

Report of the Head of Planning, Sport and Green Spaces

Address AIRLINK HOUSE, 18-22 PUMP LANE HAYES

Development: Variation of conditions 13 (Noise) and 23 (Operating Hours) of planning permission ref: 5505/APP/2011/3064 dated 06/11/2012 to extend the hours to which music can be played and to extend the hours during which staff can be in the restaurant, banqueting halls and bar areas (Application to vary condition 2 of planning permission ref: 5505/APP/2010/2455 to make minor internal alterations at the ground, first and second floor level and increase height of rear extension adjoining northern boundary by 1.3m)

LBH Ref Nos: 5505/APP/2014/1499

Drawing Nos: Noise Mitigation Strategy and Management Plan
Planning Design and Access Statement
Noise Assessment of Extended Trading Hours
DWG/AIRLINK/COND/011/DISBEDS/NOV12 - received 04 Mar 2013
DWG/AIRLINK/COND/011/DISBEDS/NOV12 - received 04 Mar 2013
DWG/AIRLINK/COND/012/DISSHOWER/NOV12 - received 04 Mar 2013
DWG/AIRLINK/COND/013/GNDLEVELS/NOV12 - received 04 Mar 2013
DWG/AIRLINK/COND/014/REFUSE/NOV12 - received 04 Mar 2013
DWG/AIRLINK/COND/015/SIGHT/NOV12 - received 04 Mar 2013
DWG/AIRLINK/COND/016/RAMP/NOV12 - received 04 Mar 2013
DWG/AIRLINK/COND/017/FRONELEV/NOV12 - received 04 Mar 2013
DWG/AIRLINK/COND/020/RIGHTELEV/NOV12 - received 04 Mar 2013
DWG/AIRLINK/COND/021/SOUNDLOBBY/NOV12 - received 24 Apr 2013
SRP/0166523495774/PUMPLANE/PATEL/Apr2013/01/a - received 24 Apr 2013
AIRLINK/LAND/200/PLAND36/FEB12 Rev. 1 - received 24 Apr 2013
DWG/AIRLINK/COND/023/SOUNDLOBBY/NOV12 - received 04 Mar 2013
DWG/AIRLINK/COND/023/SOUNDLOBBY/NOV12 - received 04 Mar 2013
DWG/AIRLINK/COND/024/GNDPLAN/NOV12 - received 04 Mar 2013
DWG/AIRLINK/COND/025/1STPLAN/NOV12 - received 04 Mar 2013
Drawing Number titled - Proposed South East Elevation Rev. 22/12/2012 to address condition 35, November 2012
Drawing Number titled - Proposed North West Elevation Rev. 25/12/2012 to address condition 35 25 November 2012
DWG/AIRLINK/COND/026/2NDPLAN/NOV12 - received 04 Mar 2013
DWG/AIRLINK/COND/010/DISBEDS/NOV12 - received 04 Mar 2013
Location Plan
Letter from agent dated 19 April 2013
AIRLINK/SIGHT/COACHES/PR23A/FEB12 - received 04 Mar 2013
AIRLINK/LAND/200/PLAND36/FEB12 Rev. 1 - received 04 Mar 2013
DWG/AIRLINK/COND/009/CYCLES/NOV12 - received 04 Mar 2013
Noise Breakout Test Report No. 0070.4 Rev. 1 dated 23 April 2013

Date Plans Received: 29/04/2014

Date(s) of Amendment(s):

Date Application Valid: 30/04/2014

1. SUMMARY

Planning permission was granted (Ref: 5505/APP/2010/2455) on the 7th December 2010, for the change of use of the existing office building at Airlink House to a hotel, along with the erection of a single storey rear extension. The application proposed a hotel that would comprise restaurant/banqueting facilities on the ground floor with a seating capacity for up to 200 people. A total of 23 hotel rooms would occupy the first and second floors.

A fresh permission was issued (Ref 5505/APP/2011/3064) on 6 November 2012 following a planning application to vary condition 2 of planning permission (ref: 5505/APP/2010/2455) "to make minor internal alterations at the ground, first and second floor level and increase height of rear extension adjoining northern boundary by 1.3 metre."

Temporary planning permission was then granted for a 12 month period from 19th September 2013 enabling the use of the banqueting suite, restaurant and bar areas of the premises to be until 01:00am on Fridays and Saturdays and 23:00pm from Sunday to Thursday from the current closing time of 22.30am.

The current application seeks the permanent amendment of the conditions relating to noise and operating hours, to those previously approved for a temporary period. The application site has now been operating under the extended operating hours for just under 10 months and an updated noise report has been submitted which takes into account data gathered from actual evening events which have taken place during this period. Further, during the period of extended operation the Council's Environmental Protection Unit have received no complaints.

The Noise Team within the Council's Environmental Protection Unit have considered the application and the details of a scheme including the submitted noise mitigation strategy and management plan and are satisfied the extension of opening hours would not cause unacceptable adverse impacts to neighbouring residential properties from noise or general disturbance. The fact that the premises has been operating under these amended provisions for 10 months and generated no complaints also strongly indicates that there is no material harm in granting this permission. Accordingly the application is recommended for approval.

2. RECOMMENDATION

That delegated powers be given to the Head of Planning, Green Spaces & Culture to grant planning permission, subject to the following:

1. That the Council enter into a Deed of Variation, in order to insert the new planning reference number into the existing Agreement dated 6-11-2012, attached to planning permission ref 5505/APP/2011/3064.

2. That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the preparation of the Deed of Variation and any abortive work as a result of the agreement not being completed.

3. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

4. If the Deed of Variation has not been finalised by 30th July 2014 of the date of this resolution, that delegated authority be granted to the Head of Planning,

Culture and Green Spaces to refuse the application for the following reason:

The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of air quality and a Green Travel Plan). The proposal therefore conflicts with Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

1 T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the 19th December 2014.

REASON

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

2 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers /100P01, P02, P03, P04, P09, P12, P13, Dwg titled "Proposed North West Elevation Rev. 25/12/2012 to address condition 35 25 November 2012" and Dwg titled "Proposed South East Elevation Rev. 22/12/2012 to address condition 35, November 2012".

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

3 M1 Details/Samples to be Submitted

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 M3 Boundary treatment - details

The boundary treatment shall be as previously approved (505/APP/2013/512) dated 30 April 2013 of planning permission 5505/APP/2011/3064. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

REASON

To safeguard the visual amenities of the area in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 MCD13 Extraction Vent or Chimney

No development shall take place until details of the height, position, design and materials of any chimney or extraction vent to be provided in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The vent/chimney shall be installed in accordance with the approved details. Thereafter the vent/chimney shall be permanently retained and maintained in good working order for so long as the use continues.

REASON

In order to safeguard the amenities of adjoining properties in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

6 H8 Surfacing and marking

The development shall not be occupied until the parking and servicing areas shown on the approved plans have been drained, surfaced and marked out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter these areas shall be permanently retained and used for no other purpose.

REASON

To ensure that the vehicular access, servicing and parking areas are satisfactorily laid out on site in accordance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7 H13 Installation of gates onto a highway

No gates to control pedestrian or vehicle movements shall be installed without the prior approval of the Local Planning Authority.

REASON

To ensure that pedestrian and vehicular safety is not prejudiced in accordance with Policies AM3 and AM8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 DIS1 Facilities for People with Disabilities

All the facilities within the accessible bedrooms in compliance with BS 8300:2009 to meet the needs of people with disabilities that are shown in the previously approved plans (505/APP/2013/512) dated 30 April 2013 of planning permission 5505/APP/2011/3064 shall be provided prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy AM13 and R16 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

9 DIS4 Signposting for People with Disabilities

Signplates, incorporating a representation of the Universal Wheelchair Symbol, should be displayed to indicate the location of convenient facilities to meet the needs of people with disabilities. Such signplates should identify or advertise accessible entrances to buildings, reserved parking spaces, accessible lifts and lavatory accommodation, manageable routes through buildings and availability of additional services. Signs for direction and location should have large characters or numerals and clearly contrast with the background colour.

REASON

To ensure that people with disabilities are aware of the location of convenient facilities in accordance with Policy AM13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

10 NONSC Parking Management

Prior to the commencement of development, a scheme for the co-ordination and management of deliveries, car, taxi and mini-bus parking (which seeks to ensure that the

development does not result in any on street parking in neighbouring streets), shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented for as long as the development remains in existence.

REASON

To ensure that an adequate level of parking provision is provided for the proposed use and to prevent inappropriate parking of vehicles associated with the use hereby approved in surrounding streets, and to accord with Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

11 N12 Air extraction system - noise and odour

The rating level of noise emitted from the plant and/or machinery shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 'Method for rating industrial noise affecting mixed residential and industrial areas'.

The approved scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 7.15 of the London Plan (July 2011).

12 N14 Control of music and noise

A. No loud music or other noise (amplified or otherwise) shall be made externally.

B. No loud music or other noise (amplified or otherwise), shall be made/played at the site, nor shall any persons (other than staff) be permitted to be in the restaurant, banqueting or bar areas of the premises between 23:00 hours and 08:00 hours except on Friday night or Saturday night where an additional 2 hours up until 01:00 hours the following morning will be permitted.

C. Prior to the occupation of the building a noise-limiting device shall be installed. It shall be fitted and thereafter maintained in such a manner as to control all sources of amplified music or any other noise at the premises in accordance with the levels specified in part E of this condition.

D. At no time shall noise emitted from the site exceed 5db below background levels when measured from the nearest sensitive receptor

REASON:

To safeguard the amenity of the occupants of surrounding properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan (July 2011).

13 H1 Traffic Arrangements and Parking

Development shall not begin until details of all traffic arrangements (including footways, turning space, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces, loading facilities 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 AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

14 NONSC No Contaminated Soils

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. All imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted and approved by the Local Planning Authority.

REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

15 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

16 MCD14 Ventilation System - details

No development shall take place until details of the air ventilation system has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the ventilation system has been installed in accordance with the approved details.

REASON

To protect the amenities of the occupiers of residential accommodation in the vicinity in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

17 NONSC Kitchen Access Door

The kitchen door on the eastern facade of the single storey rear extension is to be used for kitchen access only and otherwise kept closed at all times.

REASON

To safeguard the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

18 OM11 Floodlighting

No floodlighting or other form of external lighting 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 Authority other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

19 NONSC Delivery hours

The premises shall not be used for delivery and the loading or unloading of goods outside the hours of 08:00 and 18:00, Monday to Friday, and between the hours of 08:00 and 13.00 on Saturdays. The site shall not be used for delivery and the loading or unloading of goods on Sundays, Public or Bank Holidays.

REASON:

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

20 MCD10 Refuse Facilities

No development shall take place until full details of facilities to be provided for the covered, appropriately sign posted, secure and screened storage of refuse at the premises have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

REASON

In order to safeguard the amenities of the area, in accordance with Policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011).

21 OM19 Construction Management Plan

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

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

REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

22 SUS8 Electric Charging Points

Before development commences, plans and details of 2 electric vehicle charging points, serving the development and capable of charging multiple vehicles simultaneously, shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be implemented in accordance with the approved plans and thereafter permanently maintained as long as the development remains in existence.

REASON

To encourage sustainable travel and to comply with London Plan (July 2011).

23 OM14 Secured by Design

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the '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).

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies contained in the London Plan (July 2011).

24 NONSC CCTV

Prior to commencement of the development for which full planning permission is hereby approved a scheme for the provision of Closed Circuit Television (CCTV) for the relevant phase/relevant component of the full planning element shall be submitted to and

approved in writing by the Local Planning Authority. The scheme for the provision of Closed Circuit Television (CCTV) shall include the following:

- i) Details of how the proposed CCTV system will be compatible with the Council's CCTV system;
- ii) Details of CCTV cameras, including type and specification;
- iii) Details of the location of CCTV cameras to be mounted on and/or around the buildings, amenity areas and bicycle storage areas

Thereafter the development shall be carried out in accordance with the approved scheme and thereafter maintained for the life of the development.

REASON

In pursuance of the Local Planning Authority'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 Local Planning Authority's powers under Section 2 of the Local Government Act 2000; to reflect the guidance contained in the Council's SPG on Community Safety by Design and to ensure that the development provides a safe and secure environment in accordance with Policies contained in the London Plan (July 2011).

25 NONSC Antenna

Unless otherwise agreed in writing by the Local Planning Authority, no antenna, masts, poles, satellite dishes or the like shall be erected on the development hereby approved

REASON

To ensure that the apparatus is not erected which would detract from the visual amenities of the and in accordance with Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

26 NONSC No use of roof area

No access onto, use of, activity, storage whatsoever shall occur on the roof of the new single storey rear extension hereby approved, other than for maintenance and repair as may be required on occasion for the lifetime of the development.

REASON

To safeguard the amenity of surrounding areas properties in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

27 SUS5 Sustainable Urban Drainage

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

REASON

To ensure that surface water run off is handled as close to its source as possible in compliance with Policy 5.13 of the London Plan (July 2011) and to ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

28 NONSC Coaches

No access onto, use of, activity, storage whatsoever shall occur on the roof of the new

single storey rear extension hereby approved, other than for maintenance and repair as may be required on occasion for the lifetime of the development.

REASON

To safeguard the amenity of surrounding areas properties in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

29 SUS3 Energy Efficiency

The application shall be carried out in accordance with the energy strategy, and in particular the energy efficiency measures set out in the report titled 'Energy Statement' (prepared by Blue Sky Unlimited dated 2-11-2010) shall be integrated within the development and thereafter permanently retained and maintained.

REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with policies contained in the London Plan (July 2011).

30 NONSC Non Standard Condition

The car parking facilities provided at the hotel shall be used by hotel guests only and strictly for the duration of their stay in the hotel. Prior to occupation of the development a car parking management strategy shall be submitted to demonstrate how this will be managed and to ensure the efficient operation of the car park, especially at peak demand periods. The approved strategy shall be implemented as soon as the hotel is brought into use and the strategy shall remain in place thereafter. Any changes to the strategy shall be agreed in writing by the Local Planning Authority.

REASON

The use of the site for long-stay parking for Heathrow Airport passengers is directly related to the operation of Heathrow Airport but is located outside the airport boundary, contrary to Policy A4 of the Hillingdon Unitary Development Plan Saved Policies September 2007. Furthermore, this would provide airport related car parking in addition to the 42,000 car parking spaces that have been 'capped' at Heathrow Airport as a condition of the Terminal 5 approval and is contrary to Policies AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), Policies in the London Plan (July 2011).

31 COM5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the works have been completed or measures put in place in accordance with the following specified supporting plans and/or documents:

Noise Mitigation Strategy and Management Plan

Noise Breakout Test Report No. 0070.4 Rev. 1 dated 23 April 2013

Noise Assessment Of Proposed Extension To Trading Hours - Report 0070.3 Rev. 1, dated March 2013

Landscape Scheme and Written Specification and Schedule of Plants

SRP/0166523495774/PUMPLANE/PATEL/Apr2013/01/a (soft landscape maintenance specification and maintenance schedule)

Bicycle Provision: DWG/AIRLINK/COND/014/REFUSE/NOV12

Refuse Provision: DWG/AIRLINK/COND/009/CYCLES/NOV12

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

REASON

To ensure that the development complies with the objectives of Policies OE1, OE3, AM9 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES

1 152 **Compulsory Informative (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).

2 153 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures

3 124 **Works affecting the Public Highway - General**

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

4 113 **Asbestos Removal**

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

5 12 **Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

6 115 **Control of Environmental Nuisance from Construction Work**

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 should only be carried out between the hours of 08.00 hours 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 and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) 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.

7 123 **Works affecting the Public Highway - Vehicle Crossover**

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

8

Noise mitigation measures should include but not be limited to those outlined in section 5.23 of the DKN Acoustics noise report ref. 0070.1 dated September 2010. The application will also need to include the measures necessary to control plant noise such as that from deliveries and provide details confirming that the noise criteria recommended in the noise report will be met.

9

With regard to surface water drainage, it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

10

Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.

11

A Trade Effluent Consent will be required for any effluent discharge other than domestic discharge. Any discharge without the consent is illegal and may result in prosecution. Note that domestic use includes for example, toilets, showers, washbasins baths and contains.

Trade effluent processes include: laundrette/laundry, PCB manufacture, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treating cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before Thames Water can give its consent. Applications should be made to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London SE2 9AQ. Tel 0208 507 4321.

12

With regards to water supply, this site is within the area covered by the Veolia Water Company. It is recommended that Veolia Water company are contacted to establish the requirements for supply connection. The address to write to is Veolia Water Company, The Hub, Tamblin Way, Hartfield, Herts AL10 9EZ. Tel 0845 782 3333.

13 I12 **Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

14 I25A **The Party Wall etc. Act 1996**

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or planning controls. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

15 I60 **Cranes**

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the

British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at www.aoa.org.uk/publications/safeguarding.asp)

16 I28 **Food Hygiene**

The Council's Commercial Premises Section should be consulted prior to the use of the premises so as to ensure compliance with the Food Safety Registration Regulations 1990, Hygiene (General) Regulations 1970, The Food Act 1984, The Health and Safety at Work Act 1974 and any other relevant legislation. Contact: - Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Telephone 01895 250190).

17 I25 **Consent for the Display of Adverts and Illuminated Signs**

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

18 I47 **Damage to Verge**

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

3. CONSIDERATIONS

3.1 Site and Locality

The site is located on the northern side of Pump Lane, approximately 75m east of the junction of Pump Lane and Coldharbour Lane. The site is approximately 1,440sqm in area and is located within the Hayes Town Centre.

The area adjoining the site to the north is characterised by two storey dwellings fronting Mount Street. To the east is an open air car park, and to the west, the site is adjoined by single and two storey commercial buildings. Across Pump Lane to the south is a 3 to 4 storey residential housing estate.

Occupying an area of approximately 0.14 hectares, the site accommodates a three storey office building with car parking to the rear (accessed from Pump Lane, via drive way at eastern end to building).

The main access to the proposed development is proposed from Pump Lane, which in its continuation is characterised by industrial and commercial development, and relatively well maintained, such as the Argent Centre. Hayes and Harlington railway station is approximately 600m walk from the site.

The site does not fall within an Archaeological Priority Area and there are no Conservation Areas, listed buildings or Areas of Special Local Character within the immediate vicinity of the site.

3.2 Proposed Scheme

The proposed scheme would vary condition 13 and condition 23, to allow for the approved banquet hall and associated bar and restaurant to be open until 23:00 Sunday to Thursday and to 01:00am Friday and Saturday and to extend the hours loud music can be played to the same hours on each day, namely to 23:00 Sunday to Thursday and to 01:00am Friday and Saturday.

3.3 Relevant Planning History

5505/APP/2010/2455 Airlink House, 18-22 Pump Lane Hayes

Single storey rear extension and change of use of building from offices to a restaurant / banquet hall at ground floor level with 23 hotel rooms above.

Decision: 28-07-2011 Approved

5505/APP/2011/3064 Airlink House, 18-22 Pump Lane Hayes

Application to vary condition 2 of planning permission ref: 5505/APP/2010/2455 to make minor internal alterations at the ground, first and second floor level and increase height of rear extension adjoining northern boundary by 1.3m

Decision: 14-08-2012 Approved

5505/APP/2013/727 Airlink House, 18-22 Pump Lane Hayes

Amendment to planning permission ref (5505/APP/2011/3064) to make minor internal alterations and to amend the location of grilles, doors and windows on the single storey extension (Application for a non-material amendment).

Decision: 03-04-2013 Approved

5505/APP/2013/996 Airlink House, 18-22 Pump Lane Hayes

Application to vary conditions 13 and 23 for a temporary period of 12 months only to planning permission (ref: 5505/APP/2011/3064) for single storey rear extension and change of use of building from offices to a restaurant/banquet hall at ground floor level with 23 hotel rooms above) dated 06/11/2012 to extend the opening hours of the premises.

Decision: 19-07-2013 Approved

Comment on Relevant Planning History

As stated above planning permission (Ref 5505/APP/2011/3064) was granted on the 6 November 2012 for the change of use of the existing office building at Airlink House to a hotel, along with the erection of a single storey rear extension to provide restaurant/banqueting facilities on the ground floor with seating capacity for up to 200 people and 23 hotel rooms on the first and second floors. As part of the decision notice for this application, the following conditions were added:

CONDITION 13

The development shall not begin until a scheme for the control of noise (amplified or otherwise, including music or any noise from a tannoy system) emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical, administrative and other measures as may be approved by the Local Planning Authority. The scheme shall be fully implemented before the development is use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

No persons other than staff shall be permitted to be in the restaurant, banqueting or bar areas of the premises between the hours of 22.30 hours and 08.00 hours on any day.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan (July 2011).

CONDITION 23

No persons other than staff shall be permitted to be in the restaurant, banqueting or bar areas of the premises between the hours of 22.30 hours and 08.00 hours on any day.

REASON:

To ensure that the amenity of the occupiers of adjoining or nearby properties is not adversely affected in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

Planning permission 5505/APP/2013/996 granted amendments to these conditions for a temporary 12 month period from the 19th September 2013. On the temporary consent Conditions 13 and 24 were combined into a single condition 12 (it should be noted that conditions were renumbered and altered as certain requirements had already been met). The amended condition read:

CONDITION 12

A. No loud music or other noise (amplified or otherwise) shall be made externally.

B. With the exception of the trial period set out in part C of this condition, no loud music or other noise (amplified or otherwise), shall be made/played at the site, nor shall any persons (other than staff) be permitted to be in the restaurant, banqueting or bar areas of the premises between 22:00 hours and 08:00 hours Monday to Saturdays and at no time on Sundays, Bank and Public Holidays.

C. For a period of 12 months from the date of this permission, no loud music or other noise (amplified or otherwise), shall be made/played at the site, nor shall any persons (other than staff) be permitted to be in the restaurant, banqueting or bar areas of the premises between 23:00 hours and 08:00 hours except on Friday night or Saturday night where an additional 2 hours up until 01:00 hours the following morning will be permitted.

D. Prior to the occupation of the building a noise-limiting device shall be installed. It shall be fitted and thereafter maintained in such a manner as to control all sources of amplified music or any other noise at the premises in accordance with the levels specified in part E of this condition.

E. At no time shall noise emitted from the site exceed 5db below background levels when

measured from the nearest sensitive receptor

REASON:

To safeguard the amenity of the occupants of surrounding properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan (July 2011).

It should be noted that since the grant of the temporary consent the Council's Environmental Protection Unit have not received any complaints associated with the operation of the premises.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

48 neighbouring owner/occupiers were consulted in writing on the application. A site notice was also displayed.

1 letters of objection was received from a nearby property stating:

'I acknowledge that an attempt has been made to be mindful of the concerns of residents regarding the noise from music and disturbance from guests leaving the premises I would seek assurance

that steps will continue to be taken to minimise noise during functions and measures will be taken to ensure that the large numbers of guests it is proposed to accommodate in functions in the banqueting hall leave without disturbing residents so late at night and from staff and their cars who from the proposal will be able to work and therefore leave at any time during the night or early morning and that steps are taken to minimise the disturbance from the flood lights in the car park which shine directly into 1st floor bedrooms at night.'

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT - Noise Team recommend the following conditions:

- 1) The rating level of noise emitted from the plant and/or machinery shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 'Method for rating industrial noise affecting mixed residential and industrial areas'. The permitted noise control measures shall be retained and maintained in good working order for so long as the building remains in use.
- 2) The development shall not be operated other than in accordance with the noise control measures submitted to the Council under application no. 5505/APP/2013/997 in order to prevent amplified music breakout.
- 3) No loud music or other noise, whether amplified or otherwise, shall be played in the premises or externally between 23:00 hours and 08:00 hours Sunday to Thursday and between the hours of 01:00 and 08:00 on Fridays and Saturday. The permitted noise control measures shall be retained and maintained in good working order for so long as the building remains in use.
- 5) No persons other than staff shall be permitted to be in the restaurant, banqueting or bar areas of the premises between the hours of i) 23:00 hours and 08:00 hours on Sunday to Thursday and ii) 01:00 hours and 08:00 hours Friday and Saturday.
- 4) An appropriate noise-limiting device shall be fitted and thereafter maintained in such a manner as to control all sources of amplified music & speech at the premises in accordance with the levels specified.
- 6) The operator shall ensure strict adherence to the terms of the Noise Mitigation Strategy and Management Plan submitted with this application, unless otherwise approved by the Local Planning authority. Any changes to the Noise Mitigation Strategy to be consulted with the Local Authority prior to implementation.

Officer Comment: The comments/requirements of the Environmental Protection Unit have been incorporated into the amended conditions which, due to renumbering, are nos. 12 and 31 within the recommendation.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of the hotel use and the single storey rear extension was established and full planning permission was granted. This scheme relates to change of opening hours that does not impact upon the already established acceptability of the principle of the development.

7.02 Density of the proposed development

Not applicable to this variation of condition application.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Not applicable to this variation of condition application.

7.04 Airport safeguarding

Not applicable to this variation of condition application.

7.05 Impact on the green belt

Not applicable, the site is not in Green Belt.

7.06 Environmental Impact

The application to vary the opening hours does not raise any broad environmental issues. With regard to Policy BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) requires the consideration of the potential impacts of a proposal upon neighbouring amenity and this matter is dealt with in Section 7.18 of this report.

7.07 Impact on the character & appearance of the area

Not applicable to this variation of condition application.

7.08 Impact on neighbours

This application involves no physical changes to the interior or exterior of the building.

Consideration of the impact to neighbours of the sought variation of condition in respect to opening hours to the banqueting suite and associated bar relate to the potential issues of noise breakout and noise and general disturbance to neighbours as guest leave the premises late at night. Policy BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) requires the consideration of the potential impacts of a proposal upon neighbouring amenity and these matters are dealt with in detail in Section 7.18.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Not applicable to this variation of condition application.

7.11 Urban design, access and security

The issues of access and crime prevention design measures have been dealt with in the original approval (ref: 5505/APP/2010/2455). These matters are dealt with by planning conditions that will be carried over should this variation of condition application including a condition concerning the scheme achieving a Secure by Design accreditation. The sought change of hours dealt with in this current variation of condition application are not considered to raise any fresh adverse impact in respect to either access or security.

7.12 Disabled access

Not applicable to this variation of condition application.

7.13 Provision of affordable & special needs housing

Not applicable to this variation of condition application.

7.14 Trees, landscaping and Ecology

Not applicable to this variation of condition application.

7.15 Sustainable waste management

Not applicable to this variation of condition application for extension of opening hours.

7.16 Renewable energy / Sustainability

Not applicable to this variation of condition application for extension of opening hours.

7.17 Flooding or Drainage Issues

Not applicable to this variation of condition application.

7.18 Noise or Air Quality Issues

To seek to address issues with noise breakout from amplified music within the building and noise and general disturbance as guests leave late at night the applicant has

provided a Noise Assessment of Extended Trading Hours and a Noise Mitigation Strategy and Management Plan in respect to the sought extended opening hours. These reports have been updated since the previous temporary grant of planning permission and now take into account actual data gathered during operation of the site during the extended hours.

Noise measurements were recorded at various locations i) inside the banqueting hall over short-term periods of up to two minutes and ii) externally above the perimeter wall of the site boundary/car park with the residences in Mount Road to the rear (north) over a series of five minute measurements. This external measurement location was the closest accessible position to the residences in Mount Road, as there was no access directly to the residences.

At the time of the data being gathered it was evident that noise levels inside the premises when amplified music was playing ranged from 86-94 dB LAeq depending on location. However, amplified music was not audible at the site boundary measurement position at any time during the assessment with noise levels at the boundary arising from other noise sources in the area unrelated to the premises such as road traffic, industrial noise, trains and vehicle movements in the hotel car park and adjacent public car park.

For a noise source to be inaudible, it is a generally accepted rule of thumb that the noise source is at least 10 dB below the ambient LAeq noise level. As such, it has been evidenced that the operation of the premises in these hours, subject to the existing controls, fully complies with the Council's adopted Noise SPD which seeks for noise to be 5dB below ambient levels.

The site Management Plan details a series of measures to manage guests as they leave the premises. They include:

1. On any day the premises trades after 23:00, there will be a minimum of 1 door supervisor stationed at the entrance/exit from this time until 30 minutes after the premises closes to guests. The door supervisor will encourage persons to disperse quickly and quietly mindful of the local residents. The internal acoustic lobby will be used to ensure that internal doors remain shut before the external doors are opened, none of these doors are to be held open.
2. On any day the premises trades after 23:00 until 30 minutes after the premises closes to the guests, there will a minimum of 1 street supervisor wearing a high visibility jacket to provide a presence in the vicinity of Pump Lane. The supervisor will encourage persons to disperse quickly and quietly in the direction of the busier roads and the public car park.
3. Staff and security within the venue will be regularly briefed in relation to the dispersal of patrons.
4. The door supervisor shall be employed after 23:00 to manage entry and dispersal and monitor and control the use of the pavement area for smoking. The door supervisor will be stationed at the entrance of the premises, where smokers tend to congregate, and will discourage smokers from socialising in a loud manner and ensure that no smokers are allowed to take their drinks with them.
5. Staff and security within the venue will be regularly briefed in relation to the management

of the smoking area and entrance.

6. A taxi ordering service will be available to guests. These cars are booked within the venue and the patrons who are travelling in the vehicles will be required to wait inside the venue until the taxi arrives. There will be no waiting on the street.

7. Staff and security within the venue will be regularly briefed in relation to the taxi scheme.

Staff will be instructed to enquire of patrons when they are leaving if they would like assistance in arranging a licensed taxi and to ensure they remain inside the venue until the taxi arrives.

8. All staff will be trained and aware of the operating conditions and the obligations to the residents nearby.

9. Guests to the banquet hall, if travelling by private vehicle, will be encouraged to park in the adjacent pay and display car park. Their dispersal from the venue to car park will be managed and monitored by the street supervisor.

10. The approved fire exit door serving the ground floor east elevation is to serve as a fire exit only and will not be used for any other purpose than in an emergency.

With regard to noise breakout from the building a series of measures were designed into the scheme previously and were scheduled in a previously submitted noise breakout report. These measures include:-

- All doors and windows, including fire exits, serving the banqueting hall remain closed (except to allow access) and are not propped open during use of the banqueting hall.

- Use of comfort cooling plant will remove the need to open windows and doors for ventilation purposes, so will assist noise containment.

- A distributed speaker system comprising a larger number of smaller speakers, rather than the use of a smaller number of larger speakers.

- Zone areas accordingly near entrances/exits to ensure lower noise levels are generated in these spaces and do not orientate speakers towards such openings.

- Speakers placed on anti-vibration mounts to reduce structure-borne noise/vibration transmission to the building.

- Up-rated glazing specifications, including high specification laminated double glazing and secondary glazing;

- Use of comfort cooling/heating to eliminate the need to open doors/windows for ventilation;

- Up-rated and acoustically-rated and well-sealed doors/fire exits;

- Installation of sound lobby doors to entrances;

- Acoustic wall linings on independent frames to external walls;

- Multi-layer acoustic ceilings on resilient acoustic mounts;
- Use of high mass sedum roof to extended area;
- Intention to keep all doors closed except to allow access;
- Use of acoustically lined plenums/boxing, attenuators and termination cowls for ventilation duct runs serving banqueting hall.

All the above design and management measures are contained within the submitted and the applicant has agreed to adhere with all the measures detailed in the Noise Mitigation Strategy & Management Plan and this would be controlled by planning conditions.

Further, it has been demonstrated through actual data gathered during the operation of the premises during the evening that the measures are adequate and ensure that the level of noise at the boundary of the nearest residential property is well below the standards required by the Council's adopted Noise SPD. The fact that the use of the premises has been ongoing for almost 10 months and generated no noise complaints also strongly demonstrates that no material harm would arise from the grant of permission.

Policies BE21 and OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) requires the consideration of the potential impacts of a proposal upon neighbouring amenity and consideration of the necessary steps within a scheme to protect residents amenity.

Policy OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) states "Buildings or uses which have the potential to cause noise annoyance will only be permitted if the impact is mitigated within acceptable levels by engineering, lay-out or administrative measures"

The Council's Noise Team set within the Environmental Protection Unit have reviewed the submitted documents detailing noise mitigation and are satisfied with the provisions which would be secured. As such, subject to condition and adherence with the supporting documentation including the Noise Mitigation Strategy & Management Plan the scheme to vary the hours of operation are considered acceptable and would accord with policies OE1 and OE3 which seek to protect the amenity of neighbouring properties from noise and other disturbance.

7.19 Comments on Public Consultations

The public comment relates to measures to minimise noise arising from people leaving the premises and issues relating to light within the car park. The submitted Noise Mitigation Strategy and Management Plan sets out adequate and appropriate measures to deal manage impacts of people leaving the premises. The issue of floodlighting is outside the scope of consideration of this application which seeks to amend conditions which were imposed solely to control noise impacts.

7.20 Planning obligations

It will be necessary to enter into a deed of variation to insert the new planning reference number into the existing Agreement attached to planning permission ref: 5505/APP/2011/3064.

7.21 Expediency of enforcement action

None.

7.22 Other Issues

There is no other matter requiring consideration.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in

particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

Planning permission (Ref:5505/APP/2011/3064) was granted on the 6 November 2011 for the change of use of the existing office building at Airlink House to a hotel, along with the erection of a single storey rear extension.

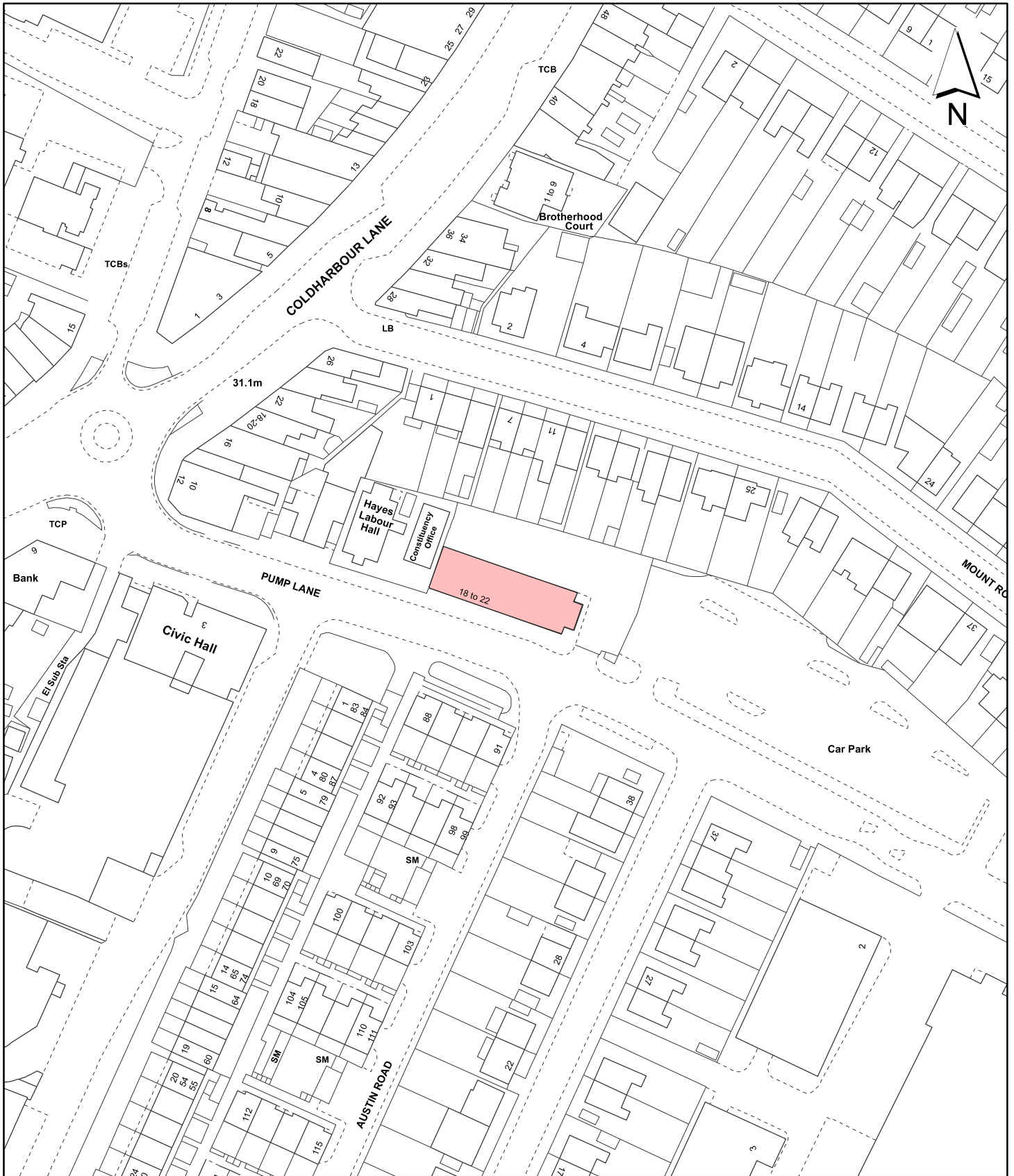
This current planning application seeks planning permission to vary conditions 13 and 23, to allow an extension of the opening hours. This proposal is not considered to impact upon the amenities of the adjoining residential occupiers and is therefore considered acceptable. For consistency and to avoid the need for unnecessary re-submissions the recommendation also incorporates amendments to conditions and numbering to avoid the need for re-submissions where details have already been submitted and found acceptable, or where their requirements are superseded by the requirements of amended conditions.

11. Reference Documents

Hillingdon Local Plan: Part One (November 2012)
Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)
Hillingdon adopted Noise Supplementary Planning Document (May 2006)
National Planning Policy Framework (March 2012)
London Plan (July 2011)

Contact Officer: Jazz Ghandial

Telephone No: 01895 250230



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2014 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;">Airlink House 18-22 Pump Lane Hayes</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p style="text-align: center;">Residents Services Planning Section</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;">5505/APP/2014/1499</p>	<p>Scale</p> <p style="text-align: center;">1:1,250</p>	 HILLINGDON <small>LONDON</small>
	<p>Planning Committee</p> <p style="text-align: center;">Major</p>	<p>Date</p> <p style="text-align: center;">July 2014</p>	