

Report of the Head of Planning, Sport and Green Spaces

Address LAND AT SIPSON FARM SIPSON ROAD SIPSON

Development: Section 73 application for variation of Condition 2 of approved application ref. 45408/APP/2009/340 (as amended by Condition 1 of approved application ref 45408/APP/2014/1678) in order to extend the deadline for completion of permitted operations (extraction of sand and gravel as an extension to existing quarry at Wall Garden Farm, backfilling with inert waste and restoration to agricultural land) from the 5th of August 2017 to the 30th of September 2019.

LBH Ref Nos: 45408/APP/2017/2075

Drawing Nos: PA-1107-10B location plan
PA-1107-11C Site context plan
PA-1107-12E Method of working
PA-1107-13D Final Restoration Plan
Appx 07 02 Ditch Detail
Appx 07 01 Proposed Layout
16115/VW/ta - Covering Letter
1107/12F - Annotated Programmed Landfill and Restoration Plan

Date Plans Received: 07/06/2017

Date(s) of Amendment(s):

Date Application Valid: 07/06/2017

1. SUMMARY

The proposed extension of time ties in with the applicant's timetable for the completion of excavation works at the site and subsequent restoration of the land back to agricultural use. It is considered that the limited time extension requested allows works to be feasibly carried out without delaying the planned restoration of the site to agricultural use.

Impacts of the ongoing works towards the amenities of the surrounding area and neighbours can be effectively managed through accordance with the conditions attached to the original approval. All of these conditions will be carried over to any approval of this application.

2. RECOMMENDATION

1 NONSC Time Limit

All operations hereby authorised by this consent (excluding the 5 year statutory aftercare requirements) shall be completed by the 30th of September 2019. 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_12F
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 and shall remain in place for the lifetime of the approved development.

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 any where less than 100m from the eastern and southern boundary and shall not be used any where 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).

33 NONSC Non Standard Condition

There shall be no more than 1500 two-way heavy goods vehicle movements (including export and import of material) per week. The maximum annual throughput at the site shall not exceed 200,000 tonnes per annum.

REASON

To ensure traffic generation from the site is controlled in accordance with Policy AM7 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
MIN7	Restoration of good agricultural land following mineral extraction
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
NPPF	National Planning Policy Framework
NPPF9	NPPF - Protecting Green Belt land
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.18	(2016) Construction, excavation and demolition waste
LPP 5.20	(2016) Aggregates
LPP 7.4	(2016) Local character
LPP 7.14	(2016) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.16	(2016) Green Belt

3

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 resubmitted as part of this new planning permission where those details would remain the same.

4 I38 **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.

5 I1 **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.

6 I23 **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.

7 I58 **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 .

8 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.

9 I38 **Conditions - Further Advice**

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

10

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.

11

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.

12

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.

13

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

14

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 site is an established mineral extraction site. It is located on green belt land between Sipson Lane, to the north, and Sipson Road to the south. The site is an extension of the operations at Wall Garden Farm, which is located to the north, on the opposite side of Sipson Lane. The Wall Garden Farm site is the main processing area and material extracted at the southern site is transported by a conveyor system which passes under Sipson Lane and continues to the Wall Garden Farm site. Processed materials are then removed from the site by road with access and egress being by way of a designated haul road. Extraction works are currently ongoing although parts of the site are no longer being worked upon and restoration measures have commenced in places.

At the time of the original approval (45408/APP/2009/340 - approved 12th of May 2009), it was estimated that the site would yield approximately 600,000 tonnes of mineral content. It is estimated that 100,000 tonnes is yet to be extracted.

The site lies between the villages of Harlington, where there are residential dwellings approximately 90 metres to the east of the site on Field Close, Raywood Close and West End Road, and Sipson, where residential dwellings on Sipson Road lie approximately 80 metres to the west of the western side of the site. The M4 passes between the site and Sipson village. The site is raised above the height of the passing motorway, which is contained within a cutting at this point, with embankment walls either side of the carriageways.

Tunnels used by the Heathrow Connect rail service pass beneath the western part of the site, at a depth of approximately 22 metres. There is also a building housing a ventilation shaft and associated equipment attributed to the tunnels which is bordered by the extraction site to the east and south.

The site is surrounded by an earth bund on which vegetation is established as well as a chain link fence. There is also additional hedgerow in places on the site boundary.

3.2 Proposed Scheme

The applicant seeks to extend the existing time period for works on the site. The current permission expired on the 5th of August 2017 and the proposal involves extending this until the 30th of September 2019. The extended period will allow for approximately 6 months of additional excavation on site which will then be followed by remedial works to prepare the site for restoration to agricultural use as per the timetable set out on accompanying plan 1107/12/F.

The restoration of the land 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 1 metre above the existing levels) to allow for effective site drainage. The full restoration will be carried out over a 5 year period as per conditions 10 and 21 of the original approval.

3.3 Relevant Planning History

45408/APP/2009/340 Land At Sipson Farm Sipson Road Sipson

Extraction of sand and gravel as an extension to existing quarry at Wall Garden Farm backfilling with inert waste and restoration to agricultural land.

Decision: 12-05-2009 Approved

45408/APP/2010/1032 Land At Sipson Farm Sipson Road Sipson

Details in compliance with condition 34 (construction management plan) of planning permission ref:45408/APP/2009/340 dated 21/05/2009: Extraction of sand and gravel as an extension to existing quarry at Wall Garden Farm backfilling with inert waste and restoration to agricultural land.

Decision: 17-08-2010 Approved

45408/APP/2010/599 Land At Sipson Farm Sipson Road Sipson

Details in compliance with condition 7 (noise monitoring scheme) of planning permission ref. 45408/APP/2009/340 dated 21/05/2009: Extraction of sand and gravel as an extension to existir quarry at Wall Garden Farm backfilling with insert waste and restoration to agricultural land.

Decision: 28-04-2010 Approved

45408/APP/2010/716 Land At Sipson Farm Sipson Road Sipson

Details in compliance with conditions 17 (archaeological work), 30 (bird hazard management ple and 32 (surface water drainage) of planning permission ref.45408/APP/2009/340 dated 21/05/2009: Extraction of sand and gravel as an extension to existing quarry at Wall Garden Far backfilling with insert waste and restoration to agricultural land.

Decision: 29-06-2010 Approved

45408/APP/2010/904 Sipson Farm Sipson Road Sipson

Details in compliance with conditions 19 (landscaping) and 25 (habitat management plan) of planning permission 45408/APP/2009/340 dated 21/05/2009- extension to existing quarry.

Decision: 12-07-2010 Approved

45408/APP/2014/1678 Land At Sipson Farm Sipson Road Sipson

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.

Decision: 31-07-2014 Approved

Comment on Relevant Planning History

Extraction works at the site were first approved in 2009 for a period of 5 years.

4. Planning Policies and Standards

The application will be assessed against relevant local, regional and national planning policies, guidance and legislation as set out.

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
MIN7	Restoration of good agricultural land following mineral extraction
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
NPPF	National Planning Policy Framework
NPPF9	NPPF - Protecting Green Belt land
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.18	(2016) Construction, excavation and demolition waste
LPP 5.20	(2016) Aggregates
LPP 7.4	(2016) Local character
LPP 7.14	(2016) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.16	(2016) Green Belt

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **26th July 2017**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Site notices were posted around the site perimeter. In addition, neighbouring residents were sent a letter notifying them of the proposed development and inviting comments. An notice was also printed in the local press.

A petition of objection containing 21 signatories has been received and the contents are summarised below:-

- There is daily noise and clouds of dust which are reducing the quality of life for neighbours.
- There should be compensation for the neighbouring residents due to the inconvenience and high Council tax rates.
- A strict timetable for the restoration of the land should be imposed by the Council.

GREATER LONDON AUTHORITY (GLA):

The amendments do not give rise to any new strategic planning issues. The Mayor of London does not need to be consulted further on this application.

GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE (GLAAS):

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposed time extension would not effect heritage assets of archaeological interest. There is no archaeological implication in extending the deadline for completion

Internal Consultees

LANDSCAPE OFFICER:

No Objection.

HIGHWAYS:

The previous Transport Statement by Tomalin Highway Planning dated May 2014 has been submitted in support of this latest application. That TS indicated that there had been a reduction in traffic flows on the nearby A408 even with the gravel extraction in operation.

The TS indicated that approximately 280 two-way HGV trips used the haul road within the site over the five days of the survey. This is in excess of the estimated figure in the original TS that supported the 2009 application. The proposal includes using the importing of material to use as backfill and restoration.

I was hoping to see a new TS explaining about the transport activity at the site over the next 2 years. This would include export of extracted material along with importing of material and that is not the case with the previous TS.

As an alternative we could inform the applicant through a condition that we will limit the maximum weekly HGV movements at the site including export and import of material and limit the maximum annual throughput at the site.

I suggest that a maximum annual throughput of material is put in place (say 200,000 tonnes) and also a cap on the number of weekly HGV activity to 1500 two-way movements.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site lies within the green belt where the principle of development is largely resisted in order to preserve the integrity of the green belt, the tranquillity of the rural environment and to prevent coalescence of development. It should be noted that all of the Borough's known sand and gravel reserves lie within green belt land. The subject site is no exception to this arrangement.

The proposed extension of time relates to an existing use within the green belt and, as such, the principle of the use of the site for extraction of aggregates is settled.

To add context, Para. 90 of the National Planning Policy Framework (NPPF) maintains that mineral extraction is an appropriate use within the green belt, provided the works do not compromise the openness of the green belt or conflict with any of the five purposes of the green belt as defined in para. 80 of the NPPF, these being:-

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The site is identified as a preferred area for mineral safeguarding as per Strategic Policy EM 10 and map 8.6. Furthermore, Policy EM 9 sets out the Council's position which is to safeguard mineral resources within the Borough in their entirety. The site therefore plays a role in replenishing the landbank of 7 years supply of land won aggregates London-wide, as per London Plan Policy 5.20 as well as 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.

It is noted that Local Plan Policy MIN 3 seeks to prevent development that would result in more than 165 hectares of land south of the M4 motorway being subject to planning consent for sand and gravel extraction and/or waste disposal and where the full restoration is yet to be completed. Current extraction works south of the M4 fall below this figure and it is not considered that the extension of the time period for working on the site would delay any new extraction sites from being opened up given the advanced stage of works on the site, where the majority of extraction works have already been completed.

7.02 Density of the proposed development

Not applicable to this development.

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

A programme of archaeological work, as set out within a Written Scheme of Investigation (WSI) was approved by GLAAS and undertaken prior to the commencement of extraction on site as per the requirements of Condition 17 of the original approval.

GLAAS have been consulted on the current application and have not requested any further works to be carried out.

7.04 Airport safeguarding

The original application (45408/APP/2009/340) was referred to all airport safeguarding bodies and a response has been received and state 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.

7.05 Impact on the green belt

The use is considered compatible with the green belt for the reasons set out in section 7.01 of this report. The proposal includes a commitment to restore the site to agricultural use after extraction and this will ensure that the long term visual quality of the green belt environment is not damaged as a result of the proposal.

7.06 Environmental Impact

The use of the site for extraction of aggregates has been settled and a series of conditions will be attached to any approval ensuring environmental impacts are mitigated through noise, dust, landscape and habitat management.

7.07 Impact on the character & appearance of the area

The proposed extension of the time period for operational use of the site will not involve any intensification or expansion of the current approved use. The extraction rate will not be increased and, as such, there will be no material impact upon amenities or traffic

generation.

The ownership and operational control of the site has changed hands since the last extension of time and this has resulted in an interruption to extraction works, with the consequence being that the extraction works could not be fully completed within the currently approved time scale. Any approval would be to allow for additional time to complete the approved extraction works ensuring the site is quarried to its full potential. The proposal would not result in any expansion in the size of the site or the intensity of the works being carried out. As such, it is not considered that it would result on further encroachment into the countryside, in accordance with para. 80 of the NPPF, Strategic Policy EM 2, Local Plan Policy OL 1 and London Plan Policy 5.20.

No additional extraction sites have been opened, or existing sites been expanded, in the period of time since the last extension of operational time was granted. In any case, the Sipson Farm site is nearing closure and, as such, the extension of time requested would not result in an area of over 165 hectares south of the M4 being worked on either as an extraction site or for waste disposal. It is therefore considered that the proposed variation of condition would not conflict with Local Plan Policy MIN 3 (iv) which states that short-term working when the output from a newly commissioned quarry may overlap with the production from one nearing closure through exhaustion of its available reserves.

The extraction site is well screened by earth bunds, the surrounding topography and vegetation growing on and around the boundary. Whilst accepted that the general appearance of the site is incongruous with its green belt location, it is considered that the temporary nature of the approval prevents any long term damage to visual quality and the restoration plan will ensure the land is returned to agricultural use in good condition, as has been demonstrated at former extraction sites to the north of Wall Garden Farm.

A Planning Condition (8) prohibiting the erection of any additional buildings, structures or machinery on site will be carried over, should this application be approved, in order to prevent the introduction of features that would appear incongruous or disruptive within the wider rural area.

It is therefore considered that the proposed extension of time satisfies Local Plan Policies BE 13, BE 38, OL 1 and OL 2 and London Plan Policies 7.4 and 7.16.

7.08 Impact on neighbours

The applicant has anticipated that the extraction works would require an additional 6 month period, with the remainder of the extended time period providing a suitable window for completing site restoration works to agricultural use.

All works will be subject to the existing noise and time restriction applied to the operation of the site in order to protect the amenities of neighbouring residents as well as the tranquillity of the countryside. It is not considered that any additional mitigation measures will be required, provided the scale and intensity of the operation is not increased. Conditions requiring suppression of dust generated on site and the transfer of dust and road on to the local highway network will also be applied, as has been the case with past approvals.

The time extension sought is relatively short and it is not considered that a limited period of continued operations would result in any uncertainty relating to the future of the site or prevent the timely restoration of the site to agricultural condition. This will ensure the appearance of the restored site will be compatible with the green belt surroundings and will also be enhanced by additional landscape planting that will be undertaken.

Any extended time period would cover all extraction and restoration works on site but would not alter the 5 year after care plan which is to be adhered to following the completion of restoration works.

Given that the duration of operations on site has already exceeded that which was originally approved, it is considered that the proposed extension would be the last agreement that would be allowed by the Council. This is due to the fact that there has already been a significant delay in restoring the site back to agricultural condition and, in order to prevent continued visual blight within the green belt, the Council would expect all restoration works to be carried out within the extended time scale.

It is therefore considered that the proposed extension of time would accord with Local Plan Policy OE 1 and London Plan Policies 7.14 and 7.15.

7.09 Living conditions for future occupiers

Not applicable to this development.

7.10 Traffic impact, car/cycle parking, pedestrian safety

As the intensification of the operation will not be increased as a result of the proposal it is not anticipated that traffic movements associated with the site will be increased as a result of the proposal.

Site traffic will continue to use the existing haul road, with HGV's entering and leaving the site via Sipson Road rather than the narrower Sipson Lane. Extracted material will continue to be delivered to the processing site at Wall Garden Farm by way of the existing conveyor system which passes below Sipson lane.

It is therefore considered that the proposed extension of time would accord with Local Plan Policy AM 7.

7.11 Urban design, access and security

Access and security arrangements will remain as existing.

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

The existing landscaping arrangements are considered acceptable, having been made in agreement with the Council in accordance with details approved under application 45408/APP/2010/904 . These details included measures to protect trees during excavation works which are required to be adhered to at all times.

The restoration plan incorporates landscaping including new hedgerow which will help the restored land visually assimilate with its rural surroundings and is required to be implemented as part of a wider aftercare strategy to be approved as required by Condition 10.

The operations on site are also carried out in accordance with a Habitat Management Plan which was secured by way of a planning condition and submitted to, and approved, by the Council under the previously mentioned application reference.

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

A surface water drainage scheme for the site was submitted, as required by condition, and approved under application 45408/APP/2010/716. The condition requires the arrangements to remain in place for the lifetime of the development.

7.18 Noise or Air Quality Issues

The level of noise generated is currently restricted by way of a planning condition that will be carried over to any approval granted. A further condition required noise monitoring scheme, which was subsequently approved under application 45408/APP/2010/599, to be adopted in order to check that noise level restrictions are being complied with.

A compliance condition (13) requiring procedures to be followed to minimise dust generation was attached to the original approval and will be carried over to any approval granted. During a site visit, bowser trailers with tractors were observed, these being utilised to dampen the ground during dry spells. There are also wheel washing facilities in place at exits from the haul road to prevent mud and dust being transferred onto the surrounding highway network.

7.19 Comments on Public Consultations

Relevant conditions have been attached to control hours of operation, noise levels and dust generation. Failure to comply with these conditions can be investigated by the Council's Planning Enforcement team.

Backfilling of excavated areas on site has already begun and the applicant has provided a Plan (Drawing No. 1107/12F) showing a timetable for the remaining extraction and backfilling works to be carried out. Thereafter, there is a requirement for full land restoration works to be completed within a 5 year period.

It is not within the remit of planning law to authorise compensation for neighbouring residents.

7.20 Planning Obligations

The proposed application for variation of the time limit attached to operations on the site does not represent chargeable development in relation to either Mayoral or Hillingdon CIL legislation.

It is not considered that the need for any Section 106 agreement would arise.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

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

10. CONCLUSION

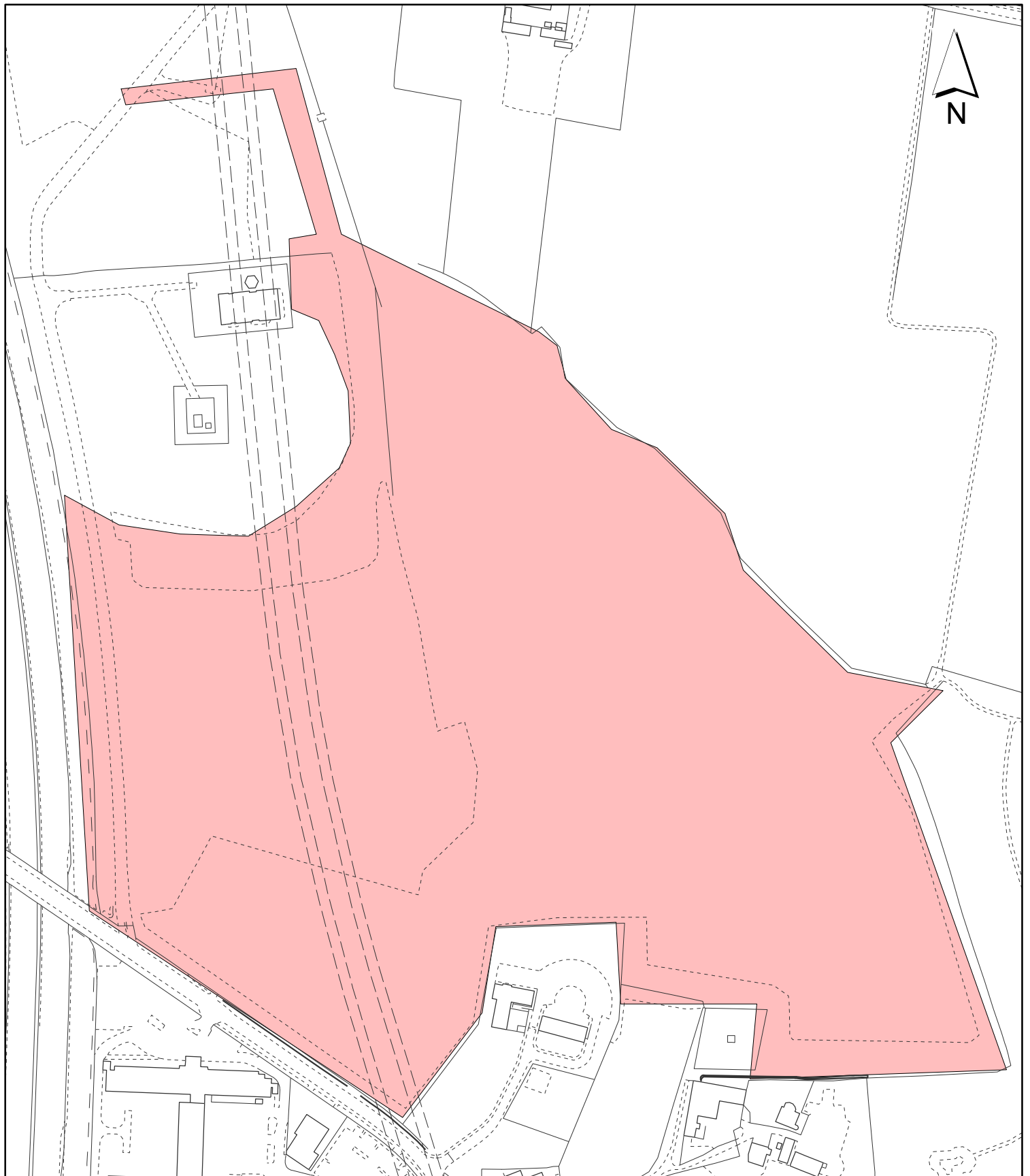
The proposed extension of the time limit for operations on site complies with all relevant policies and it is therefore recommended that the application be approved, subject to conditions.

11. Reference Documents

Hillingdon Local Plan: Part 1- Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (2016)
National Planning Policy Framework (NPPF)
West London Waste Plan (2015)
Council's Supplementary Planning Guidance - Community Safety by Design
Council's Supplementary Planning Document - Air Quality
Council's Supplementary Planning Document - Noise

Contact Officer: James McLean Smith

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 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).
 Unless the Act provides a relevant exception to copyright.
 © Crown copyright and database rights 2016 Ordnance Survey 100019283

Site Address:

Sipson Quarry

LONDON BOROUGH OF HILLINGDON
Residents Services
Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:
45408/APP/2017/2075

Scale:
1:3,000

Planning Committee:
Major

Date:
August 2017

