



REGULATORY SERVICES COMMITTEE

4 December 2014

REPORT

Subject Heading:

P1066.14 – Ingrebourne Hill, Rainham Road

Engineering earthworks to merge Ingrebourne Hill with Hornchurch Country Park using inert soils, including temporary soils treatment and recovery, internal haul road, ancillary buildings, overnight security and structures to provide a managed woodland area with recreational and amenity after use.

Ward:

South Hornchurch

Report Author and contact details:

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Policy context:

**Local Development Framework
London Plan
National Planning Policy**

Financial summary:

None

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

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input checked="" type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This planning application proposes the importation of approximately 650,000 tonnes of material over a 30 month period, and the undertaking of engineering operations to create a new landform connecting Ingrebourne Hill with Hornchurch Country Park. The final landform would be landscaped with trees and other vegetation to provide an area of recreation and nature conservation open to the public.

In summary, the main issues to be considered are:

- The principle of development, in particular, whether the proposal would constitute appropriate development in the Green Belt, and whether the proposal would be in accordance with policies relating to the importation of inert material;
- The visual impact of the proposal;
- Whether the proposal can be operated in a manner that is not significantly harmful to local amenity, or the amenities of neighbouring occupiers;
- Whether the proposed access arrangements and generation of traffic would be significantly harmful to highway safety;
- Whether the proposal would have an acceptable impact in relation to archaeology and a range of environmental considerations, including air quality, flood risk and drainage, ecology, and ground contamination;
- Whether the proposal can be restored to an acceptable standard.

On balance, officers consider the proposal to be acceptable, subject to adherence to planning conditions.

RECOMMENDATIONS

That subject to there being no contrary direction from the Mayor of London, grant planning permission subject to the conditions set out below.

1. Time limit - The development to which this permission relates must be commenced not later than three years from the date of this permission.

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. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

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 the LDF Development Control Policies Development Plan Document Policy DC61

3. Commencement of development - Written notification shall be submitted to the Local Planning Authority at least 7 days in advance of the commencement of development.

Reason:

To ensure that operations take place in an orderly fashion with minimum harm to the amenities of the area and to ensure proper restoration of the site to agriculture.

4. Trees and Hedgerows - No development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority, details of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection during the course of the development. The development shall be undertaken in accordance with the approved details.

Reason:

To ensure that operations take place in an orderly fashion with minimum harm to the amenities of the area and to ensure proper restoration of the site to agriculture.

5. Soil and Overburden Storage – A scheme of soil and overburden storage shall be submitted to and approved in writing by the Local Planning Authority, detailing how:

i) Topsoil, subsoil, and overburden within a phase, and beneath any buildings, plant, and haul roads will be stripped to their full depths prior to extraction works commencing within that phase;

ii) Topsoil, subsoil and overburden will be stored in separate bunds and stockpiles, with adjoining material bunds being separated by intermediary materials;

iii) Materials will be stored like upon like, so that topsoil shall be stripped from beneath subsoil bunds/stockpiles and subsoil from beneath overburden bunds/stockpiles;

iv) The surfaces of all topsoil, subsoil, and overburden bunds and stockpiles will be vegetated prior to the commencement of phased extraction operations.

The development shall be undertaken in accordance with the approved details.

Reason:

In the interests of visual amenity and in accordance with Policy DC61 of the Core Strategy and Development Control Policies DPD.

6. Restoration – No development shall take place until a detailed scheme of restoration, relating to all areas of the application site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the use and depths of soil material; final levels and contours (shown at 1 metre intervals); along with details of all planting, boundary treatment, proposed access arrangements, a restoration programme and timetable, and drainage works. The site's restoration shall be undertaken in accordance with the approved details, including timeframes within which the approved details will be implemented. Written notification to the Local Planning Authority shall be provided within 7 days of the completion of final restoration.

Reason:

To ensure that operations take place in an orderly fashion with minimum harm to the amenities of the area and to ensure proper restoration of the site to agriculture.

7. Aftercare - An aftercare scheme, detailing the steps as may be necessary to bring the restored land within each phase to the required standard for subsequent public recreation and nature conservation use, shall be submitted for the written approval of the Local Planning Authority not later than 12 months following the commencement of development. The approved scheme shall:

a) Provide an overall strategy for a 5 year aftercare period within each phase, including the maintenance and/or replacement where necessary, of any hedging or tree planting that may be damaged, die, or become diseased, along with the maintenance and replacement where necessary, of any field drainage and ditch systems. The submitted overall strategy shall specify the timing of the measures to be undertaken and shall be implemented within 7 days of final restoration.

b) Provide for the submission of annual management reports describing each year's aftercare programme, to be submitted in writing to the Local Planning Authority not less than 1 month before the final restoration within each phase, and then subsequently on an annual basis for the duration of the aftercare period.

Reason:

To ensure that operations take place in an orderly fashion with minimum harm to the amenities of the area and to ensure proper restoration of the site to agriculture.

8. Wheel washing - Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used within the application site at relevant entrances to the site throughout the duration of construction works.

The submission will 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.
- f) A description of any contingency in the event of a break-down of the wheel washing arrangements and should debris be tracked into the public highway.

Reason:

In order to 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 in order that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC32.

9. Operations methodology – 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 adverse impact of the development on the amenity of the public and nearby occupiers. The Operations Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) measures for minimising the impact of noise and, if appropriate, vibration arising from extraction and infilling activities;
- d) predicted noise and, if appropriate, vibration levels for the proposed operations, using methodologies and at points agreed with the local planning authority;
- e) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with Mineral Planning Authority; siting and design of temporary buildings;
- f) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- g) details of the disposal of waste arising from the operational programme, including from any buildings. The burning of waste on the site at any time is specifically precluded.

And 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.

10. Delivery and Servicing Plan - No development shall take place until a delivery and servicing plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how the operator will manage traffic movements to and from the site to ensure that Heavy Goods Vehicle movements are optimised to avoid daily peak hour periods. The approved scheme shall be implemented and retained for the life of the development.

Reason:

In the interests of highway safety and amenity.

11. Highways – The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into and completed prior to the commencement of development.

Reason: In the interests of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies DPD, namely CP10, CP17, and DC61.

12. External lighting - Prior to the commencement of the development a scheme for the lighting of external areas of the development, including the access roads and working areas, shall be submitted to and approved in writing by the Local Planning Authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The installation of any external lighting shall be undertaken in accordance with the approved scheme.

Reason: In the interests of highway safety and amenity. Also in order that the development accords with Policies DC32 and DC61 of the LDF Development Control Policies Development Plan Document.

13. Cycle storage - Prior to the commencement of waste importation works, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and retained until such time as the relevant site area is to be restored.

Reason: In the interests of providing a wide range of facilities for members of staff, in the interests of sustainability and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

14. Dust Management - No development shall take place until a scheme for the prevention, monitoring, and control of dust drift and deposition has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details. Should any dust be observed crossing the site's boundaries, then all infilling and processing operations shall cease until such time as the dust drift has been brought under control.

Reason:

To ensure that minimum harm is caused to the amenities of the area and those of local residents.

15. Archaeology -

No development shall take place until a written groundworks method statement for the scheme has been submitted to and approved in writing by the Local Planning Authority. All groundworks shall be undertaken in accordance with the approved method statement.

Reason:

Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure their preservation prior to development in accordance with recommendations given by the borough and in the NPPF.

16. Restoration - In the event of the cessation of operations for a period exceeding 12 months at any time before the site is fully restored, a reinstatement and low level restoration and aftercare scheme shall be submitted for the written approval of the Local Planning Authority, at the latest, within 2 months of the end of that 12 month period. The scheme shall provide details of final levels, soiling and landscaping, and a proposed timescale for implementation, and shall be implemented within 1 month of the scheme being approved.

Reason:

To ensure that the site is restored in a prompt and acceptable manner.

17. Settlement Pond – No development shall take place until details of the proposed settlement pond(s) have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include information about the proposed location, ground levels, drainage arrangements, boundary treatment, signage, and safety measures. The development shall be undertaken in accordance with the approved details and be retained as such until the final restoration of the site.

Reason:

In the interests of local amenity and in accordance with Policy DC61 of the Development Control Policies DPD.

18. Working Hours - With the exception of water pumping and office-based activities, no activities authorised by this permission shall take place, except between the following times:

0800 - 1800 hours Monday to Friday, and
0800 – 1300 hours on Saturdays

No operations shall take place on Sundays, Bank and public holidays.

Reason:

In the interests of residential amenity and in accordance with the Development Control Policies Development Plan Document Policy DC61.

19. Restoration Materials – None of the existing topsoil, subsoil, or overburden shall be removed from the site.

Reason:

To ensure any soils and overburden stripped from the site are used in the site's restoration, and to reduce the amount of material needing to be imported for the site's restoration.

20. Soil Handling - No topsoil or subsoil shall be stripped, moved or replaced except in dry weather conditions and when the soils are in a correspondingly dry and friable condition. Soil handling and movement shall not take place between November and March in any year. Topsoils shall be not be traversed by vehicles at any time during the course of the development, except for the purposes of stripping or reinstatement. Written notification shall be submitted to the Local Planning Authority at least 7 days in advance of the commencement of soil stripping operations within each working area, and 7 days in advance of the re-instatement of soils as part of the site's restoration.

Reason:

To minimise damage to surface soils during stripping and re-spreading operations thereby helping improve the quality of final restoration of the site.

21. Infill Material - Only inert waste material shall be imported to the site for the purposes of infilling and restoration. With the exception of screening bunds, material shall not be stockpiled more than 4m above ground level.

Reason:

In the interests of local amenity and in accordance with Policy DC61 of the Core Strategy and Development Control Policies DPD.

22. Restoration - Any areas of the site filled to final levels but not available for final restoration shall be temporarily seeded with grass in the first available planting season.

Reason:

To ensure that minimum harm is caused to the amenities of the area and those of local residents.

23. Tonnages – No more than 650,000 tonnes of material shall be imported to, and no more than 162,500 tonnes of the 650,000 tonnes that may be imported shall be exported from, the site in total. No more than 217,000 tonnes of material shall be imported in through, and no more than 54,250 tonnes exported out from, the Rainham Road site entrance per annum, without the prior written approval of the Local Planning Authority. Written records of the vehicle loads and tonnages removed from and imported to the site shall be kept for the duration of the operations on site and made available to the Local Planning Authority on request within seven working days.

Reason:

The development has been assessed on the basis that a given amount of material will be transported to and from the site per annum.

24. Vehicle Movements - Heavy goods vehicle movements into the approved site access shall not exceed 100 movements in and 100 movements out per day for the duration of the development, unless otherwise agreed in writing by the Local Planning Authority. Written records detailing the daily vehicle movements to and from the site over the duration of the development, including the tonnages of material imported and exported, shall be retained at the site at all times, and shall be made available for inspection by the Local Planning Authority. A copy of the aforementioned record shall also be provided to the Local Planning Authority on request within seven working days of request.

Reason:

The development has been assessed on the basis that a given amount of material will be transported to and from the site per annum.

25. Restoration - The importation of material shall cease within 3 years of the commencement of development. The whole of the application site shall be fully restored, in accordance with the approved restoration scheme, within 4 years of the commencement date.

Reason:

In the interests of ensuring the site is restored as soon as possible.

26. Phasing - The development shall be undertaken on a phased basis, as indicated on the submitted plans, commencing in phase 1 and progressing in numerical order. With the exception of phase 1, operations shall not commence in a phase until operations have been completed, and grass seeding has been undertaken, in the previous phase.

Reason:

In the interests of local amenity and in accordance with Policy DC61 of the Development Control Policies DPD.

27. Ecological Management Plan - No development shall take place until an ecological management plan relating to Unit 6 of the Ingrebourne Marshes SSSI has been submitted to and approved in writing by the Local Planning Authority. The submitted information shall consider the impacts of the development on the SSSI and any necessary measures for the protection, maintenance, and enhancement of SSSI notified features, species, and habitats. The development shall be undertaken in accordance with the approved scheme.

Reason:

In the interests of nature conservation and in accordance with Policy DC58 of the Development Control Policies DPD and the Wildlife and Countryside Act 1981 (as amended).

28. Contamination, Hydrology & Water Quality – No development shall take place until a hydrological monitoring and mitigation plan has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include measures in relation to monitoring, mitigation, and reporting in respect of contamination, flora and fauna within the proposed attenuation ponds and watercourse, hydrology, water levels, and water quality within the restored site. The submitted scheme shall include details of the preparation and submission of an annual monitoring report to the Local Planning Authority and Natural England. The development shall be undertaken in accordance with the approved details.

Reason:

To protect groundwater and surface water quality and resources of the Ingrebourne Marshes SSSI. To ensure that the proposed activities do not result in a detrimental impact on groundwater and surface water quality or flows. To ensure compliance with the Water Framework Directive.

29. Noise - Following commencement and during on-site operations, daily measurements of noise from on-site operations shall be taken and recorded, and a monitoring report demonstrating that the site operations meet the design specifications of the submitted report by LF Acoustics (dated June 2014) shall be submitted to and approved in writing by the Local Planning Authority. The monitoring reports shall be submitted to the Local Planning Authority every three months from the date development commences.

Reason:

To minimise the impact of the development on the surrounding area in the interests of amenity.

30. Drainage – No development shall take place until a detailed surface water drainage scheme for the site, based on the submitted flood risk assessment (FRA) (Ingrebourne Hill FRA produced by Hafren Water, dated July 2014 Ref: 1703/FRA-01) has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in surface water run-off to greenfield run-off rates and surface water storage shall be provided through the use of ponds as outlined in the FRA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason:

To prevent the increased risk of flooding, to improve and protect water quality and improve habitat and amenity. To ensure compliance with policy 5.13 Sustainable Drainage and policy DC48 of your (London Borough Havering) Core Strategy.

31. Drainage - The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason:

To protect the ecological value of the Ingrebourne Marshes SSSI. This condition is required to ensure that no suspended solids from the site enter ecosystem of the SSSI through the surface water network as this could cause the deterioration of the SSSI.

32. Contamination - No development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the local planning authority:

1. A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors;
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and detailed risk assessment referred to in (2) shall inform an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall be undertaken in accordance with the approved details, including any required contingency actions.

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 as a landfill between 1977 and 19994. The site is located within close proximity to the Ingrebourne Marshes SSSI which is a protected habitat. This condition is required to ensure that any pollution or contamination is investigated and remediated appropriately to reduce the risk to controlled waters and the Ingrebourne Marshes SSSI.

33. Contamination – A verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority within 3 months of the completion of the approved restoration scheme. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason:

To ensure that any remedial works required to protect controlled waters and the Ingrebourne Marshes SSSI are completed within a reasonable timescale.

34. Contamination - 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. 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 within 3 months.

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 as a landfill between 1977 and 19994. The site is located within close proximity to the Ingrebourne Marshes SSSI which is a protected habitat. This condition is required to ensure that any pollution or contamination is

investigated and remediated appropriately to reduce the risk to controlled waters and the Ingrebourne Marshes SSSI.

35. Contamination - If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason:

To protect controlled waters and the Ingrebourne Marshes SSSI. To ensure that any previously unidentified contamination encountered during development is appropriately remediated.

36. 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, 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.

37. Highways – No development shall take place until a scheme detailing the implementation of a scheme of highway improvements and maintenance has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved scheme.

Reason:

In the interests of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies DPD, namely CP10, CP17, and DC61.

38. Air Quality – No development shall take place until a scheme of air quality monitoring has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved scheme.

Reason:

In the interests of air quality, in accordance with Policy DC52 of the Core Strategy and Development Control Policies DPD.

39. Lorry Routing – No development shall take place until a scheme detailing the implementation of a lorry routing scheme, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the measures to ensure that heavy goods vehicles associated with the proposed development only approach and leave the site via the A1306 (between Dover's Corner and the A13) and that part of Rainham Road located between the site entrance and Dover's Corner. The approved development shall be undertaken in accordance with the approved scheme.

Reason:

In the interests of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies DPD, namely CP10, CP17, and DC61.

INFORMATIVES

1. 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. If new or amended access as required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.
2. The access works will be subject to an agreement made under S278 of the Highways Act 1980 (as amended) and will cover the installation and final removal of the accesses. It is likely that part of the agreement will have a requirement for the ongoing maintenance of the section of East Hall Lane being used to cross between sites.
3. The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of 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 of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.
4. 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. If the developer requires scaffolding, hoarding

or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

5. The development of this site is likely to damage heritage assets of archaeological and historical interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines.
6. Throughout the period of working, restoration and Aftercare, the operator should take all reasonable steps to ensure that drainage from areas adjoining the site is not impaired or rendered less efficient by the permitted operations. The operator shall take all reasonable steps, including the provision of any necessary works, to prevent damage by erosion, silting or flooding and to make proper provision for the disposal of all water entering, arising on or leaving the site during the permitted operations.
7. Any oil, fuel, lubricant, paint or solvent within the site should be stored so as to prevent such material from contaminating topsoil, subsoil, soil forming material, or reaching any watercourse.
8. Throughout the period of working, restoration and aftercare, the operator should have due regard to the need to adhere to the precautions laid out in the leaflet entitled "Preventing the Spread of Plant and Animal Diseases", published by Defra.
9. The importation of 450-500 thousand tonnes of inert waste/solids will require an bespoke Environmental Permit (EPR Permit) under the Environmental Permitting Regulations 2010. This is due to the proximity of the Ingrebourne Marshes SSSI. It should be noted that approval of this planning application does not mean that an EPR permit application will be successful.

The applicant can view more information on how to apply for a EPR permit by visiting the pages on the GOV.UK website at the link below:

<https://www.gov.uk/government/collections/environmental-permit-application-forms-for-a-new-bespoke-permit>

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Improvements required to make the proposal acceptable were negotiated and submitted, in accordance with para 186-187 of the National Planning Policy Framework 2012.

REPORT DETAIL

1. Site Description

- 1.1 The application site comprises approximately 14ha of land, embracing part of Ingrebourne Hill and a flat open field within Hornchurch Country Park.
- 1.2 Ingrebourne Hill represents a largely completed area of land raising intended to restore a former mineral extraction site, which has been open to the public for a number of years. The hill, which covers an area in excess of 52ha, has been the subject of tree planting managed by the Forestry Commission. The application site comprises approximately 4.2ha of Ingrebourne Hill and 9ha of Hornchurch Country Park, where part of the hill's north eastern flank slopes down to meet a gently sloping field. The site also includes an access route, mainly running along the southern edge of Ingrebourne Hill and meeting the public highway at Rainham Road.
- 1.3 The proposed access route runs through an area of open land and part of the Ingrebourne Hill park, at its south western end. The remainder of the site, where the proposed land raising would occur, is located at the eastern end of Ingrebourne Hill and at the south western end of Hornchurch Country Park. The site's south eastern boundary adjoins a woodland located within Hornchurch Country Park; the southern boundary and much of the north western boundaries adjoin Ingrebourne Hill; whilst the remainder of the north western and the north eastern boundaries lie adjacent to Hornchurch Country Park.
- 1.4 Most of the proposed development would take place approximately 90m to the north west of the Ingrebourne Marshes SSSI, although the proposed access route would be located a minimum of 20m away. The nearest residential property to the site is Albyn's Farm, which is located within 10m of the site's north eastern boundary. Albyn's Farm includes two Grade II listed buildings; an existing hedgerow, to be retained, runs between this property and the proposed area of development, running within the site's north eastern boundary. Residential areas are located around 210m to the northwest, 260m to the south, and 270m to the west. The proposed vehicular access onto Rainham Road would be located within approximately 21m of residential properties.
- 1.5 The site is located within the Green Belt, forms part of the Thames Chase Community Forest, and also forms part of a Borough level Site of Nature Conservation Importance.

2. Description of Proposal

- 2.1 The proposed development would involve the importation of approximately 650,000 tonnes of inert material to create a new landform at the site. The

imported material would be composed of construction, demolition, and excavation waste gathered from sites in and around Greater London. The imported material would be deposited in a reception area, located at the southern end of the operational area, and would then be screened into a grade of material that is suitable for use as engineering soils. It is anticipated that up to 30% of the imported material would be unsuitable, and would be transferred back out of the site for use as recycled aggregate in the construction industry. At the applicant's other land restoration sites, the amount of material rejected is typically between 15-20%.

- 2.2 The minimum estimated period for the importation of material is 30 months and it is anticipated, on this basis, that the proposal would give rise to 160 lorry movements per day (80 in and 80 out). It is more cost effective for any rejected material to be removed by lorries that are already delivering to the site and otherwise leaving empty, nevertheless, on the assumption that 25% of the imported material is rejected, the applicant estimates that the development would give rise to a daily average of 200 lorry movements.
- 2.3 Suitable material would be deposited over the existing flank of Ingrebourne Hill and the adjoining field, providing a more gentle connection between the two than currently exists. The proposed landform would rise up from the current ground levels around the edges of the aforementioned field to meet the highest point of Ingrebourne Hill as it exists within the application area. The end result would be an undulating landform, rising from between 8m and 10m AOD at the lowest points, to 20m AOD at the highest points, with the greatest depth of material being approximately 10m where the existing hill and the field meet.
- 2.4 The development would be undertaken in two phases. The topsoils and suitable subsoils would first be stripped and stored within 4m high screening bunds running along the site's north western, north eastern, and south eastern boundaries, and along the northern edge of the proposed treatment area. The bunds, which are intended to store soils and provide visibility and noise screens, would be grass seeded. Existing planting located within phase 1 would be relocated to an adjoining area of Ingrebourne Hill. The stored soils would be used to restore the site. Safety fencing, 2m in height, would be located on the inside of the proposed bunding.
- 2.5 The first phase would commence in the northern area of the site, adjoining the north western and north eastern boundaries, and the northern edge of the proposed treatment area. The proposed works would progress inwards from the site boundaries. Following the completion of phase 1 and erection of a new, 5m high screening bund along its southern edge, work would commence in phase 2. Works would proceed towards the south east, through the remainder of the field and onto Ingrebourne Hill. Material would be laid down in consecutive 1m thick layers. The final part of Phase 2 would involve the incorporation of the treatment area into the new landform.
- 2.6 The finished landform would be landscaped with woodland and grasslands, with a network of footpaths connecting the proposal to the remainder of

Ingrebourne Hill and Hornchurch Country Park. A drainage pond would be located in the site's eastern corner, and would be connected to a network of drainage ditches running along the north western, north eastern, and south eastern site boundaries.

- 2.7 The proposed treatment area would be approximately 1ha in area, and would provide space for the delivery and storage of imported material, along with the siting of mobile plant for material processing and the production of suitable soils, along with recycled aggregate, which would be exported out of the site. The plant would include screening equipment, and occasional use of a crusher, each of which would be around 3.5m in height. The applicant intends to use only one piece of plant at a time to reduce noise impacts, and it is anticipated that the equipment to be employed would be screened by the bunding that would surround the treatment area. The treatment area would be located around 200m from Albyn's Farm, and 300m from the other nearest properties. The mobile plant on-site will comprise hydraulic excavators, dozers, and dump trucks/lorries.
- 2.8 The proposed buildings would include two welfare units measuring 2.4m x 6m in area and 2.7m in height, to be located at the north eastern end of the site, along with a weighbridge office. The weighbridge is already located near to the site entrance and would be retained. Dual wheel washing equipment would be located towards the western end of the access road.

3. Relevant History

- 3.1 The site includes land located within Hornchurch Country Park, which was included in the following planning applications:

P2028.07 - Reclamation and landscaping of damaged areas of Hornchurch Country Park to recreate grassed flightway layout of former RAF Hornchurch, using imported pre-treated inert materials. This application was refused for the following reasons:

"1. The proposed development would, by reason of the height, design and layout of the final landform, create a formation that would cause harm to the visual amenity of the immediate local landscape to the detriment of nearby adjoining neighbouring properties and users of the park. In this respect, the development would be contrary to policies DC18 and DC61 of the Development Control Policies Development Plan Document.

2. The proposal would create undue harm to neighbouring residents and those using the park from associated noise, dust and general disturbance during the construction process involving extensive earth moving works, associated vehicle movements and operational machinery. The development would be contrary to policy CP7 of the Local Development Framework Core Strategy Development Plan Document and policies DC18 and DC53 of the Development Control Policies Development Plan Document.

3. The proposed development would, by virtue of extensive earthworks, result in unacceptable harm and destruction to existing established ecological habitats contrary to policies CP15, CP16 of the Local Development Framework Core Strategy Development Plan Document and policy DC58 of the Development Control Policies Development Plan Document.

4. The proposed development would be unacceptable by creating a landform which will alter the existing surface water flows and increase the risk of flooding to the detriment of nearby residential properties. In this respect, the development would be contrary to policy CP15 of the Local Development Framework Core Strategy Development Plan Document and policy DC49 and DC52 of the Development Control Policies Development Plan Document.”

The site also includes land forming part of Ingrebourne Hill, which was the subject of the following planning decision:

P1375.07 - Installation of additional public recreation infrastructure including car park, paths and play areas – Approved.

P1442.94 - Reclamation of damaged land and construction of a lake by excavation and importation of suitable materials to restore to the Ingrebourne Valley Country Park – Approved.

4. Consultations/Representations

4.1 The applicant undertook a public consultation exercise prior to the submission of the application; this involved a public exhibition, notifications of which were advertised in the local press and sent to ward councillors and the area’s MP, along with the publication and distribution of a leaflet sent to residents.

The application has been advertised by the Council by means of site notices and a press advertisement. Neighbour notification letters have been sent to 800 local addresses.

48 letters of objection have been received. The following comments have been made:

- The proposal would be detrimental to local air quality;
- The proposal would result in dust-drift;
- The proposal would cause a noise nuisance;
- The proposed access arrangements would be inadequate;
- The proposal would diminish highway safety and cause congestion;
- There are already landfill operations in the local area;
- The proposal would be harmful to the Green Belt and local character;
- The proposal would be harmful to wildlife and ecosystems;
- Damage to soils;
- The financial viability of the application company should be investigated;

- The proposal does not take account of existing development in the local area;
- The proposal could result in contamination;
- Inadequate information in relation to the site's ecology and ecological impact;
- The site should be left in its current condition for use by the public.
- The proposal is a money-making scheme;
- The proposal would exacerbate flooding issues at the site;
- Unexploded ordnance at the site could result in a hazard;
- The proposed drainage arrangements are inadequate;
- The loss of a public open space.

Comments have also been received from the following consultees:

Environment Agency – No objections; conditions recommended;

Natural England – No objections; conditions recommended.

English Heritage - No objections; conditions recommended.

Greater London Authority - No objections subject to very special circumstances being demonstrated in relation to inappropriate Green Belt development; the submission of an air quality assessment; and the use of conditions in relation to waste management, transport, and ecology.

Transport for London - No objections; conditions recommended.

Highway Authority - No objections; conditions/obligations recommended.

Environmental Health – No objections; conditions/obligations recommended.

Thames Water - No objections.

Essex and Suffolk Water – No objections.

Essex Wildlife Trust – No objections.

5. Relevant Policies

5.1 National Planning Policy

National Planning Policy Framework (“the NPPF”)

5.2 Regional Planning Policy

Following its adoption the London Plan July 2011 is the strategic plan for London and the following policies are considered to be relevant: 5.13 (sustainable drainage), 5.18 (construction, excavation, and demolition waste), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13

(parking), 6.14 (freight), 7.3 (designing out crime), 7.4 (local character), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.16 (green belt), 7.19 (biodiversity and access to nature), and 8.2 (planning obligations).

5.3 Joint Waste Plan for East London (“the Waste DPD”)

Policies W4 (Disposal of inert waste by landfilling) and W5 (General considerations with regard to waste proposals.)

5.4 Local Planning Policy

Policies CP13, CP15, CP16, DC22, DC32, DC33, DC34, DC36, DC40, DC42, DC43, DC45, DC48, DC49, DC52, DC53, DC55, DC58, DC60, DC61, DC70, and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document (“the LDF”) are material considerations.

In addition, the Landscaping SPD, Sustainable Design and Construction SPD, and the Planning Obligations SPD are also material considerations in this case.

6. **Staff Comments**

- 6.1 The application is supported by an Environmental Impact Assessment, which has involved a number of detailed surveys and analysis of the proposal’s likely impacts, to support a consideration of the proposal’s acceptability in relation to planning policy and any other material planning considerations. A detailed consideration of the proposal’s impact on the highway network, neighbouring occupiers, visual amenity, archaeology, ecology, hydrology, ground conditions, and air quality amongst other things.
- 6.2 The main issues to be considered in the determination of this application are considered to be the principle of development, the impacts on visual and residential amenity, impact on the openness of the Green Belt, access arrangements, archaeology, air quality, flood risk, ground and surface waters, ecology, and other considerations.

7. **Assessment**

7.1 Principle of Development

- 7.1.1 The submitted information states that the proposal would, in part, support the improved restoration of a former mineral extraction site, and the planting of a community woodland. Policy CP13 states that mineral workings should be restored to the highest standards using progressive restoration techniques, and should secure an acceptable after use in line with Green Belt objectives. The proposal would involve the progressive restoration of the site, with the final after use being a public open space and woodland. The final use would therefore be a continuation of the site’s existing use.

Officers are satisfied that a high standard of site restoration can be achieved. In addition to the indicative information contained in the application, it is recommended that a condition be imposed requiring the approval of a detailed restoration and after care scheme.

- 7.1.2 Policy W4 of the Waste DPD states that planning permission for waste disposal by landfilling will only be granted provided the waste to be disposed of cannot practicably and reasonably be reused. The policy also states that the proposal should be both essential to, and involve the minimum quantity of waste necessary for, restoring current or former mineral workings sites and facilitating a substantial improvement in the quality of land. The proposed fill material will need to be approved separately by the Environment Agency, however, the intention is to use inert fill material – primarily construction, demolition, and excavation waste derived from building projects. The proposal would involve the recycling of material suitable for use as a recycled aggregate, and which would not be suitable for the proposed development. The remaining soil material is not likely to have any significant use value or ability to be recycled further, and its use as fill material is therefore considered to be suitable.
- 7.1.3 The submitted information states that the proposed operations are intended, in part, to improve the restoration a former mineral working site. The amount of material to be deposited and the resulting land levels are in excess of the minimum amount required to restore a mineral working. However, a further objective of the proposal is to improve the relationship between Ingrebourne Hill and Hornchurch Country Park. To the extent that the proposal would effectively address the significant ground-level differences between these two areas of land, in a manner that would avoid an obviously uniform and artificial appearance, it is considered, on balance, that the proposal would employ the minimum amount of material required to achieve the land improvement objectives. In terms of the principal of development, the proposal is considered to be in accordance with Policy W4 of the Waste DPD.
- 7.1.4 Policy DC45 of the LDF states that planning permission will only be granted for development in the Green Belt that is for given purposes providing other policies in the LDF are complied with. Policy DC45 has been superseded by guidance contained in the NPPF.
- 7.1.5 National planning guidance is also a material consideration in the determination of planning applications. The preliminary assessment when considering proposals for development in the Green Belt is as follows:-
- a) It must be determined whether or not the development is inappropriate development in the Green Belt. The NPPF and the LDF set out the categories of development not deemed to be inappropriate.
 - b) If the development is considered not to be inappropriate, the application should be determined on its own merits.

c) If the development is inappropriate, the presumption against inappropriate development in the Green Belt applies, except in very special circumstances.

7.1.6 In terms of Green Belt policy, the proposed development would include building and engineering operations, along with a material change of use involving the creation of a temporary material processing area.

7.1.7 Paragraph 89 of the NPPF states that building operations constitute inappropriate development in the Green Belt, except in given circumstances. The proposal would result in the installation of temporary buildings, to contain offices and staff facilities. Wheel washing and weighbridge installations are also proposed. These buildings are not included in the NPPF's definition of appropriate building operations, and are therefore considered to constitute inappropriate development in the Green Belt.

7.1.8 Paragraph 90 of the NPPF states that "certain other forms of development", that are separate from building operations, may constitute appropriate development in the Green Belt providing they preserve the openness of and do not conflict with the purposes of including land in the Green Belt. These include engineering operations. The proposed engineering operations would, first and foremost, result in a permanent new landform of substantial scale. The proposal would also include the formation of temporary screening bunds, which would also serve the purpose of storing soils, along with the laying out of operational areas, such as the treatment area.

7.1.9 Whilst temporary in nature, it is considered that the proposed bunds would amount to noticeable additions to the open character of the landscape, in terms of their height, form, and bulk. The buildings and treatment area, which would include the presence of stockpiled material, heavy goods vehicles and other equipment, would result in a significant increase in the intensity of the site's use, which it is considered would reduce openness. In terms of the proposed landform: it is considered that the proposal would be capable of blending in effectively with the existing hill and country park, and would, on completion, provide an area of openness and a use that is suitable in the Green Belt. Nevertheless, in terms of the site's existing form and appearance, it is difficult to avoid the conclusion that the proposal, with its sheer scale, would not diminish the existing openness of the Green Belt, particularly during the 3 year period of construction. Given the impact on the openness of the Green Belt, the proposed engineering operations and associated development are considered to constitute inappropriate development.

7.1.10 The proposed treatment area would involve a material change of use of the land. Although the treatment area could be considered as ancillary to the land raising activities, given that the material deposited must be of a suitable grade and standard, it could also be argued that the engineering material could be processed elsewhere, at non Green Belt sites. The NPPF is silent in relation to material changes of use, and this aspect of the proposal is therefore considered to be inappropriate development.

7.1.11 As the proposal is considered to constitute inappropriate development in the Green Belt, it is incumbent upon the applicant to demonstrate that there are very special circumstances that outweigh the harm by reason of inappropriateness and any other harm. This matter will be addressed later in this report.

7.2 Visual Impact

7.2.1 Policy DC61 of the LDF states that development proposals should not result in significant harm to the visual amenity. Policy W4 of the Waste DPD states that proposals for landfilling should incorporate finished levels that are compatible with the surrounding landscape, and that the levels are the minimum required to restore the land to the agreed after use.

7.2.2 It has already been concluded that aspects of the proposal would be detrimental to the openness of the Green Belt. That the proposal would be harmful to the openness of the Green Belt is considered to be an indication that it may be harmful to the visual amenities and landscape character of the area. However, the impact on openness is only one factor involved in the consideration of visual impact.

7.2.3 When viewed from within the site, or from the air, the proposal would result in significant permanent changes to the appearance of the landscape. Nevertheless, following the site's restoration, it is considered that the proposal would blend in with its open, landscaped surroundings and would be an improvement upon the existing situation, where Ingrebourne Hill meets Hornchurch Country Park in an abrupt and artificial manner. Moreover, the existing area of the country park included within the site area forms an area of grassland that is considered to be of limited landscape character and interest.

7.2.4 During the construction phase of the development, it is considered that the proposal would have a detrimental impact on the character of the site. Particularly in terms of the proposed treatment area, bunding, buildings, and general construction activity. However, these aspects of the development would be of a temporary nature, and with appropriate mitigation measures, restoration, and aftercare, need not result in significant visual harm when considered at ground level and from beyond the site boundaries.

7.2.5 The proposal would involve the use of 4-5m high screening bunds around the perimeter of the working areas. Moreover, much of the site would be screened by the surrounding landscape and proposal. Ingrebourne Hill would screen much of the proposal to the west and north, and vegetation to the north, east, and south would serve to limit the impact of the proposal.

7.2.6 The proposed locations of above-ground buildings and structures, including a buildings, plant, and wheel washing equipment, are such that, when their scale and surrounding screening works are considered, they would not be significantly visible from beyond the site's boundaries and would, in any

case, appear as very small additions in relation to the overall scale of the site under consideration. The proposed screening bunds and stockpiles would amount to noticeable visible additions within the local landscape, however, the use of grass seeding, to be secured by condition would enable them to blend in reasonably well within what is a generally green landscape.

7.2.7 Except to the extent that the development as a whole would be detrimental to the openness of the Green Belt, which is a form of visual harm, it is considered that the various mitigation measures and the nature of the proposal would limit harm to the visual amenities and character of the surrounding landscape, when considered from beyond the site's boundaries.

7.2.8 The proposed restoration scheme would result in the restoration of the site to a landscaped area of public open space. The proposed screening, stockpiles, buildings, and structures would be removed, and an aftercare scheme would ensure that the site is properly restored to public open space and that the proposed planting schemes are successful. The proposed indicative restoration and aftercare schemes are considered to be sufficient to enable the site to be properly restored to an appropriate after-use, following the completion of infilling works. Moreover, the development would take place in phases meaning that the parts of the site subject to construction activity at any one time would be limited.

7.2.9 Conditions have been recommended that would require the submission and approval of detailed restoration and aftercare schemes; the completion of the development within a given time period to ensure that the site is restored as soon as possible; the grass-seeding of screening bunds; and the prevention of stockpiling above a certain level.

7.2.10 The proposal, by its very nature, would result in significant changes to the appearance of the site itself, and it is already acknowledged that the proposal would result in significant harm in terms of its impact on the openness of the Green Belt during the period of operations. Despite the temporary nature of the proposed development, the proposed mitigation measures, restoration and aftercare schemes, and recommended conditions; it is considered that the proposal, by reason of its harm to the openness of the Green Belt, would have a harmful visual impact in what is otherwise a relatively open landscape.

7.3 Residential and Local Amenity

7.3.1 Policy DC61 of the LDF states that development proposals should not result in significant adverse impacts on local or residential amenity. Policy W5 of the Waste DPD states that planning permission for waste related development will only be granted where it can be demonstrated that there would not be significant harm to people.

7.3.2 The proposed construction works would be located within approximately 40m of Albyn's Farm, and 53m of the dwellings within that property, taking account of the access lane, hedgerow, proposed watercourse, and bunding

that would be located between the two. The proposed operational area is located hundreds of metres away from the nearest residential properties. The proposed treatment area is located around 200m away from the nearest residential property.

- 7.3.3 The Council's Environmental Health officers have been consulted about the proposal, with no objections being received in relation to noise impacts subject to the use of conditions requiring the approval of a noise monitoring scheme, and adherence to limited operating hours.
- 7.3.4 The proposed development would be undertaken on a phased basis, which would limit its impacts to given areas of the site at given points in time. The proposed working areas would be screened by 4-5m high bunds, which would also act as noise baffles. Subject to conditions limiting the working times of the proposed development and adherence to the noise controls outlined in the submission, and given the separation distances between noise-sensitive properties in third party ownership, and the proposed use of mitigation measures, it is considered that the proposal would not result in significant noise impacts. It is also considered that the proposal would not result in significant nuisance in relation to overlooking, loss of light, or loss of outlook.
- 7.3.5 Operations involving the deposition, processing, and storage of soils have the potential to give rise to significant problems in relation to dust-drift, particularly during dry weather conditions. However, this problem can be adequately controlled through the use of appropriate measures, such as the planting of vegetation on storage mounds and bunds; along with the use of wheel washing equipment, bowsers, and sprinklers to keep exposed areas damp. A number of conditions are recommended, which it is considered would adequately control this potential problem.
- 7.3.6 Conditions are recommended that would require the approval of details for the control of noise and external lighting; limit the operating hours of the development; control dust drift from the site; and require that the development proceed on a phased basis. Subject to the use of these conditions, it is considered that the proposal, in terms of its impacts on residential amenity, would not result in significant harm to the amenities of neighbouring occupiers. In this regard, the proposal is considered to be in accordance with Policy DC61 of the LDF and Policy W5 of the Waste DPD.

7.4 Access Arrangements

- 7.4.1 Policy DC32 states that development will only be permitted that would not result in adverse impacts on the functioning of the road network.
- 7.4.2 The submitted information states that the proposal, when the importation of waste and potential export of rejected aggregate material have been considered, would result in a daily average of 200 vehicle movements (100 vehicles in, and 100 vehicles out.) The proposal would employ an existing access onto Rainham Road and internal haulage road for the delivery of

material to the proposed treatment area. The applicant considers that the use of a dual vehicle washing system in combination with the long internal haulage road, would prevent the tracking of material into the public highway.

7.4.3 The Council's Highways officers have been consulted about this proposal and have commented that the traffic generated by the development would increase the overall traffic flow by around 1% on Rainham Road. However, in terms of the HGV movements, the increase would be around 17.5%. The conclusion reached is that the proposal would not result in significant harm providing conditions are employed, which can be imposed should planning permission be granted.

7.4.4 The Council's Highways officers have requested a condition requiring the approval of measures to prevent the deposition of material into the highway. Further conditions would require the approval of proposed works to the highway, a construction method statement, along with a delivery and servicing plan. Conditions are also recommended that would limit the number of vehicle movements per day, and limit the period of material importation to 3 years. In order to make the access suitable for use by articulated vehicles, modifications will be required prior to development commencing, and this can be achieved through the use of a condition. Following the completion of development, Highways officers argue that the access junction should be returned back to a standard suitable for lighter vehicles, pedestrian, and cyclist use. The applicant has agreed to pay the sum of £15,000 to enable the Highway Authority to achieve its desired layout. A further sum of £2,879.19 towards the cost of highway maintenance has also been requested. Both sums would be secured through the use of conditions requiring the approval of schemes of highways improvements and maintenance.

7.4.5 The proposed lorry routing scheme would require that HGVs only approach the site and leave via Rainham Road (between the site entrance and Dover's Corner) and the A1306 (between Dover's Corner and the A13.) This is intended to ensure that HGVs do not travel through residential areas and only make use of roads with sufficient capacity to accommodate them. Highways officers are satisfied that, subject to the aforementioned conditions, including amendments to the site entrance, that the proposed roadways and junctions would have sufficient capacity to accommodate the anticipated traffic.

7.4.6 Subject to the aforementioned conditions, it is considered that the proposal would not result in any significant adverse impacts on highway safety and amenity. In this regard, the proposal is considered to be in accordance with Policies DC32 and DC42 of the LDF.

7.5 Archaeology

7.5.1 Policy DC70 of the LDF states that planning permission will only be granted where satisfactory provision is made for preservation and recording of archaeological remains in situ or through excavation.

7.5.2 English Heritage has been consulted about the proposal. No objections have been raised subject to the use of a condition requiring the approval of a groundworks method statement. Subject to the use of this condition, the proposal, in terms of its impact on archaeology, is considered to be in accordance with Policy DC70 of the LDF.

7.6 Air Quality

7.6.1 Policy W5 of the Joint Waste DPD states that planning permission for waste proposals will only be granted where there would be no significant adverse impacts on air quality.

7.6.2 The Council's Environmental Health officers have been consulted about the proposal following the submission of an air quality assessment. No objections have been raised, subject to the use of a condition requiring the approval of a scheme of air quality monitoring. Subject to this scheme being secured by means of a legal agreement, the proposal is considered to be in accordance with Policy W4 of the Joint Waste DPD.

7.7 Flood Risk, Drainage, and Contamination

7.7.1 Policy W5 of the Joint Waste DPD states that planning permission for waste proposals will only be granted where there would be no adverse impacts in relation to flooding, hydrogeology, and drainage arrangements.

7.7.2 The Council's Environmental Health officers have been consulted about the proposal with no objections being raised subject to the use of a condition relating to ground contamination, which should be imposed if planning permission is to be granted.

7.7.3 The Environment Agency has been consulted about the proposal with no objections being raised. Conditions have been recommended, which are intended to detail the monitoring, control, and mitigation measures relating to the drainage regime in and around the site; the prevention of surface water penetration except with the approval of the LPA; and the submission of information relating to the prevention of contamination. These conditions have been included in the recommendation section of this report.

7.7.4 Subject to the use of the aforementioned conditions, it is considered that the proposal would have an acceptable impact in relation to flood risk and drainage arrangements.

7.8 Ecology

7.8.1 Policy DC58 of the LDF states that the biodiversity and geodiversity of SNCIs will be protected and enhanced.

7.8.2 The site is located in close proximity to the Ingrebourne Marshes SSSI and includes a Borough level Site of Nature Conservation Importance. The

application is accompanied by ecological surveys, which consider the impacts the proposal is likely to have on different species and sites of ecological value.

7.8.3 The Environment Agency, Natural England, and Essex Wildlife Trust have considered the proposal and are satisfied that it could be undertaken without significant harm arising in relation to the SSSI, and nature conservation interests. The recommended conditions have been included in the recommendation section of this report.

7.8.4 It is considered that the site's restoration, which would involve a substantial amount of tree planting and the establishment of grassland areas, along with a SSSI management scheme to be approved by Natural England, would result in significant ecological enhancements compared to the existing situation.

7.9 Other Considerations

Restoration

7.9.1 Policy W4 of the Joint Waste DPD states that planning permission for landfilling operations will only be granted where site workings would be restored to high standards, enhancing overall environmental quality, nature and geological conservation and public accessibility. Officers are satisfied that the proposed development can be restored to an acceptable standard and that the proposed after-use would be appropriate in the Green Belt. Given the proposed improvement in the relationship between Ingrebourne Hill and Hornchurch Country Park, the proposed landscaping works, and network of public rights of way, it is considered that the restoration of the site would result in visual, ecological, and public benefits compared to the existing situation. Conditions have been imposed requiring the approval of detailed restoration and aftercare schemes to ensure the site is properly restored to an appropriate standard.

7.9.2 Policy DC22 states that within the Thames Chase Community Forest, that opportunities will be sought to increase the recreational, landscape, and biodiversity quality of land, along with public accessibility, supporting other strategies such as the London Green-Grid. As discussed in the previous paragraph, it is considered that the proposal would help to achieve these objectives. The proposal would help to enhance linkages between Ingrebourne Hill and Hornchurch Country Park, integrating the two into a wider network of green spaces.

7.9.3 A range of conditions have been recommended, which are intended to prevent any loss or damage to the site's existing sub and topsoils, which should be imposed if planning permission is to be granted.

Representations

7.9.4 The assessment contained in this report has been undertaken having regard to the representations received from consultees, including the general public. Those comments, which were detailed earlier in this report, except where they did not relate to material planning matters, were considered in the relevant sections of the assessment.

Very Special Circumstances

7.9.5 The applicant has submitted a statement of very special circumstances to address the possibility that the development would constitute inappropriate development in the Green Belt. The very special circumstances cited are as follows:

“

- *the engineering operations are necessary to replace the incongruous steep northern slope of Ingrebourne Hill. The completed landform has been carefully designed to produce a more sympathetic, softer and undulating slope feathering out and merging into the lower lying ground of Hornchurch Country Park that, together with managed woodland planting, will blend in with the surrounding countryside;*
- *the engineering operations needed to achieve the proposed landform and remediate damaged land will be proportionate, use the least amount of material necessary and make use of soil materials which would replace other materials that would otherwise be used, consistent with NPPF para.143 bullet 8 and NPPW Appendix A;*
- *the remediation of damaged land is strongly promoted through local strategies such as the All London Green Grid (Supplementary Planning Guidance within the London Plan) and the Thames Chase Plan and is fundamental to maintaining openness consistent with the LP policy 2.18;*
- *the completion of the site to a high standard will secure a permanent and viable future for the land with wider environmental benefits in terms of upgrading the local landscape and providing greater public access, outdoor recreation, public amenity and biodiversity in accordance with an approved Community Forest plan, consistent with NPPF para. 92;*
- *the completed landform will create opportunities for the increased usability of the land for recreation and provide the ideal setting for walking as a healthy and safe leisure pursuit within a high quality pedestrian friendly environment, consistent with NPPF paras. 81 and 89;*
- *the completed site will deliver an enhanced 'missing link' in the All London Green Grid Programme vital to creating a continuous network of pathways and woodland areas, consistent with the LP policy 2.18;*
- *the completed site will meet, locally, the aspirations of the Council and in the wider context will fulfil those of the All London Green Grid project, the*

Green Arc initiative which promotes the positive management and use of the urban fringe to provide a good quality environment for people, provide additional access to the countryside, encourage outdoor recreation and provide opportunities for additional areas of nature conservation interest and wildlife, consistent with NPPF para. 73;

- *the completed site will provide considerable opportunities for increasing the biodiversity of the locality, consistent with NPPF para.118;*
- *the completion of the project, on schedule, can only be achieved by the re-use of treated soils, manufactured to produce suitable soil forming materials engineered to enable the site to be restored to a beneficial woodland and public amenity after-use;*
- *the re-use of excavation materials is recognised as being sustainable and beneficial to land reclamation (LP policy 5.18 and para. 5.88) as these soil materials will replace other materials that could have been used, thereby, conserving natural resources;*
- *the proposed earthworks depend on the soils being fit for purpose and so the ability to treat soils is critical to the engineering operations. Therefore, a soil treatment facility is essential to remove the oversized hard materials in order to meet the stringent specification within Best Practice Guidance Note 5 published by the Forestry Commission for planting onto 'brownfield, landfill or otherwise disturbed sites';*
- *the temporary soils treatment facility is a necessary and complementary part of the project but will only ever be ancillary and used exclusively for the project;*
- *the limited amount of plant needed for soil treatment will comprise a mobile dry screener on sledges, loading shovels, excavator and occasionally a crusher to produce granular material for site roads, drainage and pathway surfacing when the site is restored. No fixed plant is required and all buildings and plant are temporary and will be removed on completion of the project;*
- *the removal of oversized solid materials, produced as a by-product of the soil treatment process but no longer required on site, could be beneficially re-used by the construction industry. This would, indirectly, help to reduce the demand for land-won aggregates and contribute to recycling targets for non-hazardous construction and demolition waste and would be highly sustainable according with both the NPPW and the Waste Hierarchy, LP policy 5.20, Local Development Core Strategy (policy CP11) and recycling targets set by the Waste Framework Directive.”*

7.9.6 It was concluded earlier on in this report that the proposal would be detrimental to the openness of the Green Belt and that this would result in a degree of visual harm within the wider landscape. It was also concluded that

the proposed material treatment area would constitute inappropriate development in the Green Belt.

7.9.7 It is considered that the visual harm of the proposal would be limited and that the proposed mitigation measures and conditions would significantly reduce any visual harm over and above the impact on openness. The proposed treatment area and other operations would be well screened, and the treatment area itself has been significantly reduced in area since the application was submitted, with a view to minimizing its impact and providing the minimum amount of capacity required to create suitable engineering material on-site. Following the completion of the proposed development, it is considered that the proposal would meet a number of policy objectives, delivering significant landscape, biodiversity, access, and public health benefits, meeting strategic objectives for the creation of a green network of connected public open spaces. Whilst the proposal would result in a degree of harm during its construction, this would be for a limited period and could be sufficiently controlled by conditions. The proposed recycling of material during the construction phase and the resultant production of aggregate would help to reduce the demand for primary aggregate resources. To the extent that the harm to the openness of the Green Belt would also be harmful to the visual amenities of the site and surrounding area, it is considered that there are material considerations that outweigh this.

7.9.8 Officers conclude that, in this case, there are very special circumstances that outweigh the identified harm to the Green Belt and any visual harm.

8. Conclusion

8.1 The proposed development has been assessed in relation to the following matters:

- The principle of development, in particular, whether the proposal would constitute appropriate development in the Green Belt, and whether the proposal would be in accordance with policies relating to the disposal of inert waste by landfilling;
- The visual impact of the proposal;
- Whether the proposal can be operated in a manner that is not significantly harmful to local amenity, or the amenities of neighbouring occupiers;
- Whether the proposed access arrangements and generation of traffic would be significantly harmful to highway safety;
- Whether the proposal would have an acceptable impact in relation to archaeology and a range of environmental considerations, including air quality, flood risk and drainage, ecology, and ground contamination;

- Whether the proposal can be restored to an acceptable standard;
 - Whether very special circumstances exist that clearly outweigh the harm, by reason of inappropriateness and any other harm.
- 8.2 On balance, officers conclude that there are very special circumstances in this case, which outweigh the harm to the openness of the Green Belt, and any associated visual harm, in particular the improvements to recreation, open space and nature conservation compared to the existing situation. In all other respects, the proposal is considered to be acceptable. However, this is a balancing exercise, and Members may reach a different conclusion.
- 8.3 Officers consider the proposal to be acceptable having had regard to Policies CP13, CP15, CP16, DC22, DC32, DC33, DC34, DC36, DC40, DC42, DC43, DC45, DC48, DC49, DC50, DC52, DC53, DC55, DC58, DC60, DC61, DC70 and DC72 of the LDF and all other material considerations. It is recommended that planning permission be granted subject to the recommended planning conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

Legal resources will be required to draft an settle related agreements under the Highways Act 1980. Planning decisions which relate to Council owned land must be made in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, independent of the Council's ownership.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types, thus contributing to the provision of mixed and balanced communities.

BACKGROUND PAPERS

Environmental Impact Assessment in support of planning application P1066.14.