

Report of the Head of Planning, Sport and Green Spaces

Address HERTFORDSHIRE COUNTY COUNCIL OUTBOROUGH MIDDLESEX

Development: APPLICATION FOR MINERAL EXTRACTION, PROCESSING AND IMPORTATION OF SAND AND GRAVEL AND RECLAMATION MATERIALS FOR DENHAM PARK FARM WITH RESTORATION TO AGRICULTURE AND A SMALL WETLAND AREA AT PYNESFIELD, OFF TILEHOUSE LANE, MAPLE CROSS, RICKMANSWORTH, HERTFORDSHIRE (CONSULTATION BY HERTFORDSHIRE COUNTY COUNCIL)

LBH Ref Nos: 39708/APP/2015/4186

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Date Plans Received: 13/11/2015 **Date(s) of Amendment(s):**

Date Application Valid: 13/11/2015

1. SUMMARY

Hertfordshire County Council seeks comments from this Council on an application for mineral extraction, processing and importation of sand and gravel and reclamation materials (from Denham Park Farm) for restoration to agriculture and a small wetland area and a new vehicular access on land at Pynesfield, off Tilehouse Lane, Maple Cross, Rickmansworth, Hertfordshire.

2. RECOMMENDATION

That Hertfordshire County Council is advised of the following:

That the London Borough of Hillingdon objects to the scheme for the following reason:

1. The applicant has failed to provide sufficient information to demonstrate that the proposed development would not result in increased traffic generation on roads which are currently used to capacity within the London Borough of Hillingdon. The proposal is therefore contrary to policy AM7 of the Hillingdon Unitary Development Plan.

Should Hertfordshire County Council be minded to grant planning permission for the proposed development, despite the above objection, unless further information is provided that alleviates those concerns, it is requested that a condition or legal agreement with the developer be provided with details of how HGV movements could be routed to avoid Hillingdon Roads as well as associated monitoring and enforcement of the condition/legal agreement.

3. CONSIDERATIONS

3.1 Site and Locality

Pynesfield comprises an area of 17 hectares of arable land. The area to be worked is

approximately 9 hectares of the 17 ha site. The application site is located in the Metropolitan Green Belt close to Junction 17 of the M25. The site is bounded to the east by the A412 known locally as Denham Way, to the north by arable land and the access way to the Denham Park Farm site. To the South, there is Bucks Way bridleway, a number of residential properties, and a wooded area. To the west lies more arable farmland.

The Grand Union Canal and River Colne run parallel approximately 350m-700m to the east of the site and form in part the Council's borough boundary with Hertfordshire.

3.2 Proposed Scheme

Hertfordshire County Council seeks comments from this Council on an application for mineral extraction, processing and importation of sand and gravel and reclamation materials (from Denham Park Farm) for restoration to agriculture and a small wetland area and a new vehicular access on land at Pynesfield, off Tilehouse Lane, Maple Cross, Rickmansworth, Hertfordshire.

This application is subsequent to a previous approval. The development has been revised so that it would no longer include the erection of a processing plant on the site to treat both the Pynesfield sand and gravel as well as the sand and gravel that has permission (and is currently active) at the adjoining Denham Park Quarry. This has come about due to issues with the delivery of HS2 which required there to be a reduced timetable for completion of works by 31st December 2018.

The removal of the proposed on-site processing plant allows the rate of extraction to be increased thereby reducing the operational life to meet the HS2 construction programme. The excavated gravel and sand at Pynesfield will be removed from the site for processing elsewhere, the majority being treated at Harefield Quarry within the London Borough of Hillingdon.

3.3 Relevant Planning History

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.EM10 (2012) Mineral Extraction

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.

LPP 2.8 (2015) Outer London: Transport

LPP 6.11 (2015) Smoothing Traffic Flow and Tackling Congestion and reducing traffic

LPP 6.3 (2015) Assessing effects of development on transport capacity

MIN23 Schemes for mineral extraction, mineral processing, landfill, waste handling or treatment adjacent to noise-sensitive locations - noise monitoring and control requirements

MIN24 Sites for aggregates depots - access, location and amenity considerations

PPG13	Transport
OE1	Protection of the character and amenities of surrounding properties and the local area

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

Internal Consultees

Sustainability and Environmental Protection Unit:
No objection received.

Highways:

The previous permission for Denham Farm Quarry sought to limit traffic movements to 124 per day however a recent Section 73 application to Buckinghamshire County Council included an increase of this level to 200 movements (100 in & 100 out).

The Transport Statement for the revised application for Pynesfield states that the revised traffic movements applied for in the Denham Park Farm Quarry include provision for the removal of Pynesfield minerals within the overall level of 200 movements daily. It is not clear why vehicles egressing Pynesfield are included in the Denham Park permission as the extracted material will be taken off site for treatment at Harefield Quarry. Therefore HGV trips from Pynesfield could only be in addition to the potential 200 lorry movements attached to the Denham Park permission. The traffic statement provides the average number of lorry movements over a 5 year period. However if permission is now being sought for completion in 3 years there would be an intensification of lorry movements and this figure has not been provided.

Since the Pynesfield extraction would be completed in 3 years what provision is made for the 200 lorry movements from Denham Park to revert back to its previously permitted lorry movements once Pynesfield has ceased.

The traffic surveys for the A412 were carried out in 2004. They have been updated to 2011 as opposed to 2015 which would have provided a clearer understanding of capacity.

The current traffic surveys for Hillingdon's Moorhall Road as well as the development flows have not been provided. The applicant has failed to demonstrate that the proposal would not have a detrimental impact on Hillingdon's highway network. Objections are therefore raised.

Whilst it is acknowledged that the logical route to the M40 and M25 from the site is via the A412, there is no guarantee that vehicles, particularly those leaving Harefield Quarry would not use Hillingdon's highways which, particularly Harefield Road and Swakeleys Road are heavily saturated during peak hours.

Should Hertfordshire County Council be minded to approve the application Hillingdon would seek an appropriate condition or legal agreement with the developer providing details of monitoring and enforcement would be carried out.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Given that the application is a consultation proposal, the issue for consideration is the impact on the London Borough of Hillingdon of the development, rather than a determination of the application itself. The principle of the development is an issue for Hertfordshire County Council to consider, as part of its determination of the application.

7.02 Density of the proposed development

Density is not relevant given the nature of the proposed development.

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

Given the nature of the development it is unlikely to have any implications regards these matters.

7.04 Airport safeguarding

Given the nature of the development it is unlikely to have any implications for airport safeguarding.

7.05 Impact on the green belt

Given that the application is a consultation proposal, the issue for consideration is the impact on the London Borough of Hillingdon of the development, rather than a determination of the application itself. The impact on the green belt is an issue for Hertfordshire County Council to consider, as part of its determination of the application.

7.06 Environmental Impact

The Council's Sustainability and Environmental Protection officers have reviewed the proposal and have not raised an objection. The environmental impact of the development is considered to be acceptable.

7.07 Impact on the character & appearance of the area

Given the nature of the proposal and its location away from the immediate boundary with the London Borough of Hillingdon, the development is unlikely to have an adverse impact on the character and appearance of the area.

7.08 Impact on neighbours

The nearest residential properties within the London Borough of Hillingdon are those along the western side of Jacks Lane which are approximately 700m to the east of the application site. The proposal is unlikely to harm the residential amenity of occupiers therein or impact any other neighbouring properties within the London Borough of Hillingdon.

7.09 Living conditions for future occupiers

Not applicable.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Unitary Development Plan does not allow development that would unacceptably increase demand along roads or through junctions that are already used to capacity.

Whilst it is acknowledged that the logical route to the M40 and M25 from the site is via the A412, there is no guarantee that vehicles, particularly those leaving Harefield Quarry would not use Hillingdon's highways which, particularly Harefield Road and Swakeleys Road are heavily saturated during peak hours. Any increase in traffic on these roads, particularly during peak hours or at the weekend, would be to the detriment of the surrounding highway networks, including roads within the London Borough of Hillingdon.

The Council's Highways Team object to the proposal on the grounds that there is insufficient information to substantiate that the development would not result in increased traffic generation to the site and increase demand on roads which are currently used to

capacity within the London Boroughs of Hillingdon.

7.11 Urban design, access and security

Given that the application is a consultation proposal, the issue for consideration is the impact on the London Borough of Hillingdon of the development, rather than a determination of the application itself. These are issues for Hertfordshire County Council to consider, as part of its determination of the application.

7.12 Disabled access

This is an issue for Hertfordshire County Council to consider, as part of its determination of the application.

7.13 Provision of affordable & special needs housing

Not applicable to this development.

7.14 Trees, landscaping and Ecology

Given that the application is a consultation proposal, the issue for consideration is the impact on the London Borough of Hillingdon of the development, rather than a determination of the application itself. The impact on the trees, landscaping, and ecology are issues for Hertfordshire County Council to consider, as part of its determination of the application.

7.15 Sustainable waste management

Given that the application is a consultation proposal, the issue for consideration is the impact on the London Borough of Hillingdon of the development, rather than a determination of the application itself. The impact on sustainable waste management is an issue for Hertfordshire County Council to consider, as part of its determination of the application.

7.16 Renewable energy / Sustainability

Given that the application is a consultation proposal, the issue for consideration is the impact on the London Borough of Hillingdon of the development, rather than a determination of the application itself. This is an issue for Hertfordshire County Council to consider, as part of its determination of the application.

7.17 Flooding or Drainage Issues

Given that the application is a consultation proposal, the issue for consideration is the impact on the London Borough of Hillingdon of the development, rather than a determination of the application itself. This is an issue for Hertfordshire County Council to consider, as part of its determination of the application.

7.18 Noise or Air Quality Issues

The Council's Sustainability and Environmental Protection officers have reviewed the proposal and have not raised an objection. Given the nature and its position relative to the Council boundary, the development is unlikely to raise significant noise or air quality issues

7.19 Comments on Public Consultations

Not applicable to this application.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

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

None.

10. CONCLUSION

That Hertfordshire County Council is advised of the following:

That the London Borough of Hillingdon objects to the scheme for the following reason:

1. The applicant has failed to provide sufficient information to demonstrate that the proposed development would not result in increased traffic generation on roads which are currently used to capacity within the London Borough of Hillingdon. The proposal is therefore contrary to policy AM7 of the Hillingdon Unitary Development Plan.

Should Hertfordshire County Council be minded to grant planning permission for the proposed development, despite the above objection, unless further information is provided that alleviates those concerns, it is requested that a condition or legal agreement with the developer be provided with details of how HGV movements could be routed to avoid Hillingdon Roads as well as associated monitoring and enforcement of the condition/legal agreement.

11. Reference Documents

None.

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