

Report of the Head of Planning, Sport and Green Spaces

Address LAND AT SIPSON FARM SIPSON ROAD SIPSON

Development: Application to vary condition 2 of planning permission reference 45408/APP/2009/340 dated 21 May 2009 in order to extend the deadline for completion of permitted operations from 20 May 2014 to 5 August 2017.

LBH Ref Nos: 45408/APP/2014/1678

Drawing Nos: Site Location Plan 1107/10B
Flood Risk Assessment and Surface Water Management Scheme dated April
Archaeological Evaluation Report Reference 60960 dated January 2006
Arboricultural Impact Appraisal and Method Statement with reference 8048-AIA-AS dated 7 March 2008
Statement in supporting of planning application dated February 2009
Environmental Statement Non Technical Summary dated February 2009
Environmental Statement Volume 1 dated January 2009
Environmental Statement Volume 2 dated January 2009
Plan 04 Final Restoration Plan 1107_13D
01 PA Letter_Statement 15 May 2014
Appx 02 Consent
Appx 04 Transport Statement
Plan 03 Method of Working Plan 1107_12E
Appx 05 E-mail Exchange with EA_LBH
Appx 06 02 FRA_SWM April 2009 Update
Appx 06 03 FRA_SWM April 2009 Update Dwg
Appx 07 01 Proposed Layout
Appx 07 02 Ditch Detail
Appx 03 Pre-App Advice
Appx 07 03 Drainage Stats
Appx 07 04 Officer Report
Appx 07 05 Decision Notice
Plan 02 Site Context Plan 1107_11C

Date Plans Received: 15/05/2014 **Date(s) of Amendment(s):** 14/05/2014

Date Application Valid: 15/05/2014

1. SUMMARY

The application seeks to vary condition 2 of planning permission ref: 45408/APP/2009/234 dated 21/5/2009, for the extraction of sand and gravel from the last substantial un-worked area of mineral-bearing land between Sipson and Harlington.

The applicant has submitted that the 5 years referred to in condition 2 has expired, but there are still reserves remaining in situ (approximately 300,000 tonnes) and the site still requires restoration, in accordance with the terms of the consent. This application therefore seeks to vary Condition 2, such that operations are completed by 5 August 2017. This will give the applicant sufficient time to extract the remaining consented mineral reserves and restore the site.

This proposal would make a contribution towards meeting an established and immediate

need for the release of additional mineral sites in London in general and in West London in particular. In addition, national, London Plan and local policy seek to safeguard sand and gravel reserves from sterilization, and given the mitigation measures of the proposal in relation to the surrounding land-uses, it is considered that the development would not result in an unacceptable level of harm in terms of air quality, noise and vibration, visual impact and ground water contamination.

There would be no detriment to highway and traffic conditions on the highway network in the vicinity of the site caused by its continued operation.

Subject to conditions, the application is therefore recommended for approval.

2. RECOMMENDATION

1. That the application be referred back to the Greater London Authority (Stage 2 Referral) if applicable.

2. That subject to (1) above, should the Mayor not direct the Council under Article 6 to refuse the application, or issue a direction under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application, the application be deferred for the determination by Head of Planning, Green Spaces and Culture under delegated powers to approve the application, subject to the following conditions:

1 NONSC Time Limit

All operations hereby authorised by this consent (excluding the 5 year statutory aftercare requirements) shall be completed by 5 August 2017. The site preparation, working and restoration of the site shall be carried out only in accordance with the details set out in the submitted application form, supporting planning statement, mitigation strategies as contained in the Environmental Statement dated January 2009, drawing numbered 1107/10B, 1107/11C, 1107/12E and 1107/13D. No part of the operations specified therein shall be amended or omitted prior written approval from the Minerals Planning Authority.

REASON

To enable the Minerals Planning Authority to control the development and to minimise its impacts on the amenities of the local areas and to ensure the site is restored within the time scale envisaged in the application, in accordance with policy MIN4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

2 NONSC Site drainage management

The construction of the site drainage system and surface water management system shall be carried out in accordance with the details contained in Section 6 and Appendix 6 of the Environmental Statement, dated September 2007 and drawing numbered 1107/12E, 1107/13D and 1107/11C.

REASON

To prevent pollution of the water environment in accordance with MIN21 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

3 NONSC Control of hours

i) Except with the prior written agreement of the Minerals Planning Authority, no operations authorised or required by this permission shall be carried out, and plant shall not be operated, other than during the following hours:-

0700 to 1800 hours on Mondays to Fridays and 0700 to 1300 hours on Saturdays.

ii) The formation and subsequent removal of material from any screen banks and soil/overburden storage areas shall not be carried out except between the following times:-

0800 to 1800 hours on Mondays to Fridays and 0800 to 1300hours on Saturdays and no such operations shall take place on Sundays or Bank or Public Holidays. This condition shall not, however, operate so as to prevent carrying out, outside these working hours, of essential maintenance to the plant and machinery used on the site.

REASON

For the reasonable protection of residential amenity in accordance with Policy OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans numbered

Site Context Plan 1107_11C

Method of Working Plan 1107_12E

Final Restoration Plan 1107_13D

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

REASON

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

5 NONSC In accordance with approved plans

Unless otherwise agreed in writing by the Minerals Planning Authority, no operation hereby permitted by this consent shall commence until the land is fenced in accordance with the approved plans. The fencing shall be maintained in a secure condition throughout the duration of the permitted operations.

REASON

To deter trespass, especially by children or by persons fly tipping, in the interest of public safety and amenity, in accordance with BE18 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

6 COM5 General compliance with supporting documentation

The development hereby permitted shall not be commenced until the following has been completed in accordance with the specified supporting plans and/or documents:

Flood Risk Assessment and Surface Water Management Scheme

Archaeological Evaluation Report Reference 60960 dated January 2006

Arboricultural Impact Appraisal and Method Statement reference 8048-AIA-AS dated 7 March 2008

Environmental Statement Non Technical Summary dated February 2009

Environmental Statement Volume 1 dated January 2009

Environmental Statement Volume 2 dated January 2009

Transport Statement

FRA_SWM April 2009 Update

FRA_SWM April 2009 Update Dwg

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

REASON

To ensure that the development complies with the objectives of Policies in the Hillingdon Local Plan, London Plan and NPPF.

7 NONSC Limit for site noise level

Noise levels resultant from the development except the stripping and transportation of soils and construction and removal of screen bunds hereby permitted, shall not exceed 70dB during construction and removal of the bunds and 55dB during the extraction of minerals, as measured at the boundary of the following noise sensitive sites as identified in the Figure 1 of the Noise report dated January 2007:

1. Footpath at Field Close
2. Parking area Raywood Close
3. Parking area to south
4. Corner of Chestnut Close
5. Rear of Kenwood Close
6. End of Vincent Drive
7. Additional - the above shall also apply to Sipson House, Sipson Road (dependant upon use of Sipson House at the time of nearest operations)

REASON

For the protection of residential amenity in accordance with OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

8 NONSC Noise Monitoring Scheme

Before the development commences a noise monitoring scheme shall be agreed with the Minerals Planning Authority which specifies the provisions to be made for the monitoring of noise levels in accordance with condition 06 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the timescale and frequency of noise monitoring to be undertaken.

REASON

For protection of residential amenity, in accordance with OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

9 NONSC No buildings or structure

Notwithstanding the provision of Part 19 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, no buildings, structures, fixed or mobile machinery other than that approved by this consent, shall be erected or placed or installed on the site without the prior written approval of the Minerals Planning Authority.

REASON

For the protection of residential amenity, in accordance with Policy BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

10 NONSC Restoration of land for agricultural use

a) Unless otherwise agreed in writing by the Minerals Planning Authority, following the replacement of subsoil and topsoil as required by Condition 10 above, the site shall be subject to 5 year of controlled aftercare in accordance with an initial aftercare strategy previously approved in writing by the Minerals Planning Authority. Such an aftercare strategy shall be submitted within twelve months of the date of this permission and shall

make provision for planting, seeding, (control of weeds) cultivating, fertilising, watering, drainage, failure of planting or seeding and settlement.

b) Agreement of an initial aftercare scheme shall not preclude its subsequent modification or replacement in the light of subsequent annual assessments showing this to be necessary within the 5 year period.

c) In the event of remedial restoration works becoming necessary and negating aftercare already carried out, then a new aftercare scheme shall be carried out on the part of the site for a 5 year period commencing with the date of completion of the remedial work and replacement of restoration soils in accordance with details agreed in writing by the Minerals Planning Authority.

d) Notwithstanding the submitted aftercare strategy the applicant shall undertake checks for landfill gas which should be submitted to the Minerals Planning Authority for approval before the aftercare work commences. If landfill gas is found to be a hazard then the applicant shall install remediation measures to prevent landfill gas releases.

REASON

To provide the best prospect of the land being reasonably fit for agriculture use within the statutory aftercare period after stable restoration has been achieved, in accordance with policy MIN6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

11 NONSC Site management

Site operations shall at all times be conducted so as to minimise dust generation, including the use of water sprinklers or other means. Regard shall be paid to the strength and direction of winds; especially during formation and removal of screen banks. In the event of it not being possible to conduct operations without significant spreading of dust beyond the site boundaries, operations on that part of the site shall cease promptly.

REASON

The Minerals Planning Authority consider that careful site management should contain any problems but that it is essential to safeguard the amenities of residents, in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

12 NONSC Restrict stockpiling

There shall be no long term stockpiling of materials, and any materials shall not be stored in stockpiles exceeding 3 metres in height.

REASON

To minimise the visual impact of operations, in accordance with Policy OL2 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

13 NONSC Watercourse

No excavation shall take place within 5m of public sewer and watercourses.

REASON

So as not to affect the public drainage system, in accordance with Policy MIN21 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

14 NONSC Highway protection

No excavation shall take place within 6 metres of the public highway.

REASON

To ensure that the proposed works do not affect the stability of the public highway in accordance with Policy MIN3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

15 NONSC Archaeology

No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Minerals Planning Authority.

REASON

The site is within an area of archaeological importance where ground works may result in the destruction of archaeological remains, in accordance with policy MIN14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

16 NONSC Habitat Protection

Existing ponds, lakes and bodies of standing water shall be safeguarded during mineral extraction, along with any natural buffer habitat, and integrated into the final restoration/landscaping of the area. Planting adjacent to, or as of a buffer strip to, a water body/feature shall be locally native species of UK generic stock, as far as possible.

REASON

To protect, restore or replace the natural features of importance within or adjoining the watercourse, in accordance with Policy MIN4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

17 NONSC Landscaping

No development shall take place until a detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Minerals Planning Authority. Such a scheme shall include details of;

- a) The positions of all existing trees and shrubs and hedgerows to be retained, and the proposal for their protection throughout the operations.
- b) The positions, species and density and initial sizes of all new trees and shrubs.
- c) Any hard landscaping proposed.
- d) The programme and implementation of the scheme.
- e) The arrangement for subsequent maintenance.

The scheme as approved shall be carried out in full.

REASON

The provision and maintenance of a satisfactory degree of landscaping is considered essential in the interest of visual amenity, in accordance with policy OL2 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to avoid endangering the safe movement of aircraft and operation of Heathrow Airport through the attraction of birds and an increase in the bird hazard risk of the application site.

18 NONSC Monitoring

The operator shall notify the Minerals Planning Authority in writing within one month of the dates of commencement/completion of the following:

- a) implementing this planning permission;

- b) soil stripping;
- c) entering each phase of mineral extraction;
- d) completion of each tipping phase;
- e) completion of restoration of each phase;
- f) completion of the landscaping/planting scheme;
- g) completion of final restoration under his planning permission;
- h) estimated date for completion of aftercare.

REASON

To enable the Mineral Planning Authority to control the development and to monitor the site to ensure compliance with the planning permission, in accordance with Policies MIN4, MIN5 and MIN6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

19 NONSC Construction Vehicle

Best practicable means shall be taken at all times to ensure that all vehicles leaving the site are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. In particular, without prejudice to foregoing, efficient means shall be installed, maintained and employed the cleaning of wheels of all vehicles prior to leaving the site.

REASON

In the interest of highway safety and to prevent mud and dust getting on the highway in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

20 NONSC Habitat Protection

No clearing of vegetation or building demolition shall be permitted to take place during the bird nesting season (15th March - 31st August inclusive).

REASON

To minimise disturbance to breeding birds in the interest of nature conservation and in accordance with Policies EC2, EC3 and EC5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

21 NONSC Site Restoration

No later than six months from the cessation of all tipping or within such further period as the Minerals Planning Authority may agree in writing, all plants, machinery, access roads, buildings, foundations, hard standings and any other site facilities no longer required in connection with the workings/landfill operations, restoration or approved afteruse shall be removed from the site.

REASON

In the interest of the amenities of the area and to ensure that proper restoration of the site, in accordance with Policies MIN4, MIN5 and MIN6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

22 NONSC Control of waste materials

Nothing other than clean, dry, non-putrescible waste material (comprising topsoil, subsoil, brickwork, concrete, stone, clay, plaster, sand and silica) shall be deposited on site.

REASON

To prevent water pollution, in accordance with Policy MIN21 of the Hillingdon Local Plan:

Part Two Saved UDP Policies (November 2012).

23 NONSC Habitat Management Plan

No works of demolition or development to take place until a Habitat Management Plan has been submitted to the Minerals Planning Authority for approval in writing. This is to include details of the species to be planted/sown and how the site will be managed for the benefit of appropriate London Biodiversity Action Plan habitats and species. The approved scheme shall be implemented in its entirety in compliance with timeframes specified.

REASON

To protect any existing habitats within the site in accordance with the Policies EC1 and EC5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

24 NONSC Habitat Management

Before the development hereby permitted commences a scheme of measures to prevent disturbance to wildlife from the erection of bunds, mineral extraction and aftercare operations shall be submitted to and agreed in writing by the Minerals Planning Authority. In particular the scheme should address impacts on nesting birds between 1st March to 31st August inclusive and on badgers that might enter the site (precautions should be taken with regard to the prevention of damage to badgers by falling into open holes/trenches at night, or by machinery and excavations damaging newly built setts, such as manual exclusion fencing around workings). The agreed scheme should be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

REASON

To protect wildlife and their habitats in accordance with Policies EC2, EC3 and EC5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

25 NONSC Highway protection

The excavation shall not exceed the limits shown on plan 1107/12E and shall not exceed 6.3m below ground level near the M4 spur.

REASON

To maintain highway safety and integrity of the M4 in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

26 NONSC Control of Noise

The use of RB38 machinery shall not occur anywhere less than 100m from the eastern and southern boundary and shall not be used anywhere less than 50m from the western site edge.

REASON

To protect residential amenity, in accordance with Policy OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

27 NONSC Air Quality

Notwithstanding hereby submitted, further details on the predicted NO₂ levels at all receptors with and without the development for the proposed year of operation and any mitigation measures to deal with the impact on the NO₂ levels in the area shall be submitted to and approved in writing by the Minerals Planning Authority.

REASON

To protect residential amenity and in accordance with Policy 7.14 of London Plan (2011) and Hillingdon's Air Quality Supplementary Planning Guidance.

28 NONSC Bird Management Plans

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Minerals Authority. The submitted plan shall include details of:

- the control of Canada geese within the application boundary

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

REASON

It is necessary to manage the Canada geese on this site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport in accordance with Policy A6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

29 NONSC Access maintenance

The existing haul road and access route as shown on plan 1107/12E shall be maintained throughout the operation hereby approved, and no routing arrangement changes shall be made without the prior written approval by the Mineral Planning Authority.

REASON

To protect the amenity of the local residents, in accordance with Policy MIN2 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

30 NONSC Non Standard Condition

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme should include:

- a system of swales to provide attenuation on site up to the 1 in 100 year climate change critical storm event, to be disposed of via infiltration.

REASON

To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system, in accordance with Policies OE7, OE8 and OE9 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the NPPF.

31 NONSC Non Standard Condition

The extraction of minerals from the application site hereby permitted shall not be undertaken except as an extension to the site at Wall Garden Farm and all material extracted in accordance with this permission shall be taken via conveyor underneath Sipson Lane to the existing washing plant at Wall Garden Farm for processing as set out in the submitted plans and documents.

REASON

To ensure that existing facilities are maintained and utilised for the protection of residential amenity in accordance with Policy BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

32 NONSC Non Standard Condition

Prior to development commencing, the applicant shall submit a construction management plan to the Minerals Planning Authority for its written approval. The plan shall details;

i) Traffic management and access arrangement which includes details of vehicles accessing trunk roads and motorways and measures in which the vehicles avoid local roads and peak hours.

REASON

To protect the amenity of the local residents, in accordance with Policy MIN2 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

INFORMATIVES

1 I52 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 I53 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 (February 2008) and national guidance.

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
MIN14	Proposals for mineral extraction in locations of archaeological importance
MIN21	Impact of development proposals involving landfilling on the local hydrogeological regime - requirement for monitoring and mitigation measures
MIN3	Restriction on area of land south of the M4 motorway subject to planning consent for sand and gravel extraction and/or waste disposal

MIN4	Restriction on the release of good agricultural land for mineral working and requirement for restoration
MIN5	Phased release of agricultural land for mineral extraction/disposal of waste where requirements of policy MIN4 have been met
MIN6	Consideration of impact on farming of proposals for mineral extraction/disposal of waste
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE9	Limitation of development in areas with a potential for sewerage flooding
OL2	Green Belt -landscaping improvements
LPP 5.20	(2011) Aggregates
LPP 7.14	(2011) Improving air quality
NPP13	

3 138 Conditions - Further Advice

The applicant is advised that Condition 5 is not intended to affect your general responsibilities under the Mines and Quarries legislation or other legislation, which may necessitate additional action on your part.

4 11 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be implemented precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

5 123 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.

6 158 Opportunities for Work Experience

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

Please refer to the enclosed leaflet and contact Peter Sale, Hillingdon Education and Business Partnership Manager: contact details - c/o British Airways Community Learning Centre, Accommodation Lane, Harmondsworth, UB7 0PD. Tel: 020 8897 7633. Fax: 020 897 7644. email: p.sale@btconnect.com .

7 IT05 Wildlife and Countryside Act 1981

Wildlife and Countryside Act 1981: Note that it is an offence under this act to disturb roosting bats or nesting birds or other species. It is advisable to consult your tree surgeon/consultant to agree an acceptable time for carrying out any work.

8 138 **Conditions - Further Advice**

The applicant is advised that the details of Condition 17 should be in accordance with the appropriate English Heritage guidelines.

9

The applicant is advised that the pollution control and prevention measures are the responsibility of the Environment Agency and will be addressed through the PPC license process.

10

The applicant is advised that the development of this site is likely to impact on archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage Guidelines.

11

The applicant is advised that the location of the site falls within both the indicative map published by Department for Transport in the White Paper and falls within the interim land boundary for the third runway development that BAA Heathrow has published its draft Interim Masterplan. Therefore the owner of the site should be aware of the potential implications for the development should a third runway proposal proceed.

12

The applicant is advised to consult with Heathrow Express and obtain any consent as required or necessary, prior to any works commencing on site.

13

The applicant is advised that where the conditions requiring the submission of details have been discharged in connection with the original permission, the Local Planning Authority will not require these details to be re-submitted as part of this new planning permission where those details would remain the same.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is an area of flat land situated to the east of M4 Heathrow spur, in the general area between the main M4 to the north and the A4 to the south. Access to the site would be via an existing haul road access off Sipson Road to the south. The application site is within the Green Belt.

The application site is stated to be 16 hectares in area. It was formally in agricultural use, apart from the haul road on the western side of the site which provides vehicular access to the plant site at Wall Garden Farm (north of the application site, north of Sipson Lane) and to the adjacent extraction site known as 'East of Wall Garden Farm'.

There are no occupied buildings within the application site. Sipson House, which is currently being used as B1 offices, lie immediately adjacent to the southern boundary, and is a listed building. The nearest dwelling is Doghurst House, which is 10-15m from the southern site boundary. Otherwise the nearest dwellings are some 70m to the east of the site, in Raywood Close and Field Close in Harlington (55m between the boundary of the

application site and the back fences of these properties).

The Heathrow Express tunnels run beneath the western part of the application site, at a depth of 22-23 metres below ground level.

The mineral extraction area extends from just south and east of the Heathrow Express railway tunnel vent shaft building and southwards to Sipson Road. The site extends westwards to the quarry haul road and eastwards to the playing fields previously worked and restored in the 1990's by the applicant.

As dug sand and gravel travels to the processing plant on a conveyor that runs through a tunnel passing beneath Sipson Lane. Processed material is road borne and HGV access to the public highway on Sipson Road is via the dedicated access road through the site and a crossing point on Sipson Lane. Restoration of the consent area has not yet commenced although materials for this purpose would arrive via the dedicated haul road.

The total mineral content of the site was originally estimated to be approximately 600,000 tonnes, with approximately 300,000 tonnes remaining in situ.

3.2 Proposed Scheme

The application seeks to vary condition 2 of planning permission ref: 45408/APP/2009/234 dated 21/5/2009 for the extraction of sand and gravel from the last substantial un-worked area of mineral-bearing land between Sipson and Harlington. Mineral extraction has commenced and as dug sand and gravel travels to the processing plant on a conveyor that runs through a tunnel passing beneath Sipson Lane. Processed material is road borne and HGV access to the public highway on Sipson Road is via the dedicated access road through the site and a crossing point on Sipson Lane. Restoration of the consent area has not yet commenced, although materials for this purpose would arrive via the dedicated haul road.

The site would be dewatered during extraction and landfilling, using a submersible pump, as at the current working, East of Wall Garden Farm. The water will be discharged to existing lakes and lagoons. Extraction will be carried out using a dragline excavator, with the material taken via a new field conveyor to the existing plant at Wall Garden Farm for processing. The site will be worked in five phases which will progressively be restored by backfilling with inert construction and demolition wastes (comprising soil, brick, concrete, and naturally-occurring stone). The site would eventually be restored for agricultural use. A five-year aftercare period is proposed for each phase area. Under separate legislation, the site would have to be monitored for water levels and quality, and for gas, for a period of 10 years.

Condition 2 of the original 2009 consent requires that:

'All operations hereby authorised by this consent (excluding the 5 year statutory aftercare requirements) shall be completed within 5 years of the date of this consent.'

The applicant has submitted that the 5 years referred to in condition 2 has expired, but there are still reserves remaining in situ and the site still requires restoration, in accordance with the terms of the consent.

This application therefore seeks to vary Condition 2 such that operations are completed by 5 August 2017. This will give the applicant sufficient time to extract the remaining consented mineral reserves and restore the site.

In justification, the applicant has explained that with a total estimated mineral content of approximately 600,000 tonnes and with an anticipated rate of 200,000 tonnes per annum, it was expected that the removal of minerals would be completed within a 3 year period. Infilling was expected to have been completed after a further one year with an additional 6 months for completion and restoration. This would result in a projected 4 and a half year timescale for completion.

However, although planning permission was granted in May 2009, operations only commenced in 2011. In addition, given the prevailing economic circumstances since 2011, the extraction rate has been lower than originally anticipated. Approximately 300,000 tonnes remain in situ and with the current extraction rate having now risen to approximately 200,000 tonnes per annum, extraction should be completed by late 2015. Completion of the infilling would take a further year, with an additional 6 months needed to complete the restoration works. Extraction and restoration is therefore anticipated to be completed by mid 2017.

3.3 Relevant Planning History

Comment on Relevant Planning History

In May 2009, the applicant was granted planning permission under reference 45408/APP/2009/340 to extract sand and gravel from the site. The site represented an extension to the existing sand and gravel quarry at Wall Garden Farm on the north side of Sipson Lane, which was allowed on appeal in 1978, and since then, various extensions have been permitted both north and south of Sipson Lane.

Condition 2 of the 2009 permission imposed a time limit on the works of five years, expiring on 21st May 2014. However, the site has not been worked as quickly as anticipated, and the applicant therefore requires additional time in order to complete the extraction that was permitted in 2009.

Numerous pre commencement planning conditions attached to the 2009 consent have been approved, including details of a noise monitoring scheme, an archeological scheme of investigation, a landscaping scheme, a habitat management plan, a bird hazard management plan, a surface water drainage scheme and a traffic management plan.

4. Planning Policies and Standards

* National Planning Policy Framework (NPPF)

Para 142. States inter alia that that since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.

Para 144. When determining planning applications, local planning authorities should give great weight to the benefits of the mineral extraction and as far as is practical, provide for the maintenance of landbanks of non energy minerals; ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality; ensure that any unavoidable noise, dust and particle emissions; provide for restoration and aftercare at the earliest opportunity; not normally permit other development proposals in mineral safeguarding

areas where they might constrain potential future use for these purposes.

Para 145. Minerals planning authorities should plan for a steady and adequate supply of aggregates by preparing an annual Local Aggregate Assessment (LAA), either individually or jointly by agreement with another or other mineral planning authorities and make provision for the maintenance of landbanks of at least 7 years for sand and gravel.

* National and regional guidelines for aggregates provision in England 2005 to 2020, June 2009

This guidance provides an indication of the total amount of aggregate provision the region should aim to provide and provides support to minerals planning authorities in obtaining data. The aggregate requirements in this guidance filter down into The London Plan and LBHs Local Plan.

* The London Plan, July 2011

The London Plan supports the Government's objective of achieving an essential level of supply of locally sourced land-won aggregates.

Revised Early Minor Alterations to the London Plan (REMA), October 2013

These alterations to the London Plan have been adopted and form part of the development plan for Greater London. There are no changes to this document pertinent to this application.

Draft Further Alterations to the London Plan (FALP), January 2014

This is currently out to consultation so does not yet form part of the adopted Development Plan. The FALP considers the National Planning Policy Framework. The key proposed change relevant to this application is New paragraph 5.94A which supports the requirements set out in the NPPF for mineral planning authorities to preparing an annual Local Aggregates Assessment (LAA).

* The LBH Local Plan

All minerals policies in the former UDP were saved as part of the adopted Local Plan except Policy MIN2 which relates to proposals to work sand and gravel in relation to regional requirements and London wide landbanks. The key saved Local Plan policy relevant to the application is Policy MIN1 -Safeguarding of sand and gravel reserves.

The Hillingdon Local Plan: Part 1- Strategic Policies

The most relevant policies of the Local Plan Part 1 are:

Policy EM9 (Safeguarding Mineral Resources) which safeguard mineral resources in the Borough from other forms of development that would prejudice future mineral extraction.

The plan highlights three 'Preferred Mineral Areas'. These areas are proposed to be safeguarded in the emerging Hillingdon Local Plan: Part 2 - Site Allocations and Designation and Development Management Policies.

Policy EM10: (Mineral Extraction) which ensures the Council will make an appropriate

contribution towards the West London apportionment figure in the London Plan in the form of mineral working and will aim to maintain a minimum land bank equivalent to seven years production for the West London area at a rate of 0.25 million tonnes per annum.

The Emerging Hillingdon Local Plan: Part 2 - Site Allocations and Designation and Development Management Policies will comprise:

- Draft Proposed Site Allocations and Designations -approved by Cabinet for consultation in October 2013.
- Draft Development Management Policies and Policies Map. Within the Draft Site Allocations and Designations section of the plan three sites are to be allocated for Mineral Safeguarding:
 - Land to the West of Harmondsworth Quarry (yield 2.2mt);
 - Land to the North of Harmondsworth (yield 0.75mt); and
 - Land at Sipson Lane, East of the M4 Spur (yield 1.8mt). (Application site)

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.EM10 (2012) Mineral Extraction
- PT1.EM9 (2012) Safeguarding Mineral Resources

Part 2 Policies:

- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- EC2 Nature conservation considerations and ecological assessments
- EC3 Potential effects of development on sites of nature conservation importance
- EC5 Retention of ecological features and creation of new habitats
- MIN14 Proposals for mineral extraction in locations of archaeological importance
- MIN21 Impact of development proposals involving landfilling on the local hydrogeological regime - requirement for monitoring and mitigation measures
- MIN3 Restriction on area of land south of the M4 motorway subject to planning consent for sand and gravel extraction and/or waste disposal
- MIN4 Restriction on the release of good agricultural land for mineral working and requirement for restoration
- MIN5 Phased release of agricultural land for mineral extraction/disposal of waste where requirements of policy MIN4 have been met
- MIN6 Consideration of impact on farming of proposals for mineral extraction/disposal of waste
- OE1 Protection of the character and amenities of surrounding properties and the local

	area
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE9	Limitation of development in areas with a potential for sewerage flooding
OL2	Green Belt -landscaping improvements
LPP 5.20	(2011) Aggregates
LPP 7.14	(2011) Improving air quality
NPP13	

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **17th June 2014**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

This application has been advertised under Article 13 of the Town and Country Planning General Development Procedure Order 1995 as a Major Development. Surrounding property owners/occupiers have been consulted. 34 letters were sent to adjoining residents, and site notices were erected at the entrance to the site. 1 letter has been received objecting to the application on the following grounds:

1. This application means that residents in Raywood Close face a further 3 years of noise, dirt and dust from this work. There seems to be nothing to prevent the noise and dust from blowing across into our homes and gardens.
2. If the council recommend approval I would like to know what action is to be taken to compensate the residents most affected - 26, 27, 28 and 29 Raywood Close. These properties should pay a reduced council tax rate. (Not a planning matter)
3. What CIL benefits local residents are receiving from the company who are making a profit from this work. (The application is not CIL liable)

ENVIRONMENT AGENCY

With regards the variation of condition 2 of planning permission reference 45408/APP/2009/340 dated 21 May 2009 in order to extend the deadline for completion of permitted operations from 20 May 2014 to 5 August 2017.

HARMONSWORTH AND SIPSON RESIDENTS ASSOCIATION

As a result of complaints from local residents, HASRA strongly object to this application for the following reasons:

1. This working plan does not reflect the activities taking place on the site south of Sipson Lane, the adjoining land that was previously farmed and now is engulfed in soil and fences. Where is the bund on the eastern boundary?
2. Are we expecting another mountain like the one the applicant is forming to the north of Sipson Lane, south of the M4? The permission on this land has expired, was this landform approved?

3. We have grave concerns over the activities of this company taking place both at Sipson Quarry and in addition, the one in Harlington. We question whether anyone has recently carried out a site visit. We urgently need to enter into further discussion with the council regarding the impact on the environment of these works.

4. HASRA will be approaching our Local Councillors and MP to follow through on our immediate and long term concerns.

GLA RESPONSE to ORIGINAL APPLICATION

The Mayor considers that, in general, the application complies with the London Plan Policies on Waste, the Green Belt and biodiversity for following reasons; The Mayor does not need to be consulted again on this application.

Officer Note: At the time of writing this report, the GLA has not provided a Stage 1 response to this extension of time application. However, given that the Mayor considered that the original scheme was London Plan compliant and there have been no fundamental changes in policy with regard to mineral extraction, Green Belt and biodiversity issues since the 2009 approval, it is not anticipated that the Mayor will raise objections in this case. However, any responses received from the GLA will be reported to Committee and the recommendation has thus been worded accordingly.

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT

No objection to the proposed extension.

HIGHWAY ENGINEER

The site appears not to have been worked as quickly as anticipated hence the need for additional time to complete the extraction that was permitted in 2009. No change to the existing traffic is being proposed. However in order to determine if there has been any change to the background traffic situation on the adjoining public highway traffic counts on Sipson Road have been provided at the Council's request. The automatic traffic counts were for a 7 day period commencing Wednesday, 23, April, 2014.

The surveys show that during the AM peak there is a reduction in two way movements from 545 to 470 and a reduction from 672 to 475 during the PM peak. As such no objections are raised on highway grounds.

TREES AND LANDSCAPE OFFICER

CONDITION 2: Operations complete within 5 years of the consent

This detail application is for an extension of time to conclude the gravel extraction and reinstatement previously approved with a 5 year life. The Landscape Scheme and Habitat Management Plan were originally approved under application ref. 45408/2010/904.

Partridge drawing Nos. 1107/11C Site Context Plan, 1107/12E Method of Working and 13D Final Restoration Plan have been re-submitted. Pick Everard's drawing No. 090163/C/001 Rev B shows a typical drainage ditch detail. This is deep at 1.8 metres with very steep sides. In my view this ditch profile should be fenced off at field level to prevent accidents.

Otherwise there are no objections, subject to a new time limit being imposed.

FLOOD AND DRAINAGE OFFICER

The site has a detailed flood risk assessment detailing how surface water will be managed on site

as long as this continues I have no objections to the extension of time for this application.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF at paragraph 142 acknowledges the need for a sufficient supply of minerals and their long term conservation. Paragraph 144 requires Local Planning Authorities to give great weight to the benefits of mineral extraction, provide and maintain landbanks, ensure there are no unacceptable adverse impacts and provide for restoration and aftercare.

The London Plan policy 5.20 commits to providing an adequate supply of aggregates, in part from local sources and requires the Borough to maintain a landbank (7 years supply of at least 1.7 million tonnes until 2031), equating to 0.25 million tonnes per annum. The Council's draft 2013 Local Aggregates Assessment notes that the current levels of permitted reserves are not sufficient enough for a seven year landbank (currently only sufficient for 1.8 years). However the Borough is proposing three Mineral Safeguarding Sites (including the application site) in its Local Plan Part 2, which will make up for this shortfall and provide 14 landbank years.

In terms of local policy, the Hillingdon Local Plan Part 1 Strategic Policies (February 2013) acknowledges the need to meet the London Plan mineral apportionment figures. The site is identified in the Council's emerging Site Allocations DPD as a site safeguarded for mineral extraction. Furthermore Policy EM10 (Mineral Extraction) specifically refers to land at Sipson Lane, east of the M4 sur as a Broad location for mineral development.

It is considered that there is a strong case for supporting this proposal to extend the time frame for gravel extraction and land restoration for the site in terms of mineral policies, for the following reasons:

- a) the principle of the application has already been considered and accepted in the original planning consent (ref. 45408/APP/2009/234);
- b) mineral extraction from the site will make a much-needed contribution to meeting required levels of aggregates provision;
- c) it will also prevent the sterilisation of the remaining mineral reserves;
- d) the site has already been identified, in work on the LDF, as an area where mineral extraction would be acceptable in principle. It has therefore been identified as a 'Preferred Area' in emerging LDF documents published to date;
- e) the proposed restoration of the site to agriculture is in accordance with the restoration achieved on adjacent land, and raises no policy issues. The time extension will allow the applicant to implement the land restoration within an agreed timeframe.

In conclusion, the proposal would help to meet an established and immediate need for the release of additional mineral sites in London in general, and in West London in particular. With respect to the LDF, the site has been identified, albeit not yet finally, as a suitable 'Preferred Area' for future mineral extraction. Subject to no unacceptable adverse impacts on the environment, human health or aviation safety, no objections are raised to operations being completed by 5 August 2017.

7.02 Density of the proposed development

Not applicable to this development.

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

There are remains of local and regional archaeological significance in this area. In

particular, a concentration of Bronze Age, Iron Age and Roman features (c2,000BC - AD400) is present in the south-western corner of the site, although archaeological remains are present across its entirety.

The applicants conducted an archaeological evaluation on the site as part of the original application and English Heritage requested that an appropriately worded condition requiring a programme of archaeological works to prevent damage to archaeological remains be imposed. This was discharged prior to commencement of operations under planning reference 45408/APP/2010/599.

This application only seeks for an extension of time to complete operations previously approved. As such, it is considered that the archaeological position of the site will be safeguarded, in accordance with Policies BE1 and BE3 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.04 Airport safeguarding

The original application was referred to BAA and a response was received, which stated that the proposal has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria, subject to a planning conditions for the submission of a Bird Hazard Management Plan and a Landscape scheme, including details of species, number and spacing of trees and shrubs. These matters have been addressed by conditions which were discharged under planning reference 45408/APP/2010/716 and 45408/APP/2010/904 respectively.

In addition, BAA commented that the location of the application site falls within the indicative map for a third runway development that BAA Heathrow has published in their Masterplan. Therefore, BAA confirmed that if the plans are to proceed, it would be likely that the BAA would seek to compulsorily purchase the site to safeguard land for a third runway at Heathrow Airport. However, no policy decision has been taken by BAA as to whether a planning application will be brought forward.

7.05 Impact on the green belt

The site is in the Green Belt. The NPPF states that mineral extraction need not be inappropriate development in the Green Belt, as it need not conflict with the purpose of including land in the Green Belt provided that high environmental standards are maintained and that the site is well restored.

On a similar note, London Plan Policy 5.20 requires development plan documents to ensure that appropriate use is made of planning conditions dealing with aftercare, restoration and re-use of minerals sites following extraction. Subject to the originally imposed conditions, it is considered that the scheme will achieve high environmental standards for aggregate extraction and land restoration, in line with local, London Plan and national minerals policy guidance.

It is also noted that the site is not a new extraction but an extension to an existing operation at Sipson. Much of the land being worked by the applicant company has also been successfully returned to agriculture, which demonstrates that an adequate restoration regime can be achieved. The operational phase of the development is temporary in nature and on this basis, the proposal will have a minimal impact on the Green Belt. Subject to the approved land restoration scheme, it is considered that this part of the Green Belt land would continue to fulfil its function of checking unrestricted urban sprawl and assist in safeguarding the countryside from encroachment, in compliance with Policy OL1 and OL2 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), London Plan Policies 5.20 and 7.16 and the provisions of the NPPF.

7.07 Impact on the character & appearance of the area

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The application site is visible from public vantage points including the M4 spur, with most prominent view from Sipson Road. The original application included a 'Visual Appraisal Report' (VAR), which described the landscape character and context and the significant areas of vegetation.

The site, whilst not of high landscape value, is considered to offer a degree of visual amenity.

The report noted that the bunds, which are intended for sound attenuation, will also serve a valuable function in terms of screening the site. These bunds are 2m to 3m high and have asymmetrical sides, with shallower slopes on the outside face to integrate better into surrounding landform.

With regard to the 'openness' of the site within the Green Belt and the appearance and character of the area, it is not considered that there will be a significant long term impact on the perception of openness, due to the temporary nature of the bunds and the proposed land restoration measures.

The site is proposed to be restored to agriculture. This will be achieved by filling the void with overburden and inert waste before replacing the stored sub and top soils. Finally the site will be seeded for arable cropping. Final contours show a doming effect from the centre of the site (approximately 1m above the existing levels) to allow for effective site drainage.

This form of restoration is considered suitable for the local landscape character and the restrictions enforced by Heathrow Airport. In terms of technical suitability, no concerns are raised in so far as the site will be monitored by Minerals Planning Authority, to ensure required levels are achieved and other regulation authorities will ensure compliance with the pollution control/prevention regime.

The proposed landscaping associated with the restoration of the land as outlined on the 'Final Restoration Plan' would recreate hedgerows/field boundaries, tree planting which would enhance the appearance and landscape quality of the site and provide ecological benefits.

7.08 Impact on neighbours

Doghurst House, to the south of the site, is the closest residential dwellinghouse which is approximately 15m from the boundary of the site. Otherwise, the nearest residential dwellings are more than 65m from the boundaries of the site and benefit from the screening effects of existing vegetation. The nearest site to the working area is Sipson House on Sipson Road. The current approved use of that site is offices and therefore is a less sensitive use. Nevertheless, mitigation measures are in place to reduce the impact, such as bunding, landscaping and noise monitoring.

Mineral operations can be impact upon existing noise sensitive land uses if they are not appropriately managed. The hours of working are be the same as the existing Wall Garden Farm development and the methods of working are designed to ensure that operations which may disturb residential amenities are completed early in the site's development (namely phases 1 to 2). Following on from this, further operations over the four year period are located further away from noise sensitive properties.

The applicant's proposed method of working does to some extent limit the effect on neighbouring residential amenities. Mitigation measures, as proposed, will also reduce noise, air, and traffic problems. A suitable buffer zone exists between the site and residential properties. Retention and strengthening of hedgerow boundaries has also helped to provide a more effective buffer. Furthermore, as required by the Council's Environmental Protection Unit, additional conditions were imposed on the original consent, to limit site noise levels, provide mitigation measures to deal with the impact on the NO2 levels in the area and limit dust levels. These conditions will remain in effect, in the event of an approval to extend the time to complete the development. Subject to these conditions, it is considered that the proposal would not cause undue pollution or disturbance to adjoining occupiers, in accordance with Policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Not applicable to this development.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

This application represents a continuation of operations at existing production levels, and there will therefore be no increase in traffic generation. The current highway arrangements can also remain as existing, due to vehicles continuing to access the processing plant from Sipson Road.

No change to the existing traffic is being proposed. Recent surveys show that during the AM peak there is a reduction in two way movements from 545 to 470 and a reduction from 672 to 475 during the PM peak. As such the Highway Engineer raises no objections on highway grounds.

The submitted Transport Statement concludes that Sipson Road is operating substantially within its link capacity, and the total traffic flows carried by this highway have decreased during recent years. Recent surveys show that during the AM peak there is a reduction in two way movements from 545 to 470 and a reduction from 672 to 475 during the PM peak.

It is considered that the site traffic can be fully accommodated within the existing road access and site infrastructure arrangements. Any additional impact on local residents can be minimised by maintaining the existing routing arrangements through a suitably worded planning condition.

No change to the existing traffic to an from the site is being proposed. The A408 is thus easily able to accommodate the traffic movements generated by the continued operation of the site. The impact of the traffic generated by the site on the highway network further afield is minimal. The Highway Engineer raises no objections on highway grounds. It is therefore considered that there would be no detriment to highway and traffic conditions on the highway network and the safety of the users in the vicinity of the site caused by its continued operation. The proposal is therefore considered to accord with Policy AM7 of the Hillingdon Local Plan:Part 2 - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

There are no urban design and security issues to consider. With regards to access, the existing routing arrangement will remain same and no new access or haul route will be created.

7.12 Disabled access

Not applicable to this development.

7.13 Provision of affordable & special needs housing

Not applicable to this development.

7.14 Trees, landscaping and Ecology

LANDSCAPE

The Landscape Scheme was originally approved under application ref. 45408/2010/904. A full landscape and visual impact assessment was conducted for the site. This concluded that the proposed bunds and new planting would reduce the impact of the proposed development and therefore the development would be acceptable in landscape terms.

Bunding is a tried and tested method of minimising the visual impact of quarrying operations and has the added benefit as soil storage and as a noise buffer. However, the landscape around Sipson Farm is relatively flat and low-lying, therefore the bunds itself could appear odd in the landscape. However, in determining the original application, taking into account the overall benefits the bunding, their use at this site was considered to be acceptable.

The Council's Landscape and Trees Officer has no objection to the extension of time to complete the extraction and land restoration of the site. It is considered that the proposed scheme would have a minimal if any impact on the landscape and the general character of the area, as the bunds are temporary and will be seen from a limited number of view points. Substantial landscaping is proposed to ensure the bunds are re-vegetated and it is considered that this landscaping will be suitable, subject to conditions of the original consent. It is considered that the scheme is on the whole acceptable and in compliance with Saved Policies OL2 and BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

ECOLOGICAL ISSUES

An ecological survey was carried out in 2005 to identify habitat present and the potential for the site to support protected species. A Habitat Management Plan was approved under application ref. 45408/2010/904. The measures in the Plan can be incorporated into the scheme, whilst in operation and obviously during restoration. The proposal is therefore in accord with Policies Policy EC1 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), relevant Local Plan Part 1 policies, the London Plan and the NPPF.

7.15 Sustainable waste management

Not applicable to this development.

7.16 Renewable energy / Sustainability

Not applicable to this development.

7.17 Flooding or Drainage Issues

The site is not located in Flood Zones 2 and 3, but the site exceeds 1 hectare in extent. A Flood risk assessment to address any change in circumstances since their consent was granted has therefore been submitted.

The Flood and Drainage Officer notes that the site has a detailed flood risk assessment, detailing how surface water will be managed on site and as long as this continues, no objections are raised to this application. In addition, the Environment Agency has no comment to make on this extension of time application.

7.18 Noise or Air Quality Issues

Specialist consultants undertook noise and air quality assessments as part of the original application. The noise assessment addressed noise from the site and its effects on the

surrounding area. The assessment concluded that through construction of bunds, this would control the noise from the site. Other mitigation measures include operating the Volvo machinery closest the house rather than the noisier RB 38 machinery.

The Environmental Protection Unit considered that even though the site was an extension to a functional quarry and the noise levels quoted in the noise assessment were within relevant guidance, noise might be a problem for the nearest residents, especially during the construction of the bunds. Therefore a planning condition was imposed, requiring the submission of a noise management scheme which would specify the provisions to be made for the control of noise. This was approved under planning ref: 45408/APP/2010/599, in 2010.

In mineral planning terms, it is considered that the applicant is using tried and tested approaches to control noise and air quality impacts, such as landscape bunds, tree planting, damping down haul roads and dust and air monitoring. Appropriate worded conditions as suggested by Environmental Protection Unit at the time were originally included, to ensure that mitigation measures would be in place. Notably, officers in the Council's Environmental Protection Unit have raised no objections the current application for the extension of time to complete operations at the site.

In terms of air quality, the originally submitted air quality assessment took into account construction and operation from the development and its effect on nitrogen dioxide (NO₂) and particulate matter (PM₁₀) levels as well as dust. The assessment concluded that dust issues can be mitigated but could potentially be a problem to those up to 100m away. In addition, nitrogen dioxide levels are likely to increase by 0.97ugm³, although this is not significant, as it does not exceed the health objectives. Conditions were imposed ensure control of air quality the applicant should also submit a detailed environmental management plan following guidance from GLA Best Practice Guide for Reducing Emissions from Construction.

7.19 Comments on Public Consultations

At the time of writing the report, 1 letter has been received objecting to the proposal. In addition, an objection has been received from the Harmonsworth and Sipson Residents Association. The main issues raised, together with officer's commentary are provided below:

1. A further 3 years of noise, dirt and dust from this work.

The issue of environmental impacts has been addressed elsewhere in this report and where appropriate, suitably worded conditions are proposed to address the impacts. In addition, it should be noted that apart from the extraction of the remaining gravel reserves, the land restoration phase of the development will still need to be implemented as a requirement of the original consent.

2. A reduced council tax rate.

Council tax rating is not a planning matter.

3. CIL benefits to local residents

This application is not CIL liable.

4. This working plan does not reflect the activities taking place on the site

The site has been operational since 2011 and the Council has received no enforcement or noise complaints regarding activities on this site. Officers therefore have no reason to believe that there have been any breaches of conditions imposed on the original planning consent. Should enforcement or noise complaints be received from surrounding residents, these matters will be dealt with through the normal channels.

5. The permission for land to the north of Sipson Lane has expired. Concerns over the activities of this company taking place both at Sipson Quarry and Harlington.

Comments in relation to other mineral extraction sites in the Borough fall outside the remit of this application.

7.20 Planning obligations

None applicable to this development.

7.21 Expediency of enforcement action

Not applicable.

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.

10. CONCLUSION

The Application represents a continuation of the existing operation carried on at Sipson Farm and the the principles of the application have already been considered and accepted in the previous consent (ref. 45408/APP/2009/234). Continued mineral extraction from the site will make a much-needed contribution to meeting required levels of aggregates provision as set out in national, London Plan and local Policy. The extension of time to implement the scheme will give the applicant sufficient time to extract the remaining consented mineral reserves, thereby preventing the sterilisation of the site and also time to restore the site, in accordance with the terms of the original consent. There are therefore no policy objections in principle to the continued mineral extraction at this Green Belt location, subject to satisfactory environmental standards being maintained and land restored to agricultural use.

Due to the mitigation measures put forward, the proposal would have minimal impact on the amenity of nearby residents, with regard to dust, noise and vibration. It is considered that the bunds required would only have limited short term impact and therefore it is not considered to have an adverse impact on visual amenity and the general character of the landscape, or to the appearance of the area in general. The proposal employs mitigation measures to ensure that the environment is protected and it will be continue to be protected through conditions.

Accordingly, the application to extend is recommended for approval

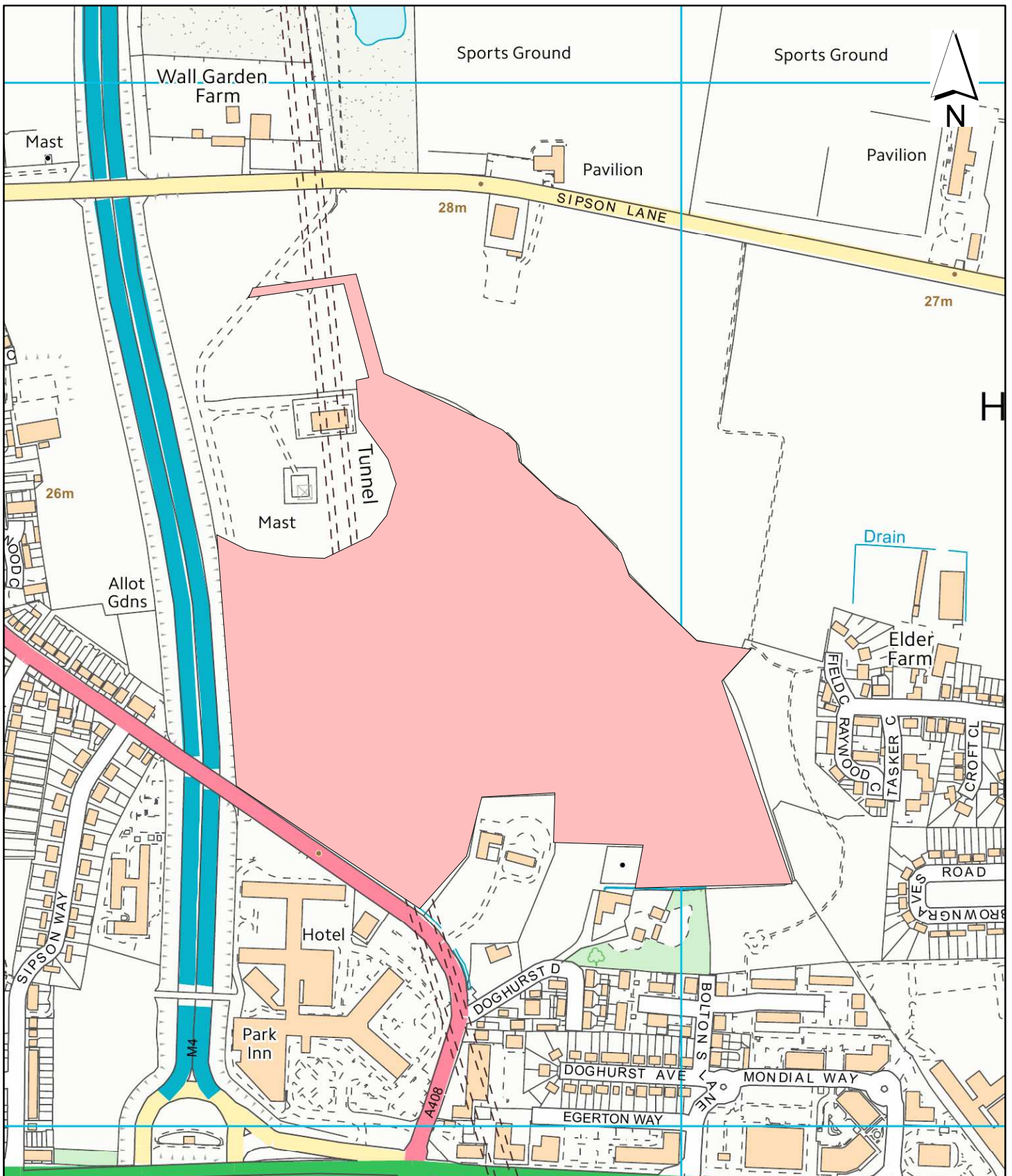
11. Reference Documents

The Hillingdon Local Plan: Part 1- Strategic Policies (8th November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (2011)
National Planning Policy Framework (NPPF)
Draft 2013 Local Aggregates Assessment
Council's Supplementary Planning Guidance - Community Safety by Design

Council's Supplementary Planning Document - Air Quality

Contact Officer: Karl Dafe

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>Land At Sipson Farm Sipson Road</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services Planning Section</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p>45408/APP/2014/1678</p>	<p>Scale</p> <p>1:5,000</p>	 <p>HILLINGDON LONDON</p>
	<p>Planning Committee</p> <p>Major</p>	<p>Date</p> <p>July 2014</p>	