



REGULATORY SERVICES COMMITTEE

REPORT

02 February 2017

Subject Heading:

P1626.16 Cockhide Farm, Bramble Lane

Mineral extraction and importation of inert material, to enable restoration to agriculture, including ancillary plant and buildings

Ward:

Upminster

Lead Officer:

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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework
National Planning Policy Practice Guidance

Financial summary:

Not relevant

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for	[x]
People will be safe, in their homes and in the community	[x]
Residents will be proud to live in Havering	[x]

SUMMARY

This is an application for mineral extraction together with the subsequent importation of inert materials to restore the land to agricultural use.

It is proposed that 75,000 tonnes of sand and gravel would be extracted from the site and processed at the nearby Rainham Quarry, Launders Lane. The site is not proposed to be worked in a phased manner so after all mineral has been extracted the applicant proposes to import inert material to fill the void created. The restoration proposed, as part of the application, is back to existing levels and agricultural use. The project is proposed to take place over a 12 month period (six months for extraction; and six months for restoration).

This application has been assessed on its individual merits, but in context of potential accumulation, and it is considered that the development could effectively occur without significant impacts to the environment or locality. Mindful of this and that the Council does not currently have a sufficient landbank it is recommended that planning permission be granted, subject to conditions and appropriate legal agreement.

RECOMMENDATIONS

That the proposal is unacceptable as it stands but would be acceptable subject to a planning obligation under Sections 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- Adherence to a lorry routing agreement, to be approved in writing by the Local Planning Authority;
- The payment of £12,500 (subject to indexation) towards the cost of highway maintenance;
- A requirement to enter into an Creation Order under the Highways Act 1980 to secure improvements to the local footpath network, in accordance with a scheme first approved in writing by the Local Planning Authority; and
- The Council's reasonable legal fees for completion of the agreement shall be paid prior to the completion of the agreement irrespective of whether or not it is completed; and
- The Council's planning obligation monitoring fees shall be paid prior to completion of the agreement.

It is therefore recommended that the Assistant Director of Regulatory Services be authorised to negotiate and agree a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below.

1. Time Limit/Commencement – The development to which this permission relates must be commenced no later than three years from the date of this permission. In this regard:

- a) Written notification of the commencement date shall be sent to the Local Planning Authority for waste and minerals within seven days of commencement.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Compliance with Submitted Details – The development hereby permitted shall be carried out in complete accordance with the plans, particulars and specifications submitted and hereby approved (as per page one of the decision notice).

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with policy DC61 of the Development Control Policies Development Plan Document.

3. Duration and Cessation – The development hereby permitted shall be limited to a period of 12 months, from the notified date of commencement, by which time all operations shall have ceased and the site restored in accordance with the approved scheme and subject to an aftercare period of five years.

Reason: To ensure that the development is carried out in accordance with the submitted details, to minimise the duration of disturbance, ensure restoration within a timely manner and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC43, DC45, DC47 and DC61 of the Development Control Policies Development Plan Document and policies 2.7, 5.18, 5.20, 7.4, 7.15, 7.16 and 7.22 of the London Plan.

4. Removal of Ancillary Development – Any buildings, plant, machinery, foundation, hard standing, roadway, structure or erection in the nature of plant or machinery used in connection with the development hereby permitted shall be removed from the site when no longer required for the purpose for which built, erected or installed and in any case not later than 12 months from the date of notified commencement.

Reason: To enable the planning authority to adequately control the development, to ensure that the land is restored to a condition capable of beneficial use and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC51, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document and policies 5.12, 5.13, 5.14, 7.4, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

5. Early Restoration in the Event of Suspension of Operations – In the event that operations are terminated or suspended for a period in excess of six months, the excavated area and other operational land shall be restored in accordance with a restoration scheme as approved in writing by the Local Planning

Authority within six months of the expiry of the six month period to be advised by the Local Planning Authority for minerals and waste.

Reason: To enable the planning authority to adequately control the development, to ensure that the land is restored to a condition capable of beneficial use in the event of suspension and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC60 and DC61 of the Development Control Policies Development Plan Document and policies 5.12, 5.13, 5.14, 5.18, 5.20, 7.4, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

6. Export/Import Throughput Restriction – No more than 75,000 tonnes of mineral shall be exported during the life of the development. Furthermore, no more than 45,000 cubic metres of infill material shall be imported during the life of the development.

Reason: To ensure the development is carried out in accordance with the submitted details, to minimise the harm to the environment and to comply with policies CP10, CP12, CP13, CP14, CP15, CP16, CP17, DC32, DC39, DC41, DC42, DC43, DC45, DC48, DC52, DC55, DC58, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document; policies W1, W4 and W5 of the Joint Waste Development Plan and policies 2.8, 4.1, 5.12, 5.13, 5.14, 5.15, 5.16, 5.18, 5.20, 6.1, 6.3, 6.11, 6.12, 6.14, 7.4, 7.14, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

7. Importation Restriction – Only inert waste material, as defined at paragraph 3.6.1 of the Supporting Statement, dated October 2016, submitted with the planning application, shall be imported to the site for the purposes of infilling and restoration.

Reason: To ensure that material with no beneficial use to the site is not processed on site, that the site use does not develop beyond that assessed, that waste materials outside of the aforementioned would raise alternate and additional environmental concerns and to comply with policies CP12, CP13, CP14, CP15, DC41, DC42, DC43, DC45, DC47, DC48, DC51, DC53, DC59 and DC61 of the Development Control Policies Development Plan Document; policies W1, W4 and W5 of the Joint Waste Development Plan and policies 5.12, 5.13, 5.14, 5.16, 5.18, 5.20, 5.21, 7.4, 7.14, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

8. Records of Throughput – From the date of commencement the operator shall maintain records of their monthly output and imports and such records shall be made available to the Local Planning Authority for minerals and waste, upon request, within 14 days.

Reason: To allow the planning authority to adequately monitor activity at the site and to comply with policies CP13, DC41, DC42 and DC45 of the Development Control Policies Development Plan Document; policies W1 and W4 of the Joint Waste Development Plan and policies 5.16, 5.18 and 5.20 of the London Plan.

9. Vehicle Movements – The total number of heavy goods vehicle movements associated with the development hereby permitted shall not exceed the following limits:

68 movements (34 in and 34 out) per day Monday to Friday

No vehicle movements shall take place outside the hours of operation authorised under Condition 11 and/or on Saturdays, Sundays and Public and Bank Holidays.

Reason: In the interests of highway safety, safeguarding local amenity and to comply with policies CP10, CP12, CP13, CP14, CP15, DC32, DC39, DC41, DC42, DC43, DC45 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 2.8, 5.16, 5.18, 5.20, 6.1, 6.3, 6.11, 6.12 and 6.14 of the London Plan.

10. Records of Vehicle Movements – A written record shall be maintained at the site office of all movements in and out of the site by heavy goods vehicles. Such records shall contain the vehicles' weight, registration number and the time and date of the movement and shall be made available to the Local Planning Authority for minerals and waste, upon request, within 14 days.

Reason: To allow the planning authority to adequately monitor activity at the site and to comply with policies CP10, CP12, CP13, CP14, CP15, DC32, DC39, DC41, DC42, DC43, DC45 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 2.8, 5.16, 5.18, 5.20, 6.1, 6.3, 6.11, 6.12 and 6.14 of the London Plan.

11. Hours of Working – Except in emergencies, when it is expected that the Local Planning Authority for minerals and waste would be notified as soon as possible, operations authorised by this permission shall only be undertaken during the following times:

08:00 hours to 18:00 hours Monday to Friday

And at no other times including Saturdays, Sundays, Bank or Public Holidays.

Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with policies CP12, CP13, CP14, CP15, DC41, DC42, DC43, DC45, DC52, DC55, DC56 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.16, 5.18, 5.20, 7.4, 7.14, 7.15 and 7.16 of the London Plan.

12. Archaeology – No development shall take place until an archaeological written scheme of investigation has been submitted to and agreed in writing by the Local Planning Authority for minerals and waste. The scheme shall include:

- a) A written scheme of investigation for further archaeological evaluation to identify any significant areas of archaeological remains within the application area;
- b) If heritage assets of archaeological interest are identified then for those parts of the site, a stage 2 written scheme of investigation shall be submitted to and agreed in writing by the Local Planning Authority for minerals and waste. The stage 2 scheme shall include:
 - i. A statement of significance and research objectives, the programme and methodology of site investigations and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and
 - ii. The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until all work identified in the stage 2 investigation has been fulfilled.

Reason: To ensure that the site is fully investigated prior to extraction, appropriate measures can be put in place to retain features of high importance and to comply with policies CP13, CP18, DC42, DC61 and DC70 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.20, 7.4, 7.8 and 7.20 of the London Plan.

13. Land Contamination – No works shall take place in relation to any of the development hereby approved (except works required to secure compliance with this condition) until the following Contaminated Land reports (as applicable) are submitted to and approved in writing by the Local Planning Authority for waste and minerals:
- a) A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.
 - b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
 - c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

Part A - Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority for minerals and waste in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate

remediation scheme submitted to the Local Planning Authority for minerals and waste for written approval.

Part B - Following completion of the remediation works a 'Validation Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

- d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the Local Planning Authority for minerals and waste; and
- e) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, 'Land Contamination and the Planning Process'.

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with policies CP13, CP15, CP16, CP17, DC42, DC47, DC53, DC58, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.14, 5.20, 5.21, 7.19, 7.20, 7.21 and 7.22 of the London Plan.

14. Land Contamination Monitoring - No development shall take place until a long-term monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to and approved in writing by the Local Planning Authority for minerals and waste. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports before the end of the first year of aftercare. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The Desk Study submitted with this planning application indicates that polluting substances are present as a result of the previous use of the site. The site is located within close proximity to the residential development and the aforementioned will seek to ensure that ground-waters are protected from pollution and/or further deterioration, in compliance with policies CP13, CP15, CP16, CP17, DC42, DC47, DC53, DC58, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the

Joint Waste Development Plan and policies 5.14, 5.20, 5.21, 7.19, 7.20, 7.21 and 7.22 of the London Plan.

15. Infiltration Drainage – No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the Local Planning Authority for minerals and waste, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: Infiltrations SuDs such as soakaways through contaminated soils are unacceptable as contaminants can remobilise and cause groundwater pollution. This restriction is in line with good practice and to comply with policies CP13, CP15, CP16, CP17, DC42, DC47, DC53, DC58, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.14, 5.20, 5.21, 7.19, 7.20, 7.21 and 7.22 of the London Plan.

16. Retention of Soils – All topsoil and subsoil indigenous to the site shall be retained on the site and used as part of the approved restoration scheme.

Reason: To prevent the loss of soil, ensure that material imported is minimised and to comply with policies CP12, CP13, CP14, CP15, CP16, CP17, DC41, DC42, DC43, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policies W1, W4 W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.16, 5.18, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

17. Soil Handled in a Dry and Friable Condition – No topsoil or subsoil shall be stripped or handled unless it is a dry and friable condition and no movement of soils shall take place during the months of November to March (inclusive); when the moisture content of the upper level of the soil is equal to or greater than at which the soil becomes plastic; and when there are pools of water on the soil surface.

Reason: To minimise soil compaction and structural damage, to assist in the final restoration and to comply with CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

18. Soil Movement Scheme – No stripping or handling of topsoil or subsoil shall take place until a scheme of soil movement and scheme of machine movements for the stripping and replacement of soils has been submitted to and approved in writing by the Local Planning Authority for minerals and waste. The scheme shall be submitted at least three months prior to the expected commencement of soil stripping; and clearly identify the origin, intermediate and final location of soils for use in agricultural restoration together with details of

quantities, depths and areas involved. The development shall be implemented in accordance with the approved scheme.

Reason: To ensure the retention of existing soils on the site for restoration purposes, to minimise the potential damage to soils, to minimise the impact of the development on the locality and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

19. Stripping of Top and Subsoil – No excavation shall take place nor shall any of the site be traversed by heavy vehicles or machinery for any purpose or operation (except for the purpose of stripping that part or stacking of topsoil in that part) unless all available topsoil and subsoil has been stripped from that part of the site and stored in accordance with the approved details.

Reason: To minimise soil compaction and structural damage, to assist in the final restoration and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

20. Fauna Management Plan – No stripping of topsoil or subsoil shall take place until a Fauna Management Plan has been submitted to and approved in writing by the Local Planning Authority for minerals and waste. The scheme shall detail how activities, during construction, operation and restoration, will be undertaken to minimise the risk of disturbance to, and provide future habitat for, Protected and Priority species identified in the Updated Preliminary Ecological Appraisal, dated October 2015, submitted with the application, including badgers, bats, dormouse, owls, reptiles and great crested newts. The development shall be implemented in accordance with the approved plan.

Reason: To ensure that the development does not adversely impact on local habitat and that the restoration proposed seeks to maximise the potential for future habitat in compliance with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

21. Final Soil Coverage – The uppermost 0.5m of the infill material shall be free from rubble and stones greater than 150mm in diameter and shall be both graded with the final tipping levels hereby approved and ripped using appropriate machinery. The infill material shall be covered with a minimum of 0.8m of even depth subsoil and 0.4m of top soil in the correct sequence. The finished surface shall be left free from rubble and stones greater than 100mm in diameter which would otherwise hinder cultivation.

Reason: To ensure that the site is properly restored, can effectively be brought into a beneficial restoration use and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

22. Final Landform – Final landform and surface restoration levels shall accord with the landform, and contours shown on the approved restoration plan.

Reason: To ensure proper restoration of the site and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

23. Aftercare Scheme – An aftercare scheme detailing the steps that are necessary to bring the land to the required standard for agricultural use shall be submitted to and approved in writing by the Local Planning Authority for minerals and waste prior to commencement of infilling. The submitted Scheme shall:

- a) Provide an outline strategy in accordance with paragraph 57 of the Planning Practice Guidance for the five year aftercare period. This shall broadly outline the steps to be carried out in the aftercare period and their timing within the overall programme.
- b) Provide for a detailed annual programme, in accordance with paragraph 58 of the Planning Practice Guidance to be submitted to the planning authority not later than two months prior to the annual Aftercare meeting¹.
- c) Unless the Local Planning Authority for minerals and waste approve in writing with the person or persons responsible for undertaking the Aftercare steps that there shall be lesser steps or a different timing between steps, the Aftercare shall be carried out in accordance with the submitted Scheme.

Reason: To ensure the satisfactory restoration of the site for agriculture and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

24. Operations Method Statement - No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority making provision for an Operations Method Statement to control the potential adverse impacts of the development on the amenity of the public,

¹ An annual Aftercare meeting is a meeting held on site with a representative of the Council to assess site conditions, review restoration actions taken during the year and compliance with the approved aftercare strategy.

nearby occupiers and the environment. The Operations Method Statement shall include details of:

- a) Parking of vehicles of site personnel and visitors;
- b) Storage of plant, materials, chemicals, oil and hazardous substances;
- c) Measures for minimising the impact of noise, dust and vibration arising from extraction and infilling activities;
- d) Siting and design of temporary buildings;
- e) A scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies; and
- f) Details of the disposal of waste arising from the operational programme, including from any buildings with the burning of waste on the site, at any time, to be specifically precluded.

The development shall be carried out in accordance with the approved scheme and statement.

Reason: To protect residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

25. Vehicle Visibility Splays – The proposals shall provide a 2.4 by 90 metre forward visibility and 2.4 by 90 metre visibility splay on either side of the proposed access, set back to the boundary of the public footway. No development shall take place until a scheme to achieve the aforementioned, outlining measures necessary to facilitate the visibility splays, together with aids proposed to enhance safety has been submitted to and approved in writing by the local planning authority for minerals and waste. The visibility splays shall be provided and maintained in accordance with the approved scheme for the duration of the development hereby permitted.

Reason: Insufficient information has been supplied with the application in relation to how the required visibility splays would be achieved. Submission of details prior to commencement will ensure that appropriate visibility is achieved in the interests of highway safety and the amenity of the surrounding area and to comply with policies CP10, CP15, DC32, DC39, DC42, DC43 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 2.8, 5.18, 5.20, 6.1, 6.3, 6.11, 6.12, 6.14 and 7.4 of the London Plan.

26. Wheel Washing – Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during operations shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority for minerals and waste. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed. The submission shall provide:

- a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should

show where construction traffic will access and exit the site from the public highway.

- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway.
- c) A description of how vehicles will be checked before leaving the site - this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles; and
- f) A description of any contingency plan to be used in the event of a breakdown of the wheel washing arrangements or evidence that approved practices are failing.

Reason: Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area and to comply with policies CP10, CP15, DC32, DC39, DC42, DC43 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 2.8, 5.18, 5.20, 6.1, 6.3, 6.11, 6.12, 6.14 and 7.4 of the London Plan.

27. Noise Limits and Monitoring – Noise levels from operations undertaken in association with the development hereby permitted, except those deemed temporary, shall not exceed 55dB(A)LAeq, 1h (free field) when measured at the noise sensitive properties defined in the submitted Noise Assessment. Noise levels shall be monitored at three monthly intervals from the date of the commencement of development at the aforementioned noise sensitive properties to demonstrate compliance with the above acceptable level. The results of the monitoring shall include LA90 and LAeq noise levels, the prevailing weather conditions, details and calibration of the equipment used for measurement and comments on other sources of noise which affect the noise climate. The monitoring shall be carried out for at least two separate durations during the working day and the results shall be submitted to the Local Planning Authority for minerals and waste within one month of the monitoring being carried out. The frequency of monitoring shall not be reduced, unless otherwise approved in writing by the Local Planning Authority for minerals and waste. In the event of an identified exceedance in noise levels, a mitigation strategy shall be submitted to the Local Planning Authority for minerals and waste in writing for approval outlining the measures which will be taken to reduce noise levels within the acceptable parameters.

Reason: In the interests of public amenity, ensuring that the development does not result in significant environmental impacts and to comply with policies CP12, CP13, CP14, CP15, CP16, CP17, DC42, DC43, DC45, DC52, DC55, DC56, DC58, DC59, DC60 and DC61 of the Development Control Policies

Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.18, 5.20, 7.4, 7.14, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

28. External Lighting – No external lighting shall be erected or installed until a scheme for any such lighting has been submitted to and approved in writing by the Local Planning Authority for minerals and waste. Any such scheme shall include details of the extent of illumination together with precise details of the height, location and design of the lights together with proposed hours of operation. The installation of any external lighting shall be undertaken in accordance with the approved scheme.

Reason: In the interests of public amenity, ensuring that the development does not result in significant environmental impacts and to comply with policies CP12, CP13, CP14, CP15, CP16, CP17, DC42, DC43, DC45, DC52, DC55, DC56, DC58, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.18, 5.20, 7.4, 7.14, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

29. Permitted Development Restriction – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no building, structure, fixed plant or machinery, except as detailed in the development details hereby approved or otherwise approved pursuant to conditions, shall be erected, extended, installed or replaced on the site without the prior approval or express planning permission of the Local Planning Authority for minerals and waste.

Reason: To enable the planning authority to adequately control any future development on-site, assess potential accumulation and minimise potential impacts on the local area and landscape.

Informative

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
2. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the

requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.

3. The proposed inert landfilling activity will require an Environmental Permit under the Environmental Permitting Regulations 2010 (as amended) from the Environment Agency. The applicant is advised to contact the Environment Agency to discuss the permitting requirements and any issues that are likely to be raised during this process.
4. Due to the presence of National Grid apparatus in proximity to the application site, the applicant is advised to contact National Grid before any works are carried out to ensure that the aforementioned apparatus is not affected by the development.
5. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:
 - a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
6. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Information to allow an appropriate assessment of the proposal and improvements required to make the proposal acceptable were negotiated and submitted, in accordance with paragraph 186-187 of the National Planning Policy Framework 2012, during the course of determination of this application.

REPORT DETAIL

1.0 Call-In

- 1.1 This application has been called in by Councillor Van den Hende on the basis that this is not considered an appropriate form of development in the Green Belt; and access and highway safety issues. The site access is located on a blind corner which together with the sharp corner at the junction of Sunnings/Dennises Lane is already a hazard. With increased traffic the access would be dangerous for all. The hours of operation are also excessive and will cause increased noise for nearby residents.

2.0 Site Description

- 2.1 Cockhide Farm is located in the south of the Borough, south of Upminster, north of Aveley, to the east of Rainham and to the west of the M25 and South Ockendon. The site immediately adjoins Belhus Woods Country Park, where there are a network of footpaths and bridleways. No footpaths nevertheless dissect the site and views of it, from public vantage points, are relatively limited.
- 2.2 There is an access track to the farm, located in the north-west corner of the site that extends approximately 735m north from the farm buildings to the junction with Bramble Lane.
- 2.3 The farmhouse itself, on-site, is derelict and in a poor state of repair. There are a number of outbuildings across the 5 acre / 2ha site similarly derelict and in poor condition.
- 2.4 In terms of background, the application area originally formed part of a quarry known as Baldwins Farm, which was operated by Redland Aggregates in the 1970/80s. This site is the only part of that former site not worked, given the presence of the farmhouse.
- 2.5 The site forms part of the Metropolitan Green Belt but is not designated for any landscape or ecological merit at local, national or international level. The locality, and landscape, shows obvious signs of the former quarry use with the surrounding fields in a mix of arable and woodland use with a number of water bodies. The application area does however form part of the outer Ingrebourne Marshes SSSI Impact Risk Zone.

3.0 Description of Proposal

- 3.1 This is an application to work an area of land for sand and gravel with restoration proposed to existing levels, and agricultural use, through the importation of inert materials.
- 3.2 It has been suggested that the on-site reserve is circa 75,000 tonnes and it is proposed to work the site as one phase, with extraction programmed over a six month period. All materials extracted are proposed to be processed off-site at Rainham Quarry, Launders Lane.
- 3.3 The void created from the extracted mineral would require the importation of approximately 45,000 cubic metres of material, with the applicant again suggesting that this would take place over a six month period. No on-site processing of material to be imported is proposed with infill material simply being used to bring the land back up to level.
- 3.4 With regard to vehicle movements, the extraction process would result in 60 movements per day (30 in and 30 out); and the restoration activities would result in 68 movements per day (34 in and 34 out). As the applicant does not however propose to work the site in a phased manner, there would be no

duplication of movements as extraction and restoration would not occur simultaneously. The applicant proposes the use of the existing access off Bramble Lane.

3.5 The site is proposed be operational during the following hours:

07:00-18:00 Monday to Friday

With no working on Saturdays, Sundays or Public holidays.

4.0 Consultations/Representations

4.1 On receipt of the formal planning application, the Council directly notified 25 properties. The application was also advertised by way of site notice and press advert. Five letters of public representation have been received in response to the consultation. The main areas of concern and objection raised are:

- The access point and the junction of Bramble Lane to Aveley Road are already considered awkward and dangerous. Lorries and cars are unable to pass each other on the bend of Bramble Lane, where the site access is, and this is a safety concern;
- Traffic – should planning permission be granted at least a vehicle movement plan should be required;
- Concerns about potential damage to the highway and highway verges;
- Concerns about the proposed timeframe and if the development would actually be completed within 12 months;
- Concerns about fly-tipping should the entrance be re-opened;
- Amenity impacts – noise, vibration and dust;
- Questions about bunding and noise attenuation; and
- Excessive hours of operation.

4.2 Comments have also been received from the following consultees:

Anglian Water – No comments received.

EDF Energy – No comments received.

Environment Agency – No objection subject to conditions covering contamination; drainage and site management (the storage of materials, chemicals, oil and/or any other hazardous substances).

Essex and Suffolk Water – No objection.

Havering Friends of the Earth – Object on the basis that this is considered an inappropriate development in the Green Belt and very special circumstances have not been justified to outweigh the potential harm by reason of inappropriateness.

The development has the potential to impact on wildlife and whilst the surveys submitted suggest the number of creatures utilising the land is low, it is

considered that we should be doing everything not to threaten habitat. We should be working to improve and increase biodiversity, not disrupt it. An invertebrate survey should have also been undertaken.

The applicant is commercial-led and concerns are raised that there appears no set limit on the amount of infill material proposed to be imported. A dome shaped landscape, as a result of excessive infilling is not inappropriate. Concerns are also raised in respect of nearby public footpaths and interaction with the proposed development; as well as additional air pollution from vehicle movements.

Highway Authority – No objection subject to a financial contribution towards the maintenance of Bramble Lane.

Historic England – No objection subject to conditions requiring a stage 1 written scheme of investigation (WSI) for archaeological work to be submitted and approved in writing by the LPA. If heritage assets of archaeological interest are identified by the stage 1 then a stage 2 WSI shall be submitted for such areas.

London Borough of Havering Lead Local Flood Authority – No objection.

National Grid – Due to the presence of National Grid apparatus the contractor should contact National Grid before any works are carried out to ensure that the aforementioned apparatus are not affected.

Natural England – No objection subject to conditions to mitigate the potential adverse effects of the development. In this regard a fauna management plan should be secured by condition.

Thames Chase – The Thames Chase Community Forest covers a 40 square mile area extending from Dagenham in the west to the Mardyke River in the east, and from North Stifford in the south to Brentwood in the north. The Forest was designated by National Government in 1990 with the intention of delivering strategically significant environmental improvements through tree planting, pond, hedgerow and meadow creation with associated links for people and wildlife. The designation followed recognition that the landscape had suffered extensive damage through quarrying, landfilling, previous road building and urban growth. The Thames Chase Community Forest project has since planted 1.3 million trees, increasing woodland cover by 70%, as well as creating or restoring almost 50km of hedgerows and creating or restoring nearly 1000 hectares of non-woodland habitat. Quarry sites make up 20% of Thames Chase – a total of 20 square kilometres.

The delivery of the Thames Chase Community Forest is guided by the Thames Chase Plan 2014. This is the third Plan to have been produced since 1990, with each Plan setting out a decade long window of delivery. Baldwins Farm (2.19) and the adjacent Aveley Forest (3.02) are projects included in the Thames Chase Plan (Area 2 Ingrebourne Valley and Quarry Landscapes). Baldwins Farm is a Priority Project within Area 2. The vision for the Community Forest is simply “by 2030, Thames Chase Community Forest will be recognised as an

inspirational example of landscape regeneration where enhanced, connected woodland and green space has made a clear difference to wildlife and peoples' lives.”

The Thames Plan is closely aligned with the All London Green Grid Framework and the London Plan and as such the Thames Chase Community Forest would want to see due consideration given to the delivery of the following in relation to this Planning Application:

- Tree planting and woodland creation;
- Habitat creation (woodland and non-woodland);
- Community engagement / promotion of volunteering;
- Carbon offsetting;
- Biomass & energy;
- Sustainable transport and access;
- Green Infrastructure and landscape connectivity;
- Air Quality;
- Biodiversity and wildlife; and
- Culture and Heritage

Thames Water – No comments received.

Thurrock Council – No comments received.

UK Power Networks – No comments received.

5.0 Policy Context

- 5.1 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and set out the Government's planning policies for England and how these are expected to be applied. The NPPF highlights that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to state there are three dimensions to sustainable development: economic, social and environmental. The NPPF places a presumption in favour of sustainable development. However, paragraph 11, states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 For decision-taking the Framework states that this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.
- 5.3 In respect of the above, paragraph 215 of the NPPF, which is considered applicable to the London Borough Of Havering LDF, states due weight should

be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). The opinion of the London Borough of Havering is that the LDF is broadly compliant with the NPPF and therefore full weight can be given to policies in the determination of applications, subject to appropriate assessment where conflict does exist.

5.4 Specifically with regard to mineral development, the NPPF at paragraph 142 states that minerals are essential to support sustainable economic growth and our quality of life. At paragraph 144 it is detailed that when determining planning applications, local planning authorities should:

- give great weight to the benefits of the mineral extraction, including to the economy;
- as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage sites, Scheduled Monuments and Conservation Areas;
- 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 and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties;
- not grant planning permission for peat extraction from new or extended sites;
- provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances;
- not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes;
- consider how to meet any demand for small-scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets, taking account of the need to protect designated sites; and
- recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.

5.5 With regard to waste policy and guidance, the NPPF does not contain specific policies, since national waste planning policy will be published as part of the National Waste Management Plan for England (NWMP). The NWMP was adopted in December 2013 and sets out where we are now in terms of waste generation and how we manage such waste. It sets out where we are and the

policies we currently have in place to support the economy, protect our environment and prevent and manage waste streams. In October 2014 the National Planning Policy for Waste was published, replacing Planning Policy Statement 10: Planning for Sustainable Waste Management.

- 5.6 The following policies of the LDF Core Strategy and Development Control Policies Development Plan Document are considered relevant to this development: CP10 (Sustainable Transport), CP12 (Use of Aggregates), CP13 (Minerals Extraction), CP14 (Green Belt), CP15 (Environmental Management), CP16 (Biodiversity and Geodiversity), CP17 (Design), CP18 (Heritage), DC22 (Countryside Recreation), DC32 (The Road Network), DC33 (Car Parking), DC34 (Walking), DC39 (Freight), DC41 (Re-use and Recycling of Aggregates), DC42 (Mineral Extraction), DC43 (Ready Mixed and Processing Plant), DC45 (Appropriate Development In The Green Belt), DC47 (Agriculture), DC48 (Flood Risk), DC51 (Water Supply, Drainage and Quality), DC52 (Air Quality), DC53 (Contaminated Land), DC55 (Noise), DC56 (Light), DC58 (Biodiversity and Geodiversity), DC59 (Biodiversity in New Developments), DC60 (Trees and Woodlands), DC61 (Urban Design), DC67 (Buildings of Heritage Interest), DC70 (Archaeology and Ancient Monuments) and DC72 (Planning Obligations).
- 5.7 In addition to the above, the following policies of the Joint Waste Development Plan for the East London Waste Authority Boroughs are considered relevant: W1 (Sustainable Waste Management), W4 (Disposal of Inert Waste by Landfill) and W5 (General Consideration with regard to Waste Proposals).
- 5.8 The following policies of the London Plan are considered relevant to this development: 1.1 (Delivering The Strategic Vision And Objectives For London), 2.1 (London In Its Global, European and United Kingdom Context), 2.2 (London And The Wider Metropolitan Area), 2.3 (Growth Areas And Co-Ordination Corridors), 2.7 (Outer London: Economy), 2.8 (Outer London: Transport), 4.1 (Developing London's Economy), 5.12 (Flood Risk Management), 5.13 (Sustainable Drainage), 5.14 (Water Quality and Wastewater Infrastructure), 5.15 (Water Use and Supplies), 5.16 (Waste Net Self-Sufficiency), 5.18 (Construction, Excavation and Demolition Waste), 5.20 (Aggregates), 5.21 (Contaminated Land), 6.1 (Strategic Transport Approach), 6.3 (Assessing Effects of Development on Transport Capacity), 6.9 (Cycling), 6.10 (Walking), 6.11 (Smoothing Traffic Flow And Tackling Congestion), 6.12 (Road Network Capacity), 6.13 (Parking), 6.14 (Freight), 7.2 (An Inclusive Environment), 7.3 (Designing Out Crime), 7.4 (Local Character), 7.8 (Heritage Assets and Archaeology), 7.14 (Improving Air Quality), 7.15 (Reducing And Managing Noise, Improving And Enhancing The Acoustic Environment And Promoting Appropriate Soundscapes), 7.16 (Green Belt), 7.19 (Biodiversity And Access To Nature), 7.20 (Geological Conservation), 7.21 (Trees And Woodlands), 7.22 (Land for Food), 8.2 (Planning Obligations) and 8.3 (Community Infrastructure Levy).

6.0 Appraisal

Principle of Development

- 6.1 The London Borough of Havering, as per policy 5.20 of the London Plan is required to maintain a sand and gravel landbank of at least 1.75 million tonnes throughout the plan period (until to 2031). The Council last produced a Local Aggregate Assessment (LAA) in October 2014. The conclusion of this was that the Council's landbank was approximately 2.5 years on the basis of a permitted reserve of 700,000 tonnes. Since October 2014, planning permission has however been granted for mineral extraction at East Hall Farm. This site has a reserve of 1.1 million tonnes and adding this to the existing permitted reserves within Havering it is considered that the landbank is currently around 1.6 million tonnes or 6.4 years (factoring an approximate additional 2 years of working from the 700,000 tonne figure suggested within the LAA).
- 6.2 Detailed below is a table which shows Havering's landbank over the last 5 years together with an indication on how the landbank will reduce over the coming years. The reduction per year has been calculated on the basis of 0.25mtpa usage, as suggested within the London Plan although it is noted that the most recent data available to the Council, as detailed within the latest Annual Monitoring Report, suggests extraction has recently been occurring at a reduced rate.

Year	Required landbank (7 year figure) ²	Permitted landbank ³	Landbank in years
2011*	1.75mt	0.4mt	1.6
2012*	1.75mt	0.4mt	1.7
2013*	1.75mt	0.5mt	2.0
2014	1.75mt	0.7mt	2.8
2015	1.75mt	1.6mt	6.4
2016	1.75mt	1.35mt	5.4
2017	1.75mt	1.1mt	4.4
2018	1.75mt	0.85mt	3.4
2019	1.75mt	0.6mt	2.4
2020	1.75mt	0.35mt	1.4
2021	1.75mt	0.1mt	0.4
2022	1.75mt	Reserves exhausted	0

² Required landbank = the seven year landbank apportionment detailed within the London Plan. On the basis of Havering having an apportioned seven year landbank of 1.75mt, this equates to a requirement of a 0.25mtpa yield. In respect of the above and the calculations, taking 2011 as an example a 0.4mt reserve divided by 0.25 equates to a landbank of 1.6 years.

³ Permitted landbank = the reserve within the Borough to which planning permission has been granted to extract. In respect of the above and the calculations, the landbank (post 2016) has been calculated to reduce at a rate of 0.25mtpa as per that suggested within the London Plan.

**The figures from 2011-2013 are that of London and not just Havering. Until 2014, Havering was not required to produce a Local Aggregate Assessment and therefore provided data to the GLA to produce the Assessment for London as a whole.*

6.3 On the basis of the above it is clear that the current permitted reserve within the Borough is insufficient to support a seven year landbank throughout the plan period. Indeed even if planning permission is granted for extraction at this site and 75,000t added to the landbank at the end of 2016/start of 2017, the landbank in Havering would not be as per that required by the London Plan.

Year	Required landbank (7 year figure)	Landbank with reserve at Cockhide	Landbank in years
Start of 2017	1.75mt	1.425	5.7

6.4 There are no formal sanctions against the Council if the landbank apportionment is not met. Similarly there are no sanctions if the landbank is exceeded. The NPPF requires mineral planning authorities to plan for a steady and adequate supply of aggregates and when determining applications as far as practical, provide for the maintenance of landbanks. Policy CP13 of the LDF details that the Council recognises the strategic need to supply the construction industry with aggregates and will seek to ensure it makes an appropriate contribution towards the apportionment in the London Plan.

6.5 Although planning authorities can allocate or safeguard areas for mineral development, such development is market-led and there is little a mineral planning authority can actually do to ensure a sufficient landbank which is the reason why there is no formal sanction for a deficit. That being said this lack of sanction should not in any way be seen a reason to presume mineral development and the provision of landbanks is not important. The NPPF states that great weight should be given to the benefits of mineral extraction when determining planning applications. Expanding on this, the NPPF at paragraph 142 states that minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, 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.

6.6 The London Borough of Havering, even with the recently permitted reserve at East Hall, does not have a sufficient landbank to comply with the apportionment figure detailed in the London Plan. Whilst the landbank position has improved with the granting of planning permission for East Hall Farm, it is considered that planning policy dictates that the Council (as the mineral planning authority), in the circumstances, should generally supports proposals for mineral bearing development subject to no significant adverse environmental impacts.

6.7 The Council does not have an adopted Minerals Plan and until such a time, when preferred sites for mineral extraction to achieve a seven year sand and

gravel landbank during the plan period are identified, applications for mineral development have to be assessed on their individual merits, as per policy CP13 of the LDF. In terms of the principle of development, it is therefore considered that in providing additional mineral reserve broad policy support exists for the development coming forward as the sand and gravel landbank in Havering is currently below seven years.

Green Belt

- 6.8 The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristic of Green Belts are their openness and their permanence. At paragraph 80 of the NPPF it is detailed that the Green Belt serves five purposes:
- 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.
- 6.9 Paragraph 87 of the NPPF states that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on detailing that when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 6.10 Paragraph 80 of the NPPF identifies certain forms of development which are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:
- mineral extraction;
 - engineering operations;
 - local transport infrastructure that can demonstrate a requirement for a Green Belt location;
 - the re-use of buildings provided that the buildings are of permanent and substantial construction; and
 - development brought forward under a Community Right to Build Order.
- 6.11 In context of the above, it is considered that mineral extraction is not inappropriate development in the Green Belt. Policy DC45 of the LDF states that the Council will promote uses in the Green Belt that have a positive role in fulfilling Green Belt objectives. Mineral extraction is detailed as a potentially appropriate development in the Green Belt subject to compliance with the other relevant policies in the LDF. Of particular note in this regard is policy DC42.

Accepting that mineral extraction is not inappropriate development this suggests that ancillary buildings, structures, plant and/or equipment should be essential to the operation and preserve the open nature of the Green Belt. Materials should be sympathetic to the landscape and impact minimised by appropriate siting and screening where necessary.

- 6.12 As detailed previously in this report, no on-site processing is proposed as part of this application. As part of the development an office; foul drainage tank; and weighbridge would however be installed. The office would be of modular design, 12.1m long by 2.4m wide and 2.7m high. The modular building would be finished in a painted dark green colour. Such development would be installed adjacent to the existing site access road and to the north of the extraction area.
- 6.13 With regard to screening, it is proposed that the office and weighbridge area would be screened by a 2m high earth bund. The bund on the western side, being the other side of the access road. The extraction site, is also proposed to be screened with bunding up to 3m in height. The bunding would run around the eastern, southern and western boundaries of the site. The northern boundary is not proposed to be screened.
- 6.14 From a Green Belt and policy DC42 perspective, it is considered that the development proposed as part of this development is the minimum necessary to facilitate the development. With regard to this and openness the office and weighbridge would not be overly visible from public vantage points and would be removed in their entirety following completion of the development. Accordingly, it is considered the extraction activities and associated buildings and plants are not representative of inappropriate development or likely to undermine the purpose of the Green Belt. As such it is considered that the development complies with relevant Green Belt guidance within the NPPF and policies within the LDF and London Plan.

Landscape and Visual Impact

- 6.15 Mineral extraction by its very nature can be visually intrusive. As existing this is an agricultural field, which has previously been used for grazing, and largely blends into the adjacent landscape setting. The site however appears to have a rather neglected appearance, which is compounded by the condition of the property on-site. The site is considered of neutral value in the landscape setting.
- 6.16 Policy DC61 of the LDF states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Of note in respect of this development, it is detailed that proposals should harness the topographical and ecological character of the site and complement or improve the amenity and character of the area through its appearance, materials used, layout and integration with surrounding land and buildings.

- 6.17 Staff note the existing land levels of this site and that the site slopes down to the south-east. Mindful of this, views across the site are limited from the south although partial views from the east, along footpaths FP1 and FP259, do exist.
- 6.18 The provision of bunds between 2m and 3m high would be visible from nearby areas and accordingly appear as an incongruous landform in the landscape. Given the proposed timeframe for the development it is also considered that it is unlikely that the bunds would be able to be grassed, as by the time such a mix has established the bunds would be being removed. That being said, for a temporary period staff do not consider that the landscape impact would be so significant as to justify a refusal. The bunds whilst incongruous would screen the development and provide noise attenuation. The bunds would also be formed from indigenous top soils and subsoil removed to facilitate the extraction of the underlain sand and gravel. If the top soil and subsoil was not stored or stockpiled on site such material would have to be removed from the site, only to be replaced as part of the restoration. The proposed use of soil bunds, whilst performing a function, also therefore limits the amount of material required to be imported as part of the development. From a restoration perspective such a process also seeks to ensure the existing top soil is kept on-site and re-incorporated as part of the end development.
- 6.19 Mindful of the site topography, it is considered that machinery would be visible from nearby areas, above the screening bunds, and in the case of vehicles when these are travelling down the access road. The extent of views of the actual working area would however reduce as material is extracted and the working shelf reduces below existing ground level. As alluded previously, views of the site are nevertheless relatively limited and although it is accepted that the nature of the site together with amount of on-site activity would increase it is not considered that for a 12 month period that such impacts would be significant and warrant refusal on such grounds.
- 6.20 The site would be restored to existing levels, mirroring the current gradient of the site towards the south-west. The development would not require the removal of any boundary planting and accordingly once complete from a landscape perspective the site would appear as existing, maintaining the current character and appearance of the locality. It is therefore considered that the development complies with policy DC61 of the LDF.
- 6.21 With regard to farmhouse and outbuildings (the built form) at Cockhide Farm, as existing, no works are proposed to this area, as part of this application, with the applicant suggesting that once works pursuant to the mineral extraction have been completed an application seeking to re-develop this farmhouse will be submitted to the Local Planning Authority for consideration. At this stage, the Local Planning Authority is unaware as to the re-development likely to be proposed and therefore can offer no further comment on this other than to say that the restoration for this site would return the landscape setting for this site to that as currently exhibited.

Ecology

- 6.22 Policy CP16 of the LDF states that Council will seek to protect and enhance the Borough's rich biodiversity and geodiversity, in particular priority habitats, species and sites. This is a position supported by policy DC42 and DC58.
- 6.23 The submitted Phase 1 Ecological Assessment suggests that the site comprises habitats that are common and widespread. The site is considered to be of medium ecological value overall with habitats present suitable for use by a range of protected species. It is also noted that the development could give rise to off-site impacts due to hydrological changes. Further Phase 2 Assessments in respect of water voles, reptiles and great crested newts have been submitted with suggested mitigation measures incorporated as part of the development plans to limit potential impact.
- 6.24 Comments received from Friends of the Earth in respect of the commercial nature of the development are accepted however as discussed previously in this report, the Borough has a mineral landbank apportionment which it is currently not delivering. Whilst this need does not override all potential impacts, it does have to be weighed in the balance when impact is likely to be relatively limited or can be suitably mitigated or offset. Contrary to that suggested by Friends of the Earth, mineral extraction is furthermore not inappropriate development in the Green Belt.
- 6.25 Natural England has been consulted on the application and has suggested that the development has the potential to damage or destroy habitat for protected or priority species. To mitigate such impact it is nevertheless suggested that a fauna management plan should be secured by condition. The management plan would detail how activities during construction, operation and restoration will be undertaken to minimise the risk of disturbance to, and provide future habitat for protected and priority species identified within the submitted Phase 1 and 2 Assessments. Subject to a suitably worded condition being imposed should planning permission be granted, together with appropriate restoration conditions discussed later in this report, it is not therefore considered that ecological impacts associated would render the development unacceptable and, in principle, contrary to policy DC58 of the LDF.

Geology, Hydrology and Flood Risk

- 6.26 Policy CP15 of the LDF, in-part, details that new development should reduce and manage fluvial, tidal and surface water and all other forms of flood risk through spatial planning, implementation of emergency and other strategic plans and development control policies; have a sustainable water supply and drainage infrastructure; and avoid an adverse impact on water quality. Expanding on this policy DC48 states that development must be located, designed and laid out to ensure that the risk of death or injury to the public and damage from flooding is minimised whilst not increasing the risk of flooding elsewhere and ensuring that residual risks are safely managed. Policy DC51 goes on detailing that planning permission will only be granted for development which has no adverse impact on water quality, water courses, groundwater,

surface water or drainage systems unless suitable mitigation measures can be secured through conditions attached to the planning permission or a legal agreement.

- 6.27 It has been suggested that the local geology comprises of superficial Lynch Hill Gravels overlying London Clay at a depth of between 2.2m and 4m below ground level. The London Clay is classified as unproductive strata but the Gravel band is representative of a secondary aquifer. Aquifers can be locally important in terms of ground permeability and flow and often provide local abstraction points. Given the site locality and that much of the surrounding area has previously been worked and infilled it is suggested that this development would likely adversely impact upon groundwater flow.
- 6.28 The Environment Agency has raised no objection in principle to the development coming forward. However, given the extent of extraction and infilling which has occurred in this area have suggested that, should planning permission be granted, a condition should be imposed requiring the submission of a scheme prior to commencement of the development that would identify all potential contaminants associated with former uses and a conceptual model indicating sources, pathways and receptors of any such contamination, as existing. The scheme shall detail how such sources and pathways may be affected and in turn the impact of this on receptors with a remediation strategy submitted if required.
- 6.29 Turning to flood risk and drainage, the site is located within Flood Zone 1 at low probability to flooding. The site is proposed to be worked wet and accordingly there would be no excess discharge from dewatering during the course of operations. The site is proposed to be restored to existing levels and agricultural use. Surface water run, post restoration, would be controlled by a perimeter drain which would collect surface run-off from the field and route it to a soakaway (pond) in the south-west corner of the site. An overflow pipe would then connect this to the existing pond on site and control discharge at the pre-development greenfield rate.
- 6.30 With suitable conditions attached to any planning permission granted to ensure the above, it is not considered that flood risk represents a reason to refuse the application. It has been demonstrated that suitable mitigation measures could be implemented and accordingly it is considered that the development complies with policies CP15, DC48 and DC51 of the LDF

Heritage and Archaeology

- 6.31 The site is located on an area of the Lynch Hill/Corbetts Tey terrace gravels, to the north of the River Thames that is known to have a significant prehistoric and Roman landscape. Extensive cropmarks have been identified in the vicinity and investigations have revealed an arrangement of late Bronze Age to early Iron Age settlements and enclosures nearby. However Cockhide Farm appears to have remained as fields or pasture between farms or manorial sites until at least the 16th Century.

6.32 The proposed development would result in total disruption of any archaeological remains if they are present. A geophysical survey has however been undertaken which involved a magnetic survey of the site and this found no clear evidence of anything significant beneath. Historic England, in view of the above results, have raised no objection in principle to the development coming forward subject to appropriate further investigation being undertaken prior to commencement. The development, subject to such a condition being secured, is therefore considered to be compliant with policy DC70 of the LDF.

Highway Impact and Lorry Routeing

6.33 Access to the site is proposed off the Bramble Lane, from the existing albeit currently obstructed access to Cockhide Farm. The access track that runs from here towards the site is proposed to be graded and slightly widened to 3m in width to facilitate safe access and exit. As detailed this application principally involves two stages – the extraction and the restoration (infilling). The estimated vehicle movements associated with the extraction would be 60 per day (30 in and 30 out) and the estimated vehicle movements associated with the restoration is 68 per day (34 in and 34 out).

6.34 As the extraction and restoration would not occur simultaneously, the above movements represent daily maximums. On the basis of an eleven hour working day (07:00am-18:00pm), the development would result in roughly six movements per hour – roughly one movement every 10 minutes. Vehicles would arrive at the site via the A13, Launder's Lane and Warwick Lane. Vehicles leaving the site would follow the same route, with the exception of those leaving the site loaded with mineral which would divert/stop at Rainham Quarry on Launder's Lane to drop off the material for processing.

6.35 In respect of existing use of these roads, Members will be aware of some similar developments which have recently been granted in the locality. Below is a table showing these developments with the other main existing mineral and waste sites in the locality together with an indication on their lifespan.

Site	Development Description	Proposed/Permitted No. of Vehicle Movements	Update / End Date
Rainham Quarry, Launder's Lane (most recent application ref: P1323.11)	Phased extraction of sand and gravel	180 movements a day (90 in and 90 out) was the basis of the Transport Assessment submitted. However, this is not formally controlled by condition.	Permission for extraction expired in 2015. That being said consent exists for continued processing at the site – most recently granted as part of planning application ref:

			P0271.14.
Arnolds Fields, New Road (most recent application ref: P0941.00)	Land raising to facilitate community woodland	None – no planning permission exists for vehicles to access site	Enforcement Notice issued in 2004 on grounds that sufficient material was on-site to facilitate approved restoration. Enforcement Notice upheld but site still has not been restored in accordance with approved details.
Spring Farm, New Road (application ref: P2098.04)	Phased extraction of sand and gravel	70 movements a day (35 in and 35 out) was the basis of the Transport Assessment submitted. However, this is not formally controlled by condition.	Site restoration expected 2017.
Southall Farm, New Road	Phased extraction of sand and gravel	n/a	Restoration complete.
Moor Hall Farm, New Road (parent application ref: P0319.09)	Construction of a 'links' style golf course	400 movements a day (200 in and 200 out) was the basis of the submitted Transport Assessment. However, this is not formally controlled by condition.	The importation of material to complete this project is substantially complete.
Mardyke Farm, Dagenham Road (most recent application ref: P0455.14)	Landscaping and re-contouring	190 movements a day (95 in and 95 out) was the basis of the submitted Transport Assessment. However, this is not formally controlled by condition.	Importation to be completed by 11/04/2017.

The Paddocks, Moor Hall Farm, New Road (application ref: P1578.14)	Re-restoration of site following differential settlement	500 loads per calendar month for a period of 18 months.	Works commenced on-site January 2016.
Little Gerpins 2, Berwick Pond Lane (application ref: P1637.14)	Engineering earthworks to provide managed woodland	200 movements a day (100 in and 100 out) over a two year period – controlled by condition.	Site restoration required by 2018.
Land adjacent to Bramble Farm, Bramble Lane (application refs: P0507.14 + P1578.15)	Landscaping works to landfill and fishing lake	20 movements a day (10 in and 10 out) – controlled by condition.	Site restoration of landfill required by July 2017; and restoration of fishing lake required by September 2017.
East Hall Farm, New Road (application ref: P0271.14)	Phased extraction of sand and gravel	192 movements a day (96 in and 96 out) – controlled by condition. No processing of material is permitted at this site with all extracted material duly transported to Rainham Quarry.	Site restoration required by 2026.
Pinch site + Ahern Compound, Gerpins Lane (application ref: P1601.15 + P1605.15)	Importation and spreading of inert soil materials to provide managed woodland and grassland for amenity afteruse	260 movements a day (130 in and 130 out) – controlled by condition.	Resolution to approve subject to s106. Discussions ongoing in this regard and therefore formal decision yet to be issued and/or development commenced.
Wennington Hall Farm (application ref: P1407.13)	Phased extraction of sand and gravel	270 movements a day (135 in and 135 out) over a nine year period	Application refused but appeal lodged. Informal hearing to held in due course.

- 6.36 Policy DC32 of the LDF details that new development which has an adverse impact on the functioning of the road hierarchy will not be allowed. A Transport Statement has been submitted with the application which concludes that the development would not have a detrimental impact on the highway network, given the limited number of vehicle movements associated. Staff nevertheless note the location of the access, on the bend, and the concerns raised by the public in terms of the existing safety of this junction.
- 6.37 Furthermore, staff note concerns previously expressed as part of other applications of this nature about potential impact on the structural condition of the roads and their suitability for HGV movements. Noting the contents of the above table, it is clear that the A1306, Launders Lane and Warwick Lane support a number of quite vehicle heavy developments. Specifically looking at the end dates of the above developments it is considered at least either Little Gerpins 2 or Pinch together with East Hall Farm would be operational at the same time as this development, should planning permission be granted.
- 6.38 The Highway Authority has assessed the information submitted with the application and undertaken an independent assessment in context of known site conditions and available data. In respect of this, the Highway Authority has raised no objection to the development in terms of safety, trip generation and/or impact on the road network. The applicant as part of the submitted Transport Statement has assessed the suitability of access and through adopting a cautious approach i.e. a two second driver reaction time and a 'g' deceleration rate of 0.25, has suggested a 90m visibility splay would need to be provided at the access junction. Additionally a 90m forward visibility would need to be provided to ensure safe sight stopping distance from vehicles travelling from the north. To facilitate the above visibility, the applicant proposes to trim all overgrown vegetation and remove any vegetation which currently restricts this.
- 6.39 Staff having driven along this road acknowledge local concern about safety and the position vehicles would have to be at to secure the appropriate forward visibility, when turning into the site. Accepting the no objection received from the Highway Authority and that the details submitted suggest the required visibility would be achieved, it is not considered that highway safety could be a reason to specifically refuse the application. To nevertheless ensure an appropriate visibility is achieved, it is considered that a scheme to increase visibility could be secured by way of planning condition.
- 6.40 With regard to mud and debris on the road, suggested condition 26 requires the submission of a detailed scheme to prevent mud being deposited onto the public highway. In the event that planning permission is granted it is likely that measures including the provision of a wheel spinner and wheel wash would be put forward by the applicant in terms of minimising the potential of mud being brought onto the public highway. The use of a water bowser to clean the public highway is also something which may be proposed. It will be noted that the last point of the suggested condition is for a contingency plan in the event of a break-down of any agreed measures or evidence that such measures are failing to prevent mud from being traversed on to the public highway. It is expected that the contingency proposed would be to suspend all vehicle

movements to and from the site until measures are implemented to ensure that mud and debris is no longer deposited from the site. The offending material shall also be cleared from the public highway as soon as practically possible. As this contingency plan would form part of the approved details of the application, should any issues arise the mineral planning authority would be able to pursue enforcement action and issue temporary stop notices should it be considered expedient to do so.

- 6.41 The mineral planning authority has the option to undertake up to eight paid site monitoring visits within a 12 month period to monitor mineral and landfill permissions. A charge of £331 per visit can be imposed on the site owner under Regulation 15 of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 and the visit allows officers to duly check compliance with the planning permission and relevant conditions. Following each inspection, a report would be produced by the officer undertaking the inspection and this shall be forwarded to the site owner and operator identifying any breaches of planning control; issues to be rectified; and a time frame to complete such works before more formal enforcement action may be pursued.
- 6.42 In the event that mud is distributed on the public highway and sufficient evidence exists to demonstrate that the operations from the site are responsible there are a number of enforcement options which would be available to the Council. Initially if the wheel washing measures had not been installed or were not being used, as approved, a Breach of Planning Condition Notice could be issued requiring such measures to either be installed and/or used. Should such measures however have been installed and an issue still remain powers do exist under section 151 of the Highways Act 1980 to serve a Community Protection Notice on the operator. The issuing of such an Order would be under the operator's failure to comply with duties imposed under Section 3 of the Health and Safety at Work etc Act and this would require the operator to cease operations until the problem has satisfactorily been resolved.
- 6.43 The Highway Authority has raised no concerns in respect of mud and debris, subject to appropriate conditions. However, concerns on the impact on the overall surface and structural condition of the highway have been highlighted. In context of the additional HGV traffic a financial contribution towards the maintenance and repair of Bramble Lane is suggested (£12,500), should planning permission be granted. Members may recall that a similar type of contribution has been sought on a number of mineral and waste related applications recently. The Highway Authority in this regard apply a set formula to calculate the amount applicable - the carriageway area affected (length of road x an average carriageway width) x an average cost of re-surfacing (£35 per m²) x the proportion of development against a 10 year average re-surfacing cycle x the % increase in HGV movements against baseline data. In this instance the amount is comparably small given the proposed life of the development is only 12 months.
- 6.44 Overall, it is considered that the vehicle movements associated with this development, when assessed in isolated and collectively with other approved

development in the locality, would not adversely impact on highway safety or efficiency. The Highway Authority have raised no objection to the proposed use of the existing access and therefore subject to the adherence of a lorry routing plan and a financial contribution towards the maintenance of the Bramble Lane secured by legal agreement it is considered that the development complies with policy DC32 of the LDF.

Amenity Impacts

- 6.45 Policy DC61 of the LDF, in addition to that detailed previously in this report, states that planning permission will not be granted where the development has unreasonable adverse effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and with developments. This position is furthermore supported by policy DC42. The nearest residential properties to the site are those to the west on Aveley Road, circa 600m from the area of extraction as the crow flies. The access point to the site from Bramble Lane is however only 140m from entrance to Bramble Farm. Given the distance from nearby residential properties to the actual extraction area it is not considered that the development would likely give rise to excess noise impacts. That being said it is considered that the vehicle movements associated could give rise to additional noise; air quality; and vibration impacts all of which have been expressed in some form as areas of concern in the letters of public representation received. Accordingly an assessment of these factors can be found below:

Noise

- 6.46 The Technical Guidance to the NPPF expands on the minerals policies outlined in the NPPF. At paragraph 20 of the Technical Guidance it is acknowledged that residents living close to mineral workings may be exposed to a number of environmental effects. With regard to noise emissions the NPPF makes it clear that mineral planning authorities should ensure that unavoidable noise emissions are controlled, mitigated or removed at source. At paragraph 30 it is stated that subject to a maximum of 55dB(A)LAeq, 1h (free field), mineral planning authorities should aim to establish a noise limit at noise sensitive properties that does not exceed background level by more than 10dB(A).
- 6.47 The Noise Assessment submitted with the application suggests background noise levels for the properties along Bramble Lane and Aveley Road of 45dB LA90 and 47dB LA90, respectively. Noting that suggested in the NPPF, the maximum 55dB(A)LAeq, 1h (free field) standard would therefore apply in this case.
- 6.48 The Noise Assessment submitted with this application suggests that the maximum working (noise) level of machinery and vehicles, likely to be experienced along Bramble Lane and Aveley Road, would be 38dB(A)LAeq, 1h. As this is below the existing background noise level, it is not considered that the development operations would significantly impact on the residential properties along Bramble Lane or Aveley Road. With regard to noise levels experienced from the Country Park, during the construction phase of the bunds

an exceedance of the 55dB threshold would be likely but once the bund is complete the assessment suggests a working noise level of 51dB, which again in context of that detailed in the NPPF is considered acceptable.

- 6.49 In terms of noise from vehicles on Bramble Lane and Aveley Road, the average background noise (LA90) has been calculated on the assumption of 10 HGV movements per hour, as existing. As discussed in the Highways section of this report, this development would result in approximately six HGV movements per hour and accordingly would increase the frequency of a HGV movement in the locality. Mindful that Bramble Lane and Aveley Road are public roads, and the Local Planning Authority have no control over the number of vehicles which may use these on a daily basis – whilst staff are keen to ensure that there is no significant increase in the noise environment, staff have to be mindful of this position – and it is considered that substantiating a refusal on noise associated with the vehicles when on a public highway would be difficult on appeal.
- 6.50 That being said, where possible, it is considered appropriate for staff to limit any such impacts through conditions. In respect of this, and hours of working, it is noted that the applicant has applied for hours of working commencing at 07:00am. Staff consider this obsessive and likely to exuberate noise impact, as use of the roads is likely to be less in the early hours of the morning. In respect of this, it is noted that the landscaping and remediation works currently occurring at land adjacent to Bramble Farm (application refs: P0507.14 and P1578.15), which also includes the importation of material, are only permitted to occur between 08:30am and 16:30pm for this reason. Whilst this site (Bramble Farm) is located directly adjacent to residential properties, staff consider a restriction which does not allow operations to commence before 08:00am appropriate in this instance (Cockhide), to comply with policy DC55 and the noise aspect of policy DC42 of the LDF.

Air Quality and Dust

- 6.51 Policy DC52 of the LDF details that planning permission will only be granted where new development, both singularly and cumulatively, does not cause significant harm to air quality and does not cause a breach of the targets set in Havering's Air Quality Management Area Action Plan. An air quality assessment has been provided with the application in which it is suggested that indicated air quality impacts were not predicted to be significant at any sensitive location within the vicinity of the site. Subject to a condition imposed ensuring the suggested mitigation measures outlined in the aforementioned Assessment are implemented and maintained it is considered that the development would comply with the stipulations of policy DC52 of the LDF.

Vibration

- 6.52 Staff note that no assessment of likely vibration emanating from the site and/or increased HGV use of Bramble Lane has been provided. Subsidence and vibration has been raised in a number of the public letters of representation and policy DC55, in addition to covering noise, states that planning permission should not be granted if a development would result in exposure to vibration

above acceptable levels, affecting a noise sensitive development. Given the distance of actual extraction from nearby sensitive uses it is not however considered that vibration from the activities would likely result in detrimental impacts.

- 6.53 Whilst concerns about increased HGV use of Bramble Lane is noted, Bramble Lane is an unrestricted public highway and the Local Planning Authority therefore has limited control over the use of it. As discussed in the highway impact section of this report, should planning permission be granted the applicant would be required to make a highway maintenance contribution that would provide the Highway Authority with additional funds to ensure Bramble Lane and other roads utilised are maintained in a suitable condition and of a suitable surface to limit the potential for vibration nuisance.

Restoration & Public Rights of Way

- 6.54 Site restoration would be back to existing levels, achieved through the importation of inert materials. No processing of material is proposed as part of the restoration, with the applicant suggesting all material to be imported would be strictly inert, sourced from the excavation sector of the construction market. With regard to this, once the imported material has brought the surface up to the base of the soil, the indigenous soils stored in the screening bunds would be re-spread. Following this, it is proposed that the site would be returned to an agricultural use.
- 6.55 In respect of mineral development, the NPPF at paragraph 144 suggests the local planning authorities should seek to ensure restoration is undertaken at the earliest opportunity and to high environmental standards. The Technical Guidance to the NPPF details that applicant's as part of reclamation schemes should demonstrate that the site can be reclaimed to an acceptable standard and after use. It is suggested that appropriate conditions should be imposed by the local planning authority to ensure that the restoration and after use is achieved. It is nevertheless detailed within the NPPF and the Technical Guidance that bonds or other financial guarantees to underpin restoration and aftercare conditions should only be sought in exceptional circumstances.
- 6.56 Policy DC42 of the LDF in respect of restoration states that sites should be restored to the highest standard and to a beneficial and acceptable after use in line with Green Belt objectives. Policy W4 of the Joint Waste Development Plan in this regard states that disposal of inert waste by landfill or as part of reclamation should be essential and involve the minimum quantity of waste necessary. The restoration scheme proposed as part of this application would see the site returned to its former levels and an agricultural use. In respect of this, it is therefore considered that the restoration profile has been designed to utilise the minimum amount of inert material, in accordance with policy W4 and not result in a restoration profile incongruous to the existing landscape. A five year aftercare period, to ensure that the site is returned to an equivalent agricultural quality could furthermore be secured by planning condition.

- 6.57 In terms of footpaths, staff note that there are number of public footpaths in the vicinity of the site. Strangely however none of these connect with FP258 simply running southwards from Bramble Lane; FP259 stopping at the access road to Cockhide Farm; and FP264 stopping within Bellhus Country Park. Given the extent of the applicant's land ownership it is considered that this application could be used as an opportunity to improve the connectivity of the footpaths. Such works would however require a Creation Order to be made and staff are mindful that should objections be received to the Order there is no guarantee that the applicant would be able to implement any such works. Accordingly, it is considered appropriate to simply require the applicant to submit a scheme of footpath improvements works for approval with the s106 duly requiring, post acceptance of the scheme, that an application for an Order be made.
- 6.58 The potential improvement to the footpath network is considered an environmental and social benefit to the development. Whilst mineral extraction is not an inappropriate form of development in the Green Belt and very special circumstances to render the development acceptable are not required it is considered that such benefits would help counter the amenity impacts, albeit not deemed significant, caused by the development during operation.

6.0 Conclusion

- 6.1 The London Borough of Havering is required, by the London Plan, to maintain a sand and gravel landbank of 1.75 million tonnes (or 250,000 tonnes per annum). The Council does not currently have a sufficient landbank and it is therefore considered that principle policy support, as per the NPPF, needs to be given to this application in providing additional mineral reserve.
- 6.2 Mineral extraction is appropriate development within the Green Belt and whilst this development would involve a number of temporary buildings and structures to facilitate operations, such development is considered ancillary and it is not considered that for a temporary period (the life of the operations) that these would significantly impact on the openness of the Green Belt.
- 6.3 With regard to restoration, it is proposed to that the site would be restored, via the importation of inert material, back to existing levels and an agricultural use. Staff, mindful of this, consider that the site could be worked in a sustainable manner without significant impact to the local amenity; the environment or highway efficiency. The application has been assessed in context of other approved and planned development in the area and is deemed to comply with National planning guidance and the relevant policies of the development plan subject to the completion of a legal agreement and adherence to the recommended planning conditions.
- 6.5 This conclusion is the opinion of staff based on a balancing exercise of planning considerations. It is accepted that Members may reach a difference conclusion.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks: Legal resources would be required for the completion of the legal agreement. The legal agreement is nevertheless required to mitigate/offset potential harms and impacts associated with the development. Staff are satisfied that the contribution required is compliant with the statutory tests set out in the Community Infrastructure Levy Regulations and NPPF in respect to planning obligations.

Human Resources implications and risks: None

Equalities implications and risks: The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

Application form, plans and associated documents (application reference: P1626.16), validated by the mineral planning authority 13/10/2016.