) Measures to mitigate noise and vibration;
- (v) Measures to mitigate impact on air quality;
- (vi) Waste management;
- (vii) Site transportation and traffic management, including:
  - (a) Routing;
  - (b) Signage;
  - (c) Vehicle types and sizes;
  - (d) Hours of arrivals and departures of staff and deliveries (avoiding peaks times of day);
  - (e) Frequency of visits;
  - (f) Parking of site operative vehicles;
  - (g) On-site loading/unloading arrangements; and
  - (h) Use of an onsite banksman (if applicable).
- (viii) The arrangement for monitoring and responding to complaints relating to demolition and construction; and
- (ix) Details of cranes and other tall construction equipment (including the details of obstacle lighting).

This plan should accord with Transport for London's Construction Logistic Planning Guidance and the GLA's 'The Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (July 2014) (or any successor document).

The construction works shall be carried out in strict accordance with the approved plan.

### REASON

To safeguard the amenity of surrounding areas and to ensure that the construction works include appropriate efficiency and sustainability measures so as not to compromise the safe and efficient operation of the local highway network and local air quality, in accordance with Policies DMT 1, DMT 2 and DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) and Policies D14, SI 1, T4 and T7 of the London Plan (2021). Also, to ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems, in accordance with Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020).

- 17 Prior to the commencement of development, the following shall be submitted to and approved in writing by the Local Planning Authority:

1. A detailed noise survey and assessment, in keeping with the requirements of the ProPG's Stage 2

and the AVO Guide's Level 2 assessments, to confirm the typical external environmental sound levels around the proposed building and within external amenity areas, and the details of the sound insulation scheme(s), and any other control measures (such as to balconies), to meet the relevant internal noise targets within ProPG during both ventilation and overheating conditions, and to minimise levels within amenity areas as far as practicable.

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

2. A detailed assessment in accordance with the Council's Noise SPD and BS 4142 of the final plant selection and agreement of any required mitigation.

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

### REASON

To ensure a satisfactory living environment is achieved, in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) and Policy D14 of the London Plan (2021).

- 18 Prior to commencement of superstructure works, the final Overheating Strategy shall be submitted to and approved in writing by the Local Planning Authority. The submission shall demonstrate how the development will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the following cooling hierarchy:
- 1) reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure;
  - 2) minimise internal heat generation through energy efficient design;
  - 3) manage the heat within the building through exposed internal thermal mass and high ceilings;
  - 4) provide passive ventilation;
  - 5) provide mechanical ventilation; and
  - 6) provide active cooling systems.
- The approved details shall thereafter be implemented and retained for the lifetime of the development.

### REASON

To demonstrate that the final strategy will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy and Policy SI 4 of the London Plan (2021).

- 19 (A) No construction shall commence on site until a Radar Mitigation Scheme (RMS), (including a timetable for its implementation during construction), has been agreed with the Operator and approved in writing by the Local Planning Authority (in consultation with the National Air Traffic Services and Heathrow Airport Safeguarding).
- (B) No construction work shall be carried out above 10m Above Ground Level (~42m AOD) unless and until the approved Radar Mitigation Scheme has been implemented and the development shall thereafter be operated fully in accordance with such approved Scheme.

### REASON

To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport or NATS En-route PLC, through interference with communication, navigational aids and surveillance equipment, in accordance with Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020).

- 20 Prior to superstructure works commencing, a Bird Hazard Management Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Ministry of Defence and Heathrow Airport Ltd. 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'.

The roof terrace and other public access areas are to be provided with lidded bins, and an approved method to maintain the accumulation of waste, to ensure that no food waste is available for the attraction of hazardous birds.

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

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

It is necessary to manage the roof in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport, to accord with the requirements of Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020).

- 21 Prior to commencement (excluding demolition and site clearance), a scheme for the provision of sustainable water management in line with the approved document reference '2101320-08 Flood Risk Assessment and Drainage Strategy (Dated July 2021)' shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it manages water and demonstrate ways of controlling the surface water on site by providing information on:

a) Sustainable Drainage features:

i. Surface water discharge - the submitted drainage strategy must identify the proposed method and location of discharging collected surface water from the site in accordance with the hierarchy set out in Policy SI 13 of the London Plan (2021). Where the proposal does not utilise the most sustainable solution, justification must be provided. Any proposal that includes a connection to a private sewer network should provide details of the condition and ownership of the entire drainage route to a public sewer or ordinary watercourse.

ii. SuDS - the submitted drainage strategy should incorporate Sustainable Drainage System (SuDS) elements that are embedded, where practicable, within the landscaping plan for the development. Preference should be given to above-ground SuDS elements that control water at source and provide wider biodiversity, water quality and amenity benefits.

iii. Runoff rates - surface water discharge from the site must be no greater than greenfield runoff rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus 40% climate change.

iv. Drainage calculations - include calculations to demonstrate that the volume of storage and size of drainage features provided is adequate to control surface water for a range of storm duration and rainfall intensities for events up to and including the critical 1 in 100 plus 40% climate change rainfall event.

v. Exceedance routes - provide a plan showing the route surface water will take through the development for rainfall events exceeding the 1 in 100 year event. Where it is intended to store water on the ground surface, the maximum extent of overland flooding should be mapped and include details on flow paths, depths and velocities. Safe access and egress for the site must be demonstrated.

b) Long-term management and maintenance of the drainage system.

- i. Provide a Management and Maintenance Plan for the drainage system that includes clear plans showing all of the drainage network above and below ground, and identifies the responsibility of different parties for each component of the drainage network. ii. Include details of the necessary inspection regimes and maintenance frequencies. c) Minimise water use.

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

- i. incorporate water saving measures and equipment.
- ii. provide details of how rain and/or grey water will be recycled and reused in the development.

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 flood risk, in compliance with Policy EM6 of the Hillingdon Local Plan: Part 1(2012), Policy DMEI 9 and DMEI 10 of the Hillingdon Local Plan Part 2 (2020), Policy SI 12 and SI 13 of the London Plan (2021), the National Planning Policy Framework (2021); and Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

- 22 (i) The development shall not commence until a scheme to deal with contamination has been submitted to and approved by the Local Planning Authority (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 site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and
  - b) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with 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.

### 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

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies DMEI 11 and DMEI 12 of the Hillingdon Local Plan: Part 2 (2020).

- 23 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

To comply with the London's Low Emission Zone for non-road mobile machinery as per requirements of the London Environment Strategy, in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policy SI 1 of the London Plan (2021), and paragraphs 174 and 186 of the National Planning Policy Framework (2021).

- 24 Prior to superstructure works, a Low Emission Strategy (LES) shall be submitted to and approved in writing by the Local Planning Authority. The LES shall address but be not restricted to:
- 1) secure compliance with the current London Plan (March 2021), and associated Guidance requirements
  - 2) To include in the Travel Plan a clear and effective strategy to encourage users to
    - a) use public transport;
    - b) cycle / walk to work where practicable;
    - c) enter car share schemes;
    - d) purchase and drive to work zero emission vehicles.

The measures in the agreed scheme shall be maintained throughout the life of the development.

### REASON

To reduce the impact on air quality in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 14 of the Hillingdon Local Plan: Part (2020), Policies SI 1 and T4 of the London Plan (2021) and paragraphs 174 and 186 of the National Planning Policy Framework (2021).

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

### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising 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 Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) and Policy D11 of the London Plan (2021).

- 26 A) No development shall proceed beyond the steel/timber/concrete superstructure (including roof structure) of any building proposed until the principles of a Fire Statement

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

has been submitted to and approved in writing by the Local Planning Authority. The statement should detail how the development proposal will function in terms of:

i) the building's construction: methods, products and materials used, including manufacturers' details ii) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach

iii) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans

iv) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these

v) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building vi) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

B) Prior to occupation of the development, the final comprehensive Fire Statement shall be submitted to and approved in writing by the Local Planning Authority. This should be accompanied by the Building Control Decision Notice or equivalent.

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

### REASON

To ensure the safety of all building users in accordance with Policy D12 of the London Plan (2021).

- 27 Prior to the commencement of works above ground floor level, details of the Computational Fluid Dynamics (CFD) analyses should be submitted to and approved in writing by the Local Planning Authority. This should confirm whether a mechanical smoke ventilation system should be included.

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

### REASON

To ensure the safety of all building users in accordance with Policy D12 of the London Plan (2021).

- 28 Prior to commencement of above ground works, details of the mitigation measures (such as window louvres) to prevent overlooking between neighbouring habitable rooms and private amenity spaces shall be submitted to and approved in writing by the Local Planning Authority. This should prevent overlooking between the following units: B.01.01 and C.01.05; B.02.01 and C.02.05; B.03.01 and C.03.05; B.04.01 and C.04.05; B.05.01 and C.05.05; C.06.06 and C.06.05; A.07.03 and C.07.05; A.02.10, C.02.02 and C.02.03; A.03.10, C.03.02 and C.03.03; A.04.10, C.04.02 and C.04.03; A.05.10, C.05.02 and C.05.03; A.06.10, C.06.02 and C.06.03.

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

### REASON



## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

To prevent overlooking and safeguard the privacy of future occupiers, in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

- 29 The windows facing westwards into the communal corridor/area on the first, second, third, fourth, fifth and sixth of Core A (including units A.01.06, A.01.07, A.01.08, A.02.07, A.02.08, A.02.09, A.03.07, A.03.08, A.03.09, A.04.07, A.04.08, A.04.09, A.05.07, A.05.08, A.05.09, A.06.07, A.06.08 and A.06.09) shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be 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 and safeguard the privacy of future occupiers, in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

### 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 You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
- 4 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](mailto: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](http://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.

- 5 Safety

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact [assetprotectionwestern@networkrail.co.uk](mailto:assetprotectionwestern@networkrail.co.uk).

### Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

### Drainage

Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels - if altered, to be such that water flows away from the railway. Drainage is not to show up on Buried service checks.

- 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 [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) . Application forms should be completed on line via <https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thameswater.co.uk%2F&data=04%7C01%7CPlanningEConsult%40Hillingdon.Gov.UK%7C53b4f7c2224f4901475008d960978437%7Caaac679c38148fbb320f9d581ee948f%7C0%7C0%7C637647026134378677%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&sdata=mlss%2FDumsmCk3FQX69Mfr9XoDMlOB4Aq31SuOLVwsSE%3D&reserved=0>. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 7 Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention 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 <http://www.aoa.org.uk/policy-safeguarding.htm>).
- 8 The outcome of the Computational Fluid Dynamics analysis may not support the inclusion of a mechanical smoke ventilation system, in which case the accommodation units in Cores A, B and C will need to be redesigned. This may impact the layout and density of the building and may affect the number of dwellings.
- 9 The plans hereby SUPERSEDED are listed as follows:

3552\_PL(20)101 Rev. P04  
3552\_PL(20)102 Rev. P04  
3552\_PL(20)103 Rev. P04  
3552\_PL(20)104 Rev. P04  
3552\_PL(20)105 Rev. P04

**CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD**

3552\_PL(20)106 Rev. P04  
3552\_PL(20)107 Rev. P04  
3552\_PL(20)108 Rev. P04  
3552\_PL(20)109 Rev. P04  
3552\_PL(20)110 Rev. P04  
3552\_PL(20)300 Rev. P04  
3552\_PL(20)301 Rev. P04  
3552\_PL(20)302 Rev. P04  
3552\_PL(20)303 Rev. P04  
3552\_PL(20)304 Rev. P04  
3552\_PL(20)203 Rev. P01  
3552\_PL(20)204 Rev. P01  
3552\_PL(40)103 Rev. P01

The plans hereby APPROVED are listed as follows:

3552\_PL(90)001 Rev. P01  
3552\_PL(20)101 Rev. P05  
3552\_PL(20)102 Rev. P05  
3552\_PL(20)103 Rev. P05  
3552\_PL(20)104 Rev. P05  
3552\_PL(20)105 Rev. P05  
3552\_PL(20)106 Rev. P05  
3552\_PL(20)107 Rev. P05  
3552\_PL(20)108 Rev. P06  
3552\_PL(20)109 Rev. P06  
3552\_PL(20)300 Rev. P05  
3552\_PL(20)301 Rev. P05  
3552\_PL(20)302 Rev. P05  
3552\_PL(20)303 Rev. P06  
3552\_PL(20)304 Rev. P06  
3552\_PL(20)204 Rev. P04  
3552\_PL(40)103 Rev. P02  
3552\_PL(20)203 Rev. P04  
3552\_PL(20)110 Rev. P06

**END OF SCHEDULE****Address:**

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

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

# DRAFT

Application Ref: 76655/APP/2024/1152

**SCHEDULE OF PLANS**

3552\_PL(90)001 Rev. P01 - received 01 May 2024  
3552\_PL(20)101 Rev. P05 - received 01 May 2024  
3552\_PL(20)102 Rev. P05 - received 01 May 2024  
3552\_PL(20)103 Rev. P05 - received 01 May 2024  
3552\_PL(20)104 Rev. P05 - received 01 May 2024  
3552\_PL(20)105 Rev. P05 - received 01 May 2024  
3552\_PL(20)106 Rev. P05 - received 01 May 2024  
3552\_PL(20)107 Rev. P05 - received 01 May 2024  
3552\_PL(40)103 Rev. P02 - received 01 May 2024  
3552\_PL(20)203 Rev. P04 - received 01 May 2024  
3552\_PL(20)108 Rev. P06 - received 01 May 2024  
3552\_PL(20)204 Rev. P04 - received 01 May 2024  
Cover Letter (Dated 1st May 2024) - received 01 May 2024  
3552\_PL(70)111 1B2P-Type A (Converted from Studio) - received 15 Mar 2023  
3552\_PL(70)112 1B2P Type B (Converted from Studio) - received 15 Mar 2023  
Design and Access Statement Addendum (Dated March 2023) - received 15 Mar 2023  
Cover Letter (Dated 15th March 2023) - received 15 Mar 2023  
Daylight Statement of Conformity (Dated 13th March 2023) - received 15 Mar 2023  
Updated Viability Assessment(Dated 13th March 2023) - received 15 Mar 2023  
Statement of Conformity - Ardent (Dated 9th March 2023) - received 15 Mar 2023  
Design and Access Statement (Dated July 2021) - received 05 Aug 2021  
3552\_PL(90)000 Rev. P01 - received 05 Aug 2021  
3552\_PL(20)202 Rev. P01 - received 05 Aug 2021  
3552\_PL(20)205 Rev. P01 - received 05 Aug 2021  
21.064-BOSK-ZZ-00-DR-L-1000 Rev. P4 - received 05 Aug 2021  
21.064-BOSK-ZZ-01-DR-L-1000 Rev. P3 - received 05 Aug 2021  
21.064-BOSK-ZZ-ZZ-DR-L-1000 Rev. P4 - received 05 Aug 2021  
3552\_PL(40)101 Rev. P01 - received 05 Aug 2021

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3552\_PL(40)102 Rev. P01 - received 05 Aug 2021

3552\_PL(40)104 Rev. P01 - received 05 Aug 2021

3552\_PL(40)105 Rev. P01 - received 05 Aug 2021

3552\_PL(70)101 Rev. P01 - received 05 Aug 2021

3552\_PL(70)102 Rev. P01 - received 05 Aug 2021

20.064-BOSK-00-RP-L-0003 Rev. P01 - received 05 Aug 2021

2101320-05 Delivery & Servicing Management Plan (Dated July 2021) - received 05 Aug 2021

3552\_PL(20)201 Rev. P01 - received 05 Aug 2021

2101320-10A Utilities & Services Statement (Dated August 2021) - received 12 Aug 2021

2101320-06A Car Park Management Plan (Dated August 2021) - received 05 Aug 2021

2101320-07 Outline Construction Logistics Plan (Dated July 2021) - received 05 Aug 2021

Circular Economy Statement (Dated 30th July 2021) - received 05 Aug 2021

Daylight, Sunlight and Overshadowing Report V1 (Dated July 2021) - received 05 Aug 2021

Statement of Community Involvement (Dated July 2021) - received 05 Aug 2021

Wind Microclimate (Dated July 2021) - received 05 Aug 2021

Independent Daylight, Sunlight and Overshadowing Review Response (Dated 15th October 2021)  
received 18 Oct 2021

3552\_PL(20)120 - received 05 Jan 2022

F10128 Fire Statement Version 01 (Dated 3rd September 2021) - received 14 Sep 2021

EAS/P1234/C1 Aviation Safeguarding Assessment (Dated 21st July 2021) - received 05 Aug 2021

Planning Statement (Dated July 2021) - received 05 Aug 2021

2101320-02A Transport Assessment (Dated August 2021) - received 05 Aug 2021

2101320-04A Travel Plan (Dated August 2021) - received 05 Aug 2021

2101320-08 Flood Risk Assessment and Drainage Strategy (Dated July 2021) - received 05 Aug 2021

Energy and Sustainability Statement (Dated 30th July 2021) - received 05 Aug 2021

2101320-09 Air Quality Assessment (Dated July 2021) - received 05 Aug 2021

5796/21-01 Aboricultural Survey (Dated April 2021) - received 05 Aug 2021

P3284J2275/SL Desk Study / Preliminary Risk Assessment Report (Dated 10th May 2021) - received  
05 Aug 2021

Townscape, Visual and Heritage Assessment (Dated July 2021) - received 05 Aug 2021

Preliminary Ecological Appraisal (Dated May 2021) - received 05 Aug 2021

Viability Model- 15% Social Rent (by habitable room) - received 24 Nov 2021

2101320-11 Noise Technical Note (Dated 19th October 2021) - received 10 Nov 2021

3552\_PL(70)103 Rev. P02 - received 24 Nov 2021

3552\_SC\_001 - received 24 Nov 2021

3552\_SC\_002 - received 24 Nov 2021

3552\_SC\_003 - received 24 Nov 2021

3552\_SC\_004 - received 24 Nov 2021

**CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD**

Figure 1 Rev. P01 - received 24 Nov 2021

P1085\_SK(30)000 - received 24 Nov 2021

3552\_PL(20)301 Rev. P05 - received 30 Jul 2024

3552\_PL(20)302 Rev. P05 - received 30 Jul 2024

3552\_PL(20)303 Rev. P06 - received 30 Jul 2024

3552\_PL(20)304 Rev. P06 - received 30 Jul 2024

3552\_PL(20)109 Rev. P06 - received 01 May 2024

3552\_PL(20)110 Rev. P06 - received 01 May 2024

3552\_PL(20)300 Rev. P05 - received 01 May 2024

## CONTINUATION OF THE DEED OF VARIATION RELATING TO HPH4 MILLINGTON ROAD

### 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](http://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](mailto: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](http://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 Signed with a **secure electronic signature** via E-Sign.

## Envelope Details

Title	Deed of Variation - HPH4 Millington Road
Author	Smaa Haider (shaider@hillingdon.gov.uk)
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## Document Signers

Scan/Click the QR Code to view signature information

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## Document History

Tue, 01 Oct 2024 15:18:56	<b>Smaa Haider</b> Signed the Document (IP: 155.190.60.28)
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