

Notice of Meeting



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Eastern Area Planning Committee Wednesday, 17th January 2018 at 6.30pm

At the Calcot Centre, Highview (off Royal Avenue), Calcot

Members Interests

Note: If you consider you may have an interest in any Planning Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Tuesday, 9 January 2018

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

Note: The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded.

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Calcot Centre between 5.30pm and 6.30pm on the day of the meeting.

No new information may be produced to Committee on the night (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they must provide such material to planning officers at least 5 clear working days before the meeting (in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact the Planning Team on (01635) 519148

Email: planapps@westberks.gov.uk

Further information, Planning Applications and Minutes are also available on the Council's website at www.westberks.gov.uk

Any queries relating to the Committee should be directed to Jessica Bailiss on (01635) 503124
Email: jessica.bailiss@westberks.gov.uk



Agenda - Eastern Area Planning Committee to be held on Wednesday, 17 January 2018
(continued)

To: Councillors Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Marigold Jaques, Alan Law (Vice-Chairman), Alan Macro, Tim Metcalfe, Graham Pask (Chairman), Richard Somner and Emma Webster

Substitutes: Councillors Lee Dillon, Sheila Ellison, Nick Goodes, Tony Linden, Mollie Lock and Quentin Webb

Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting.
 2. **Minutes** 5 - 12
To approve as a correct record the Minutes of the meeting of this Committee held on 20th December 2017.
 3. **Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
 4. **Schedule of Planning Applications**
(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications.)
 - (1) **Application No. & Parish: 17/02241/MINMAJ - Former Theale Quarry, Deans Copse Road, Theale** 13 - 64
Proposal: The development of three industrial buildings for the processing of non-hazardous materials, together within a small office, parking, storage areas, and internal roads
Location: Former Theale Quarry, Deans Copse Road, Theale
Applicant: Claude Fenton (Holdings) Ltd
Recommendation: To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION**
- Items for Information**
5. **Appeal Decisions relating to Eastern Area Planning** 65 - 66
Purpose: To inform Members of the results of recent appeal decisions relating to the Eastern Area Planning Committee.



Agenda - Eastern Area Planning Committee to be held on Wednesday, 17 January 2018
(continued)

Background Papers

- (a) The West Berkshire Core Strategy 2006-2026.
- (b) The West Berkshire District Local Plan (Saved Policies September 2007), the Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.
- (c) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Andy Day
Head of Strategic Support

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



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DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 20 DECEMBER 2017

Councillors Present: Peter Argyle, Keith Chopping, Richard Crumly, Marigold Jaques, Alan Law (Vice-Chairman), Alan Macro, Tim Metcalfe, Graham Pask (Chairman), Richard Somner and Quentin Webb (Substitute) (In place of Graham Bridgman)

Also Present: Sharon Armour (Solicitor), Stephen Chard (Principal Policy Officer) and David Pearson (Development Control Team Leader)

Apologies for inability to attend the meeting: Councillor Pamela Bale, Councillor Graham Bridgman and Councillor Emma Webster

PART I

40. Minutes

The Minutes of the meeting held on 29 November 2017 were approved as a true and correct record and signed by the Chairman.

41. Declarations of Interest

Councillors Richard Crumly and Alan Macro declared an interest in Agenda Item 4(1), but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

42. Schedule of Planning Applications

(1) Application No. & Parish: 17/02295/MDOPO - 129, 129a, 131, 133, 137 and land at 139 and 141 Bath Road, Thatcham

(Councillor Richard Crumly declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a Member of Thatcham Town Council and was present at the Town Council meeting when this application was discussed. However, he abstained from commenting on the application at that time. Councillor Crumly stated that he had not predetermined the application and remained of an open mind, he would not form a view on the application until the item had been subject to a full debate. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillor Alan Macro declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was previously on a Management Committee of an organisation which had entered into a property transaction with the applicant. However, Councillor Macro was no longer on this Management Committee and he believed that the business of this transaction had completed. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 17/02295/MDOPO in respect of an application to modify the planning obligation to

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discharge the S106 obligation in connection with planning consent 15/02077/OUTMAJ (outline application for development of 26 apartments and 7 houses, matters to be considered: access, layout and scale).

In accordance with the Council's Constitution, Mr Duncan Crook, applicant, addressed the Committee on this application.

Mr Crook in addressing the Committee raised the following points:

- The purpose of this application to modify the planning obligation was to avoid a repeat of the lengthy economic viability process that would be necessary if the obligation for an overage clause was to remain a requirement. This would delay the planning process and would create unnecessary costs for both the local authority and his company.
- Mr Crook had brought this application forward to correct what he believed to be a mistake in law as numerous planning appeal decisions across the country had indicated that the imposition of overage clauses was not normally justified, particularly for small housing developments that were likely to be built out quickly rather than phased over time.
- An additional Community Infrastructure Levy (CIL) payment of £100k would still be received by the Council over and above the original sum anticipated.
- There would also be additional costs in implementing the S106 Agreement and these, together with the CIL surplus payment and inflationary rises, which included construction costs and higher interest payments arising from the imposition of the agreement, would result in additional costs of approximately £300k.
- As already explained, a continued requirement for overage would result in further delays to the scheme (approximately four months) and a further delay to bring this back before the Committee (around ten months).
- Mr Crook was hopeful that the Committee would approve the application for the reasons explained.

This was followed by a number of questions being posed by the Committee to Mr Crook.

Councillor Crumly sought clarity on the total CIL payment. Mr Crook explained that the additional £100k referred to was a payment to resolve a technical issue that was in addition to the £134k from the CIL assessment. The CIL payment therefore totalled £234k. In response to Councillor Crumly's follow up question on when payment would be made, Mr Crook explained that £142k had already been paid which included interest. Mr Crook had made a request to West Berkshire Council that the remaining payment not be required until practical completion of the scheme, expected around July 2018. If this request was refused then payment would be made in January 2018.

Councillor Keith Chopping pointed out that Mr Crook had signed the legal agreement which included the overage clause for a potential affordable housing contribution. This contribution would be 60% of the development profit after accounting for developer profit identified in the viability review. Mr Crook acknowledged this fact, but explained that he sought to discharge the overage clause and avoid a repeat of the economic viability process. The overage process was far from straightforward and there was no guarantee of a financial return for the Council. Mr Crook continued by explaining that the inclusion of the overage clause was contrary to national guidelines and this view had been supported/upheld at planning appeals. Mr Crook went on to restate his view that the overage provision was unlawful and added that this had also been the conclusion of the

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Council's Planning Officers. He felt there was no value in seeking a new viability assessment and it would in fact create costs for both parties.

Councillor Chopping then sought to clarify Mr Crook's plans/timeframes for selling the site and the dwellings. Mr Crook advised that a show home would be completed by January/February 2018.

Councillor Chopping queried the gross financial return that was anticipated, whether this was higher than originally expected and whether this would create an overage payment. Mr Crook explained that the local indexation for West Berkshire showed a 4% rise in inflation and the properties would be sold at the market rate. He remained of the view that no overage payment would be made for the scheme, but the agreement was unlawful in any case.

Councillor Chopping queried if the inclusion of an overage clause was contrary to or not supported by national policy. Mr Crook stated his view that it was contrary to the Government's Planning Practice Guidance (PPG). He added that overage could only be a consideration and values reassessed for large scale, phased, developments. Mr Crook clarified that this site was small and would be developed and sold within one phase. This was made clear within the planning conditions for the approved scheme.

In response to further questions from Councillor Chopping, Mr Crook advised that he had no right to appeal the decision should the Committee be minded to refuse this application other than via a Judicial Review (JR). While such a course of action would be a decision for individuals other than solely himself, he personally would not want to pursue a JR.

Mr Crook also explained that the inclusion of overage in the S106 Agreement meant that additional ongoing costs were being incurred and, as described, this application was to seek to lessen costs. Mr Crook also reiterated that should the overage requirement remain then a new economic viability assessment would be needed and this would create additional costs to the developer and the Council.

Mr Crook made reference to case law which supported his views that overage could not be pursued. Local authorities were not able to make decisions that were contrary to the views of the Planning Inspectorate. The Planning Inspectorate had concluded locally and in other areas of the country that overage for this type of development was contrary to law. Councillor Chopping stated that he would seek a legal view from the Council's Solicitor as part of questions to Officers.

Councillor Alan Law questioned the assertion of Mr Crook that it would be unlawful to pursue the overage clause. He accepted that it was not supported by Policy, but did not believe it was contrary to the National Planning Policy Framework (NPPF).

Councillor Law then questioned Mr Crook over his concerns of conducting the economic viability assessment. Concerns of costs had been highlighted but there was an awareness of these when the application was approved with the overage clause by Committee in June 2016. Inflationary rises were noted but this would be a factor with any viability assessment. Mr Crook explained that inflationary increases were higher than those shown in the original viability assessment and his organisation was also experiencing an increase in its operating costs. A new economic viability assessment could be produced but this would incur a cost and would not be expected to significantly change the view on viability/result in an overage payment.

Councillor Law questioned whether there was not an awareness of these points when the legal agreement was signed in September 2016. Mr Crook felt there was a risk at that time of non-approval if the agreement was not signed and he felt this was the only pragmatic course of action open to him. An appeal of the Committee's decision for overage at that stage would have resulted in delays and increased costs. However, he

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had been clear at the Planning Committee that he did not want to repeat the viability assessment for the reasons explained.

In response to Councillor Law's next question on the benefit to the developer if the planning obligation was discharged, Mr Crook explained that he anticipated a benefit of around 4%. Councillor Law noted therefore a benefit to the developer, but questioned benefits to residents, i.e. from an affordable housing contribution. Mr Crook felt that the retention of the overage clause was unlikely to achieve any benefits for residents.

Councillor Law then questioned whether it was appropriate for developers to not have an upper threshold of profitability before they were then required to make a S106 contribution. Mr Crook explained that at the very least a net loss had to be avoided. A recommended threshold of profitability was for 20% of the total scheme, if this was to be reduced to 15% then the annualised rate of return would equate to around 6%. Such a low rate of return was of concern when considering the need to meet the company's overheads.

In terms of the points raised in relation to whether or not the overage requirement was contrary to the NPPF, Mr Crook explained that the NPPF required a scheme to be economically viable. The original viability assessment was based on the cost awareness at that time and this should only be revisited for phased developments. The Planning Inspectorate had been consistent in stating that if a development was not phased then it was contrary to the NPPF and PPG to seek overage. By law, planning authorities were not allowed to make a decision contrary to the view of the Planning Inspectorate.

Councillor Crumly asked Mr Crook to clarify the point he made in relation to having a holding position on the land. Mr Crook explained that he had brought some of the land in question, but he still needed to meet holding costs for the remainder of the land, i.e. fees paid to the landowner, utility bills and Council Tax.

Councillor Marigold Jaques noted Mr Crook's point that this development was not phased, she therefore sought clarity on how this affected plans for numbers 139 and 141 Bath Road. Mr Crook clarified that 139 and 141 Bath Road were part of a separate planning permission and these homes fell outside of this permission. The land for these two dwellings was only referred to in this application due to the shared access road. Mr Crook reiterated that this development was not phased in any way. The planning consent included the construction term of May 2017 to July 2018 and this did not constitute a phased development.

Members then asked questions of Officers. Councillor Law queried whether Planning had accepted that the development was not phased and that the construction term aligned with this. David Pearson explained that this had been accepted and added that it would be difficult to demonstrate that it was phased.

Councillor Law then queried whether Planning Inspectors had stated that overage requirements for relatively small scale developments such as this were contrary to or not supported by the NPPF. David Pearson advised that the Planning Inspectorate would tend to state 'not supported by' as there were often material points to consider in certain circumstances. The Committee could determine to refuse the application based on this, but this could be subject to challenge.

Sharon Armour added that overage clauses were not contrary to the NPPF or unlawful per se. However, in light of recent appeal decisions/case law, Planning Officers did not feel it was appropriate to pursue overage. She supported this view by explaining that the Planning Inspectorate would consider the length of the build in judging the reasonableness of pursuing overage and this time period was relatively short. A phased development and potential for overage would be reflected by a longer construction

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period. In addition, the housing numbers were not expected to change. The shortage of affordable housing was a consideration for the Inspectorate but they considered that there were much more severe concerns in other parts of the country.

Sharon Armour continued by referring to Mr Crook's concerns. His application to remove the overage clause was based on this case law, as well as concerns of costs to both himself and the Council from a new viability assessment, with a view from him that no affordable housing contribution would materialise as a result.

Councillor Chopping queried the options available to Mr Crook should the application be removed beyond JR. Sharon Armour explained that a second application could come forward retrospectively. In terms of a potential JR, this would also consider the reasonableness of the Council's decision and not just whether the Council had followed the correct procedures. Any consideration as to the reasonableness of the Council's decision would take into account the size of the scheme and affordable housing provision in the area compared to elsewhere.

Councillor Law queried, with the benefit of hindsight, whether Officers would support the inclusion of an overage clause should the original application for the site come forward at this time. Both David Pearson and Sharon Armour advised that they would advise against such a requirement.

Councillor Crumly referred to the total CIL payment of £234k and queried when this figure was confirmed as it was not referred to in the report. David Pearson explained that CIL was not a material planning consideration. It was a separate tax based on the floor space of a development and developers were aware that they could be liable for CIL for residential developments in excess of 100 square metres. However, he added that CIL was still a relatively new process and consideration. S106 contributions for affordable housing were separate to CIL.

Councillor Graham Pask stated that it was a Council priority to provide more affordable housing. This was in line with national requirements and was something Members wanted to pursue for the benefit of residents. Overage was seen as a potential way to benefit local residents via affordable housing if a certain level of profit was made from a development. He therefore felt that it had been important to permit this detailed questioning.

Debate of the item then commenced. Councillor Quentin Webb noted the Planning Inspector decisions contained within the papers which showed that the Inspectorate consistently dismissed appeals for viability overage clauses. He was also opposed to overage clauses due to the difficulties they created for developers. In addition, he felt that it would be difficult to insist that viability be reassessed and any return would be minimal. Councillor Webb was therefore supportive of Officers' recommendation to grant planning permission.

Councillor Alan Macro referred to Appendix 5 to the report which listed relevant appeal decisions in other parts of the country. In particular, the decision made by the Planning Inspector to allow the use of an overage clause for a non-phased development in East Devon. However, in this particular instance the East Devon Local Plan, which was adopted post publication of the NPPF, contained specific wording to allow overage provisions. Councillor Macro therefore suggested that this be shared with Planning Policy to ensure that overage could become a consideration moving forward in West Berkshire's new Local Plan. Councillor Pask agreed and advised that he had already requested this with Planning Policy.

Councillor Macro then made reference to Government policy on affordable housing, unfortunately this was introduced during a recession and viability had become more of a

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concern since that time. He noted the unforeseen costs described by the developer but felt that it was regrettable that it appeared that an overage clause would be difficult to defend at an appeal in this instance. He reluctantly added his support to Officers' recommendation.

Councillor Law asked Officers if they had any comment on the statements made by the applicant in terms of increased costs, i.e. construction and whether these statements had been verified. David Pearson confirmed that the Case Officer continued to be in correspondence with the applicant, the most recent being a request on 20 December (date of Committee) for further details on these increased costs. A response had yet to be received, but Mr Pearson was of the view that the Committee had sufficient information on which to make its decision.

Councillor Law stated that he was supportive of overage clauses. He did however accept that they could cause concern for smaller scale developers due to the time taken to consider overage, the impact that could follow on their financial return whilst still needing to meet their overheads. Councillor Law was assured, after this considerable debate, that the request for an overage clause was not illegal or contrary to policy. However, he felt that if the original application were to come forward as a new application now then overage was unlikely to be pursued, although viability could still be challenged.

Councillor Law agreed that Planning Policy, in liaison with the Planning Advisory Group, should seek to include scope for overage clauses within the new Local Plan. He added his reluctant acceptance of Officers' recommendation.

Councillor Chopping was of the view that Officers' recommendation should be overturned. The applicant had willingly entered into the Legal Agreement and this should be honoured and acted upon. If its requirements became a concern for a party, in this case the developer, then they would need to take the necessary actions, potentially a JR, if they were unwilling to consider their level of profit at the completion of a scheme. Councillor Chopping wanted to continue to ensure that local residents would benefit from the application via an affordable housing contribution if this became possible.

Councillor Crumly felt that an element of affordable housing should be a requirement for a development of this size. He noted from paragraph 4.2 of the report that, after taking into account sufficient developer profit, a contribution of up to £1.1m could be made available for affordable housing which was a significant sum. Councillor Crumly was concerned that if this application was approved then there would be no contribution to affordable housing which was contrary to the Council's policies. CIL, as described by the Planning Officer, was a taxation separate to, and could not be used for, affordable housing. He, like Councillor Chopping, did not support Officers' recommendation. He acknowledged that the calculation of overage from a viability assessment would incur a cost but a financial risk should be accepted to meet the requirements of the Legal Agreement.

Councillor Webb proposed to accept Officers' recommendation to grant permission of the application to modify the planning obligation on the basis that an overage clause was not appropriate for this application. This was seconded by Councillor Jaques.

RESOLVED that the Head of Development and Planning be delegated to grant permission for the obligation as set out in Schedule 3 of the Legal Agreement dated 26 September 2016, for an overage clause to be included, to be discharged.

Councillor Pask concluded the item by stating that this had proved to be a very useful and fascinating debate. The decision made by the Planning Committee in June 2016 was a valid one and the request for an overage clause reasonable. This caveat had then formed part of the Legal Agreement agreed with the developer in September 2016. This

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application to remove the overage clause was therefore of particular concern to Members as indicated by the level of questioning.

Councillor Pask voiced his agreement to the need for discussion to take place at the Planning Advisory Group on ensuring West Berkshire's new Local Plan allowed for overage clauses to help meet the affordable housing needs of the district alongside noting what was contained in the NPPF. This was particularly important when considering the high cost of housing in the area. Agreement had already been made with the Chairman of Planning Advisory Group to hold this debate.

Councillor Webb agreed this would be useful, while he proposed approval of this application he would value planning policy guidance on the potential for overage clauses to be developed as part of the new Local Plan to help inform future decision making.

43. Appeal Decisions relating to Eastern Area Planning

Members noted the outcome of appeal decisions relating to the Eastern Area.

44. Site Visits

A date of 10 January 2018 at 9.30am was agreed for site visits if necessary. This was in advance of the Eastern Area Planning Committee scheduled for 17 January 2018.

(The meeting commenced at 6.30pm and closed at 7.40pm)

CHAIRMAN

Date of Signature

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Agenda Item 4.(1)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(1)	17/02241/MINMAJ Burghfield	5 December 2017	The development of three industrial buildings for the processing of non-hazardous materials, together within a small office, parking, storage areas, and internal roads. Former Theale Quarry, Deans Copse Road, Theale Claude Fenton (Holdings) Ltd

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/02241/MINMAJ>

Recommendation Summary: To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION**

Ward Members: Councillor Carol Jackson-Doerge
Councillor Ian Morrin

Reason for Committee determination: Application is being recommended for approval and there are in excess of 10 objections

Committee Site Visit: 10 January 2018

Contact Officer Details

Name: Andrew Morrow
Job Title: Minerals and Waste Team Leader
Tel No: (01635) 519111
Email: Andrew.Morrow@westberks.gov.uk

1. PLANNING HISTORY

The application area sits within the wider Sheffield Bottom site which has an extensive site history characterised by historic mineral workings going back to the 1960s. The site and surrounding area form part of the former Theale Quarry and plant site. The majority of the applications submitted for the site relate to quarrying and restoration by infilling. These uses were temporary in nature albeit present for a number of decades. Specific applications have limited relevance and thus this application is dealt with entirely on its own merits. The site is currently not used for any particular purpose, consisting of bare ground, dense scrub and tall ruderal vegetation. There are no structures or buildings on site and no activities are currently being undertaken. The site is part of a Preferred area for waste development, namely Preferred area 10 — ARC Plant Site, Sheffield Bottom in Waste Local Plan for Berkshire (WLPB).

2. PUBLICITY AND PROCEDURAL MATTERS

Site Notice Expired: 1 October 2017
Neighbour Notification Expired: 5 September 2017

Town and Country Planning (Environmental Impact Assessment) Regulations 2017

The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The proposed development falls within Schedule 2, Section 11(b) of the EIA Regulations ('Installations for the disposal of waste'). The development exceeds the thresholds and criteria of column 2 of Section 11 (b) of Schedule 2, as the area of development exceeds 0.5ha.

An EIA Screening and Scoping Opinion request was sent to West Berkshire Council. The Screening Opinion confirmed that the development required an Environmental Statement to be submitted due to potential significant highways impacts. The Scoping Opinion confirmed that highways and cumulative highway impacts should be assessed within the Environmental Statement. This application was accompanied by an Environmental Statement.

3. CONSULTATIONS AND REPRESENTATIONS

3.1 Consultations

Burghfield Parish

Council: No objections

Theale Parish

Council: No objections – while Theale Parish Council does not object to the application it would request that issues around noise and flooding are adequately addressed and that measures are in place to prevent vehicles from this site attempting to access the swing bridge across the canal.

Sulhamstead

Parish Council: Objects to this application for the following reasons:

1. The proposed waste reprocessing site and associated buildings will be located on a site that has a regular history of serious flooding. When Deans Copse Road does flood, entry and exit is impossible, sometimes for a number of days.
2. The Parish Council are concerned that if flooding does occur, it may result in contamination to the groundwater in the area. This could have an adverse impact on the nearby Hosehill Lake, which is a bird sanctuary and area of special interest.
3. The current waste reprocessing facility on the adjacent site already has a significant number of heavy haulage vehicle movements, and an increase in such traffic would be inappropriate on what is already a busy road. Heavy haulage vehicles would have to approach the site via Burghfield Bridge, which is a narrow road passing through Burghfield Bridge and Burghfield villages.
4. The waste reprocessing site currently operating adjacent to the proposed site already generates significant noise pollution and an additional facility would only exacerbate that problem. There are a number of residential properties near to the proposed site and they will be affected by the increased noise and traffic.

Highways:

Initial comments:

The proposals are for a Materials Processing Facility (MPF) and plastic storage/bailing unit.

According to the Transport Assessment (TA) there are no changes to the existing access that would serve the development.

STAFF

20 staff would be employed at the site. According to TA 4.4.2 there is scope to accommodate this level of parking. The site would operate 7-6 M-F and half day on Saturdays.

ACCESS

I note at TA 4.3.3 it is suggested visibility splays based upon MfS should be used for calculating the SSD. Based upon a recorded 85th percentile of 50.2mph WBD, the y-distance should be based upon DMRB standards.

Furthermore, I note it has been suggested the design speed is 85kph, which based upon c.70kph mean speeds (from the speed survey) appears reasonable.

However, as the speed survey generated speeds in excess of 50mph I would prefer to see SSDs based upon the next level of design speed, namely 100kph.

Consequently, the desirable minimum SSD at this design speed is 215m. The vis splay drawing should be revised to show 2.4m x 215m

in both directions.

HAUL ROUTE

The proposed haul route at TA 5.2.12 appears appropriate but I will confer with our TM team for any comments.

TRIPS

According to the TA 5.1.2 the previous application for a Waste Management facility has consent for 338 vehicle movements and Herons Nest 110 HGVs. To clarify, I assume the current application would not replace either of these?

5.2.2 states there would be 40 movements per day or a grand total of 45 two way movements. This appears ambiguous – are these 40 movements one way or two way?

Table 5.1 infers 40 two way staff trips and 50 two way HGV trips – are these figures correct?

5.3.4 states there will be an increase of 90 HGV movements per day. I assume this equates to 45 IN and 45 OUT?

I require details of numbers of HGVs currently on Deans Copse Road. TA Appendix 4 has traffic count data but has failed to explain the different vehicle classifications, 1-13? If it is assumed classification '2' is HGVs then App 4 infers there are currently approx. 250 HGV trips per day. Thereby an additional 90 HGV trips equates to a third increase on the existing HGV flows, which is clearly considerable.

Do we have any letters of objection re trips?

ACCIDENTS

According to the accident history there have been no accidents involving HGVs in the five year history. This is positive.

Can a swept path plan be provided for a 16.5m artic entering, driving through the site, turning and exiting the site.

Further comments:

Matters previously accepted:

As advised previously, both the revised visibility splays (drawing no. CRM.192.005.T.D.003 received 6th October) and proposed haul route are now satisfactory.

Additionally, I am satisfied with the staff parking capacity and the accident history.

Outstanding matters – traffic generation:

You will recall I have raised several queries concerning the existing

and proposed trip rates, and its associated issues, on Deans Copse Road (DCR). It is these queries that must be found acceptable to prevent the application from otherwise being refused. I have discussed these queries below.

The revised TA has helped clarify some of these queries, including satisfactory access and egress of articulated vehicles from the site on to DCR.

At revised TA section 5.3.6 there is reference to an increase of 90 HGVs / 30%. On 7th November Barry Roberts explained they have used the IEMA guidelines ('Guidelines for the Environmental Assessment of Road Traffic, Institute of Environmental Assessment 1993) as reference. These guidelines state trip increases of up to 30% are acceptable. I have discussed these guidelines further, below.

Both TAs include the ATC data taken from 8th – 14th February 2017. However, the school half term week for WBC was 13th – 17th February, and thereby I have chosen to exclude the ATC data for the 13th & 14th February to ensure the analysed data has been taken from a neutral period. I have also ignored weekend flows as proposed trips would be low and consequently not generate a typical daily comparison.

One can see from TA Table 5.2 that the recorded flows reduce significantly on the 13th & 14th February compared with the previous weekdays, thereby supporting my approach to exclude these two days to generate a robust assessment.

I have produced the table below to help clarify the existing and proposed traffic levels.

Table 1 – Existing and proposed daily (0-24) trip rates

ATC vehicle categories	Cars and LGV	HGV and PSV	Combined totals
ATC periods			
A:ATC flows – Feb 2017 ¹	1,917	327	2,244
B: Proposed flows – TA	40	49	89
% increase: B vs. A	2.1	15.0	4.0

1: ATC survey data – 8th to 10th February 2017.

The above table identifies there will be a 15% increase in weekday HGVs as a result of the development. I note from Barry's response 7th November that he had suggested this increase would only be 12%. However, he has based his calculations on a full week, including the weekend traffic and the non-neutral half-term days. These two elements (weekend traffic and half-term days) do not

represent typical weekday flows and for these reasons I do not consider it appropriate to utilise the flows from either of these elements when comparing existing and proposed trip generation. Consequently when these two elements are excluded from the calculations it is expected the weekday proportion would increase, as it has, and I am thereby satisfied with both approaches.

I am conscious of previous correspondence regarding the definition of an HGV and LGV. Thereby the following information should help avoid any ambiguity:

- LGV = Light Goods Vehicles, with a max gross weight not exceeding 3.5t;
- HGV = Heavy Goods Vehicles – all commercial vehicles excluding PSVs with a max gross weight more than 3.5t. This classification includes OGV1 and OGV2;
- PSV = Passenger Service Vehicle, i.e. bus and coach.

In summary the development will increase the number of HGV trips on a typical weekday by 49, which equates to a 15% increase. Overall, the amount of all-vehicle type trips will increase by 89 which equates to 4.0% of current weekday traffic.

I note from the revised TA 5.3.7 it states the increase in HGVs on DCR will be between 3.89% and 8.57%. However, these percentages are based on total traffic flows. Barry has confirmed this, in his 7th November email, where he states (as I have already referred to above) *“Of the base flows the HGVs currently contribute to 393 trips and our development will add circa 49 per day to the approximate % impact will be 12%.”*

Lee Searles, Enzygo, has made reference to these TA percentages in his note 1st November. However, I consider his comments misleading on this particular point concerning HGV flows, as they infer the HGV increase to be less than 9% whereas Barry has confirmed the increase more likely to be 12%.

As I have explained above, I expect the HGV uplift will be approximately 15% on weekdays.

Environmental Statement

Turning to the Environmental Statement (ES) and the IEMA guidelines, it states at section 6.17.4, ‘Rule 1’ that where the increase in traffic flows exceed 30% or HGV numbers also 30%, then the threshold impacts would be exceeded.

As I have demonstrated above, I anticipate the development will increase all traffic flows by 4% and HGV flows by 15%.

Consequently, it is apparent that on both counts (all traffic and HGVs) the thresholds have not been exceeded, indeed the proposed trip generation is only half way towards meeting the threshold for HGVs and far more distance for all vehicle types.

‘Rule 2’ of the IEMA guidelines refer to specifically sensitive areas

(SSA) and an associated 10% threshold. I have discussed the proposals with our Traffic team, who are not aware of any existing restrictions or issues that would attract the classification of SSA. I do not consider Rule 2 applies for the application site as I am not aware DCR or its immediate surroundings constitute a SSA.

Conclusion

Based upon the above assessment the predicted increase in all vehicle traffic will be 89 vehicles, including 49 HGVs. These figures equate to a percentage increase on existing traffic flows on DCR of 4% and 15% respectively.

Thereby the 30% threshold given the IEMA guidelines has not been exceeded and consequently I conclude the forecasted trip generation is in accordance with this guidance.

In regards other guidance, the applicant has demonstrated satisfactory visibility splays in accordance with DMRB.

Other access attributes including its width and adjacent carriageway characteristics have been considered. As the access is currently used by articulated HGVs I am satisfied its attributes and characteristics will be suitable for the proposed development traffic. However, I recommend a 'delivery management plan' or equivalent is conditioned, to mitigate the risk of any HGVs waiting / queuing on DCR as a result of any delays at the security gate on entry.

The proposed haul route has already been approved by our Traffic team.

The accident history does not suggest the proposals will have a materially detrimental impact on the local highway network.

The applicant is prepared to provide adequate cycle stands and motorcycle parking spaces. Adequate car parking spaces can also be controlled by a Condition.

For the above reasons and taking all other matters in to account I recommend the application is approved subject to a number of Conditions. Please see below for a list of recommended conditions:

CONS1 - Construction method statement

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing

- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

HIGH8 - Visibility splays before occupation (YHA20)

The development shall not be brought into use until the visibility splays at the access have been provided in accordance with drawing number CRM.192.005.T.D.003 received on 6th October 2017. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 1.05 metres above the carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

To ensure the internal layout is satisfactory for all vehicle types – cars, light vans and HGVs – I recommend the following comprehensive Condition. However, if you consider two separate conditions would be more appropriate – one for cars/light vans and another for the HGVs – please advise.

Vehicle parking provided to standards

No development shall take place until details of the vehicle parking and turning spaces/areas have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the parking spaces are to be surfaced and marked out. The development shall not be brought into use until the vehicle parking and turning spaces/areas have been provided in accordance with the approved details. The parking and/or turning spaces shall thereafter be kept available for parking and turning at all times.

Reason: To ensure the development is provided with adequate parking and turning facilities, in order to reduce the likelihood of roadside parking which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Motorcycle and Cycle storage

No development shall take place until details of the motorcycle and cycle parking and storage spaces have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the motorcycle and cycle parking and storage spaces have been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To ensure that there is adequate and safe motorcycle and cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Delivery Management Plan

No development shall take place until details of a Delivery Management Plan have been submitted to and approved in writing by the Local Planning Authority. The Plan shall ensure delivery vehicles access the site at staggered intervals, to mitigate the risk of more than one vehicle waiting at the security gate that could lead to queuing on Deans Copse Road. Thereafter the Delivery Management Plan shall be adhered to and retained for the purposes of deliveries to the site at all times.

Reason: To ensure there is adequate and safe access in to the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan

Informatives

HI 3 Damage to footways, cycleways and verges

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

HI 4 Damage to the carriageway

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

HI 8 Excavation in close proximity to the highway

In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority.

HI 12 Temp Signing Requires Written Consent

Any temporary signing required as part of this development is to be agreed in writing with the Highway Authority, West Berkshire Council, Traffic Services, Transport & Countryside, Council Offices, Market

Street, Newbury, RG14 5LD.

Traffic:

It is the only practical route. Although it is unfortunate there will be the construction site for the M4 smart motorway project commencing soon at the junction of A4 and Dorking Way, and this will also generate a lot of lorry movements as well, these works will be finite and thereby, without an alternative route(s), I do not consider this issue needs to be addressed.

Environmental Health:

1. Identified Environmental Health issues relevant to Planning

- Land contamination
- Noise
- Air Quality
- Environmental Permit

2. Conclusion

The application concerns the development of 3 buildings to process waste, one to produce refuse derived waste, one for wood and one for plastics.

The Phase 2, Environmental and Factual Geotechnical Investigation Report recommends further investigations of ground gases on site. I agree with this assessment. Further consideration also needs to be given to near surface soils unless the ground is to be hard surfaced; evidence suggests (laboratory results) that no surface soils were analysed, samples were all taken from at least 1m below ground level. Further investigations should take place and any appropriate remediation undertaken to make sure the site is suitable for use once developed. The report should also be forwarded to the Environment Agency regarding impacts on controlled waters.

The Noise Impact Assessment predicts that noise levels from plant (including an externally mounted chipper) will be less than back ground noise levels at the nearest residential properties. Notwithstanding this matter I would recommend the hours of operation and deliveries are conditioned as detailed in the application documents to minimise any impact on residential amenity from HGVs going to and from the site. Similarly it would be sensible for HGVs and fork lift trucks operating on site to be fitted with non-tonal (white noise) reversing warning alarms.

The Air Quality Assessment details that the facility has the potential to generate dust and odour emissions from the processing of waste. Potential impacts have been assessed as negligible given the location of the site away from sensitive residential receptors and likely good practice measures to be adopted on site. The impact of any additional traffic emissions has also been assessed as insignificant. I agree with

these assessments. However, it would be sensible to be able agree an air quality management plan to monitor and control dust/odour with the site operator in the event of problems/complaints arising about dust or odours from the site.

In addition to planning permission activities on site are likely to require a permit from the Environment Agency.

3. Recommendation

Environmental Health has reviewed this application and would recommend the following should planning permission be granted.

Land contamination

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;

- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

If required:

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to

be agreed with LPA, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Hours of Working

Operations on site (including deliveries to and from the site) shall be restricted to the hours of 07:00 to 18:00 hours Monday to Friday and 07:00 to 13:00 hours Saturday.

Reason: In the interest of the amenities of people living and working in the area

Reversing Alarms

HGVs and fork lift trucks shall be fitted with non tonal (white noise) reversing warning alarms.

Reason: In the interest of the amenities of people living and working in the area

Air Quality

In the event of problems/complaints arising about dust or odours from the site an air quality management plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Identification of sources which have the potential to generate adverse dust/odours.
- A monitoring strategy to ensure the ongoing monitoring of dust/odour emissions from the site.
- Mitigation measures to minimise the effects of the dust/odours from the development.
- Provisions for an annual review and update of the air quality management plan.

Any approved scheme shall be implemented in full and complied with at all times.

Reason: In the interests of the amenities of the locality in accordance with policy WLP30 of the Waste Local Plan for Berkshire 1998-2006

and Policy OVS 5 of the West Berkshire District Local Plan 1991-2006.

Tree Officer:

The application has been supported by a tree report by Venners Arboriculture dated January 2017, the report includes a tree survey details on the constraints and a tree protection plan, this was used to determine the potential impact to trees during my site visit.

The majority of the site is devoid of trees, apart from the southern boundary, which contains a mix of Ash, Oak, willow, pine, sycamore and Elm trees, these are is a slightly raised bund, and whilst they will need to be protected throughout the development, the proposed changes at the site, should not have a direct impact on the trees, which has been identified on the tree protection plan.

The site is currently well screen from most view points, but this screening is a mix of trees and understorey scrub which requires suitable management, as it has been left unmanaged for a number of years, it would be preferable to improve on the screening at the site, which could, be part of some additional landscaping along the southern boundary, which would help reduce the visual impact the buildings.

The landscape and visual assessment provided by enzygo ref CRM.192.005.L.R.001, has proposed some mitigation measure at point 6.2.2, which include the management and enhancement of the tree belt along the southern boundary, additional woodland planting on the northern boundary and additional tree and shrub planting on the proposed 2-3m bund on the eastern boundary.

This landscaping will help reduce the visual impact of the site and enhance its overall biodiversity, once established. The landscaping proposals also propose the planting of an avenue of trees on the internal road, which will hopefully help soften the visual appearance of the industrial buildings, and tree planting along the western edge of the road, to reduce views from the west.

The landscape strategy plan provided CRM.333.110.L.D.015 Rev A, has clearly identified all of these proposals, but the finals details on species type, numbers and densities, will be provided at a later date and can be subject to a planning condition, along with a management plan for the site.

Conclusion

Overall the scheme is acceptable; the boundary trees shouldn't be affected, and can be retained and protected in accordance with the tree report and tree protection plan, with details on the landscape being covered by suitable conditions.

I have no objection subject to the following condition being attached to any proposed consent for the site

Conditions

Landscaping

No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

- a) Completion of the approved landscape scheme within the first planting season following completion of development.
- b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

Landscape Management Plan

No development or other operations shall commence on site until a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for a minimum period of *** years has been submitted to and approved in writing by the Local Planning Authority. The plan shall include any areas of existing landscaping including woodlands and also include any areas of proposed landscaping other than areas of private domestic gardens.

Reason: To ensure the long term management of existing and proposed landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

Tree Protection (scheme submitted)

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered **PL1002 dated Oct 2016 ref Appendix 4 Tree protection plan and supported by Tree survey report by Venners Arboriculture dated January 2017**. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the

retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

Thames Water

Initial comments:

Waste Comments

Package Treatment Plant - Foul water for this development is not draining into Thames Water assets and therefore does not affect us.

Water Comments

Insufficient information has been provided by the Developer to allow Thames Water to determine the water supply infrastructure needs for the proposed development. In order that the development does not detrimentally effect the water supply infrastructure, Thames Water recommend the following condition be imposed: Development should not be commenced until: a) full details, including anticipated flow rates, and the likely demands on the clean water network have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water) b) Where this development forms part of a larger development, arrangements have been made to the satisfaction of the Planning Authority (in consultation with Thames Water) for the provision of adequate water supplies for the whole of the development. Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

Supplementary Comments

Water: The proposed development aims to process up to 50,000 tonnes of commercial waste, 25,000 tonnes of wood waste and 7,000 tonnes of plastic waste per annum. Information on the anticipated daily water consumption of this site and what proportion of this is to be supplied by the clean water network is required. Thames Water require further information on the demands that this development will place on the potable water network in order to assess whether or not a water impact study condition should be placed during the application process.

Further comments:

Thames Water have received the request further information on this development. On the basis of the information provided, a pre-commencement condition for a water impact study is not required. Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide

customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

SuDS

Initial comments

Whilst the proposed surface water drainage strategy may provide sufficient attenuation to manage the *quantity* of surface water runoff from the proposed development, it provides limited benefits in terms of the other expectations of SuDS to improve water quality, biodiversity and provide habitat and amenity space.

Furthermore, the Flood Risk Assessment states that the groundwater flood risk is negligible but given the underlying gravels and proximity to a large waterbody we consider it unreasonable to assume that this would be the case. The proposed deep attenuation tank could be affected by groundwater infiltrating the system during the winter which would compromise the capacity available during storms. It is not considered that the single day of groundwater monitoring undertaken during September would provide a reasonable estimate of the seasonal high water level. We request that further groundwater monitoring is undertaken to better understand groundwater levels at the site, with reference also made to historic high ground water levels.

The proposed attenuation tank is shown to provide 2,000m³ of storage. However, the calculations show that up to 2,706m³ of storage is required. The calculations also show a limiting discharge of 5l/s but there is a hydrobrake immediately downstream of the tank limiting the discharge to 4l/s which would set the volume of the tank. We request that applicant recalculates the storage volume based on the proposed discharge rate and demonstrates that the required volume can be provided within the site layout.

Our preference for the surface water drainage strategy would be to utilise shallow, source control SuDS such as swales, reed beds, green roofs and shallow basins to mimic the existing drainage regime as far as possible. This would also provide benefits in terms of habitat/biodiversity and provide amenity space within the development. We request that the applicant updates the drainage strategy with these comments in mind.

We would expect the applicant to provide the above information before we can recommend approval for the above application.

Furthermore, bearing in mind the historic flooding problems experienced along Deans Copse Road, and highlighted by several objectors, it would be beneficial for the applicant to work with the Highway Authority to provide a solution to this as mitigating works for the development should permission be granted.

Further comments

We have reviewed the additional information and accept the proposals to manage surface water runoff, in principle, as shown on Enzygo's Drawing Numbers 192.005.D-101 and 192.005.D-102. However, we would still request that the groundwater monitoring is undertaken over winter as a condition on any planning permission.

If the council is minded to approve the application we request that the following condition is attached to the permission to ensure that flood risk is appropriately managed for the lifetime of the proposed development.

No development shall take place until details of the sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards. These shall include the retrofitted SuDS measures within the development to provide betterment over the existing situation;*
- b) Include a ground investigation survey including groundwater monitoring for a period of at least 3 months undertaken over winter. The groundwater levels should be used to design the surface water drainage system and ensure that there is no negative impact on the system from groundwater;*
- c) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;*
- d) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;*
- e) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater; and*
- f) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime;*

The sustainable drainage measures shall be maintained in the approved condition thereafter.

Reason: *To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).*

Archaeology:

I have reviewed the application using the approach set down in the National Planning Policy Framework and have checked the proposed development against the information we currently hold regarding the heritage assets and historic land uses in this area. This evidence suggests that this is a former quarry site and there will be no major impact on any features of archaeological significance.

I do not, therefore, believe that any archaeological assessment or programme of investigation and recording will be necessary in relation to the current proposal.

Ecology:

Thank you for consulting Ecology on the above application for the processing of non-hazardous materials (RDF 50,000 tpa Wood 25,000 tpa and plastics 7,000 tpa) which has been submitted along with comprehensive environmental statements and studies.

The site is adjacent to a Local Wildlife Site and Theale Lake is a breeding ground for nightingales

Reptiles – agree with report that no further surveys needed and no further mitigation measures required.

Condition the provision of a Reptile Hibernacula as an enhancement for biodiversity. A reptile hibernacula will be created in line with best practice (English Nature, 2001). A 1 metre deep and 1 metre wide east-west running trench will be dug and filled with inert clean fill (i.e. hardcore, brick rubble, logs etc.). The rubble will then be covered with topsoil and turf leaving several parts exposed to allow access. At a location to be agreed with the Councils' ecologist.

National Planning Casework Unit:

I acknowledge receipt of your letter and environmental statement relating to the above proposal.

I confirm that we have no comment to make on the environmental statement.

**Thames Valley
Police:**

No response

**Royal Berkshire
Fire and Rescue
Service:**

There are at present, no available public mains in this area to provide a suitable water supply in order to effectively fight a fire. This Authority would therefore request that part of any planning consent terms include the requirement for the applicant to provide suitable private fire hydrant(s), or other suitable emergency water supplies to meet Royal Berkshire Fire and Rescue Service requirements.

Access requirements for Fire Fighting are to meet the functional requirements the Building Regulations 1991 and the relevant provisions of the Berkshire Act. It should be noted that any gates required for emergency access should provide a minimum 3.1m clear opening.

The layout plans provided have not been reviewed for fire safety provisions. This is the responsibility of your Buildings Regulations Department or Approved Inspector, in consultation with this Authority as part of a Building Regulations submission.

This Authority's overall strategic aim is to improve the safety of those who live, stay, work and travel in the County of Berkshire. The benefits of a sprinkler provision in saving life and reducing the damage to property are well documented. Therefore, in order to assist us in driving down this risk we would recommend you consider making commercial sprinklers a requirement for this particular development.

Officer note: Royal Berkshire Fire and Rescue's recommendations that private fire hydrant(s) and a sprinkler system should be installed as a part of this development have been relayed to the applicant through an informative on the decision notice.

**Ministry of
Defence:**

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on 15/08/2017

I can confirm that the MOD has no safeguarding objections to this proposal.

Canal and River

Trust:

The Canal & River Trust is a statutory consultee under the Town and Country Planning (Development Management Procedure) (England) Order 2015. The current notified area applicable to consultations with us, in our capacity as a Statutory Consultee was issued to Local Planning Authorities in 2011 under the organisations former name, British Waterways. The 2011 issue introduced a notified area for household and minor scale development and a notified area for EIA and major scale development.

This application falls outside the notified area for its application scale. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.

Office for Nuclear Regulation:

I have consulted with the emergency planners within West Berkshire Council, which is responsible for the preparation of the Burghfield off-site emergency plan required by the Radiation Emergency Preparedness and Public Information Regulations (REPPiR) 2001. They have provided adequate assurance that the proposed development can be accommodated within their off-site emergency planning arrangements.

The proposed development does not present a significant external hazard to the safety of the nuclear site.

Therefore, ONR does not advise against this development.

Civil Contingencies Manager:

I have reviewed this application in relation to the AWE Off-Site Plan and can confirm I have no adverse comments in relation to it.

Waste Management:

No response

BBOWT:

No response

Transport Policy:

No response

Planning Policy:

No response

Environment Agency:

We have **no objections** to the proposed development providing the following conditions are applied to any planning permission granted.

We note in the Phase 2 Environmental and Factual Geotechnical Investigation, reference 3371E/16 that a Phase 1 study has not been carried out. Phase 1 assessments are a crucial part of any investigation. Review of historical maps and other available data can highlight additional point sources not apparent in current visual

inspections, such as oil tanks. It can also highlight potential additional sensitive receptors, such as SSSIs, and pathways, for example from assessing groundwater flow direction. From this it is possible to steer any Phase 2 intrusive study. We are not happy to sign off a Phase 2 investigation, when no initial Phase 1 desk study investigation for potential sources has been carried out. As such we request a full site investigation condition.

Condition 1

Prior to each phase of development approved by this planning permission, no development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be 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) and, based on these, 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.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason 1

This site lies on a historic landfill and potential sources of contamination have been identified. This site is located above a secondary aquifer and in close vicinity to a surface watercourse. These are controlled water receptors which could be impacted by any contamination present on site. Further investigation is required to determine the extent of any contamination present and to what extent it poses a risk to controlled waters. Any risk identified would need to be adequately resolved to ensure that this does not impact on

controlled water receptors. This may include remedial works to resolve contamination issues.

Condition 2

No occupation of each phase of development shall take place until a verification report demonstrating completion of 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. 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. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason 2

To ensure that contamination at the site is remediated, so that it does not pose an unacceptable threat to controlled waters.

Condition 3

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 3

To ensure that any unexpected contamination encountered during the development is suitably assessed and dealt with, such that it does not pose an unacceptable risk to ground or surface water.

Condition 4

Development approved by this permission shall not be commenced unless the method for piling foundations has been submitted to and approved in writing by the Local Planning Authority. The piling shall thereafter be undertaken only in accordance with the approved details.

Reason 4

There is significant potential that hotspots of contamination may be present. Piling would need to be undertaken in a fashion not to lead to the mobilisation of contaminants into groundwater. Groundwater is particularly sensitive at this location because the proposed development is located upon a secondary aquifer.

Advice to applicant

Providing no additional issues (such as an additional area that needs monitoring) are identified in the Phase 1 investigation, we can confirm that we are not overly concerned with the contamination identified on site. Within the area investigated there is nothing that appears to require remediation. Infiltration drainage in areas of contamination poses the risk of mobilising contamination into ground/surface water. Infiltration drainage must not be located in contaminated areas.

Natural England: No comments

3.2 Community Infrastructure Levy

The proposed works are not such as to attract payment of the CIL

3.3 Representations

Total: 12 Object: 12 Support: 0

Summary of material planning considerations raised in representation letters:

Against

- Increase in floodrisk
- Increase in scale of activities on the wider site which is already busy
- Increase in HGV movements will increase noise levels and impact on the local road network including damaging the road surface, more material being brought out onto the road, more material may be dislodged from skips
- Arrivals and departures of HGVs should be restricted to/from the east
- Increase in noise levels associated with the development
- Increase in pollution
- Impact on biodiversity

Support

- None

Other matters raised:

- Noise associated with current waste management operations on adjacent site
- Increase in HGV traffic since the current waste management operations commenced on adjacent site
- Reference has been made to flooding on Dean's Copse Road including from run-off from Bennett's Hill
- Concern that this will lead to other development within the site
- Material being brought onto the road, and damage to the road from current operations
- Inconsiderate driving associated with current operations

4. PLANNING POLICY

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise.

4.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and who these are expected to be applied. It is a material consideration in planning decisions. The NPPF is supported by the Planning Practice Guidance (PPG).

4.3 According to paragraph 215 of the NPPF, 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).

4.4 The National Planning Policy for Waste (NPPW) sets out the Government's detailed waste planning policies for England. It is a material consideration in planning decisions.

4.5 The West Berkshire Core Strategy (2006-2026) is the first development plan document (DPD) within the new West Berkshire Local Plan. It sets out a long term vision for West Berkshire to 2026 and translates this into spatial terms, setting out proposals for where development will go, and how this development will be built. The following policies from the Core Strategy are relevant to this development:

- NPPF Policy
- ADPP1: Spatial Strategy
- ADPP6: East Kennet Valley
- Policy CS9: Location and Type of Business Development
- Policy CS13: Transport
- Policy CS14: Design Principles
- Policy CS15: Sustainable Construction and Energy Efficiency
- Policy CS16: Flooding
- Policy CS 17 Biodiversity and Geodiversity
- Policy CS18: Green Infrastructure
- Policy CS19: Historic Environment and Landscape Character

4.6 The Waste Local Plan for Berkshire (Waste Local Plan) is a key planning policy document relevant to this proposal. It is accepted that the Waste Local Plan is now dated, but it remains the adopted plan relating to waste proposals in Berkshire and provides a key local planning policy context. In accordance with the Planning and Compulsory Purchase Act (2004) the Waste Local Plan was reviewed in 2007 and a number of policies were saved following this review process.

4.7 Despite the fact that the Waste Local Plan was adopted in 1998 it is clear from the NPPF that policies in existing adopted plans shall still be afforded due weight and more weight given to policies that are consistent with the NPPF. The NPPF does not contain any specific policies on waste, but confirms that decision makers should have regard to policies in the NPPF. The NPPW sets out waste policy from a national perspective in England. It is therefore considered that where the policies in the Waste Local Plan are in conformity with the policies in the NPPF and the NPPW they should be afforded due weight in the consideration of planning applications.

The following saved policies of the WLPB are considered to be relevant to this proposal:

- WLP1: Considering proposals for waste management
- WLP11: Preferred Areas for waste management
- WLP27: Is development needed and are impacts acceptable
- WLP30: Assessing the impact of development proposals
- WLP31: Information to be submitted with an application

4.8 A number of policies from the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) remain part of the development plan following the publication of the Core Strategy. The following saved policies from the Local Plan are relevant to this development:

- TRANS.1: Meeting the Transport Needs of New Development
- OVS.5: Environmental Nuisance and Pollution Control
- OVS.6: Noise Pollution

4.9 The requirements of the following other pieces of legislation are also a material consideration in respect of this planning application:

- The Wildlife and Countryside Act 1981 (as amended).
- The Conservation of Habitats and Species Regulations 2010

5. DESCRIPTION OF DEVELOPMENT

5.1 The proposed development site is approximately 2.7ha of land within an area that was historically worked for sand and gravel and infilled with waste. Currently the site is not used for any particular purpose, consisting of bare ground, dense scrub and tall ruderal vegetation. There are no structures or buildings on site and no activities are currently being undertaken on the site.

5.2 The nearest residential properties to the site are approximately 500 metres away, to the south of the site along Bennett's Hill. There are further residential properties to the south/south-west of the site at Trash Green, between 600 metres and 800 metres away approximately. Hosehill Farm is approximately 650 metres to the south west, whilst 800 metres to 1.1 kilometres to the west is Sheffield Bottom where there are a number of dwellings, a public house and a small business park.

5.3 The suburbs of Reading are approximately 2km north east of the site separated by the M4 and historic mineral workings which have been restored to lakes. The site is located immediately east of an existing waste recycling and transfer facility which was permitted in early 2014, and a concrete batching plant permitted under a temporary consent in 2016. The proposed site would share the access with these adjacent facilities which are also off Dean's Copse Road.

5.4 To the east is Heron's Nest landfill which is nearing completion, while to the north are Theale Lakes which is a Local Wildlife Site. The site lies to the north of Dean's Copse Road and some woodland which is also a Local Wildlife Site. On the eastern side of Heron's Nest landfill to the east of the application site, a public right of way runs off Dean's Copse Road in a northerly direction towards the M4, before turning to the west between the M4 and Theale Lake. The path then joins with the Kennet

and Avon Canal towpath approximately 950m to the north of the site. As part of the restoration of the neighbouring landfill site there is a commitment to put a cycle/footpath in place which would run south-north along the eastern boundary of the application site. Also committed to is a new footpath which would run parallel to Dean's Copse Road to join the existing footpath to the east with the new cycle/footpath.

- 5.5 The site is an L-shape and it is proposed that three waste processing buildings which would deal with non-hazardous waste materials would be situated in the eastern part of the site. One building would be for the manufacture and storage of Refuse Derived Fuel (RDF); one would be for wood processing and storage; and one for processing and storage of plastics. In the western part of the site there would also be an office building, access roads, and parking and storage areas.
- 5.6 The RDF building (unit 1) would accept up to 50,000 tonnes per annum (tpa) of non-hazardous commercial and industrial waste, and the applicant has stated that approximately 3000 tonnes of this material would be transferred from the existing, adjacent facility. The material would be processed to produce RDF and then exported offsite. The processing activities would include shredding, screening, separating material, and then bailing the resulting material, before wrapping this for export off site. Part of the building would be used to store incoming material, and part of the building would be used to store RDF bales.
- 5.7 Unit 1 would have a curved roof with solar panels on the south west facing roof slope. Its dimensions would be 48m (l) X 42m (w) X 11m (to eaves) / 14.3m (to ridge). The building would be open on the northern side, and the applicant has stated that the building has been rotated slightly to mitigate impact from noise. Materials for the building are shown as being green aluminium cladding although samples would be submitted and subsequently approved via conditional discharge.
- 5.8 The waste wood building (unit 2) would accept up to 25,000 tpa to be processed and it is stated by the applicant that approximately 5,000 tonnes of this material would be transferred from the existing, adjacent facility. It is also stated that vice versa a proportion of the processed waste wood would be transported to the existing, adjacent facility for burning in the operational biomass boiler. Once within the site the wood would be chipped or cut into suitable sizes and then exported either back into the adjacent site, or exported off site. Processed and unprocessed wood would be stored within the building. Wood chipping would take place outside of the building at a location to be subsequently agreed via conditional discharge.
- 5.9 The dimensions of Unit 2 would be 36m (l) X 36m (w); X 9m (to eaves) / 11.2m (ridge) with a pitched roof and solar panels on the south facing section of the roof. The building would be open on the western side. Materials for the building are shown as being green and grey aluminium cladding although samples would be submitted and subsequently approved via conditional discharge.
- 5.10 The plastics building (unit 3) would accept approximately 7,000 tpa of mixed waste plastics. Again it is stated that approximately 1,000 tonnes of this material would be transferred from the existing, adjacent facility. Within the building the plastic would be sorted to separate different plastic types, shredded or chipped, and then bailed. Part of the building would be used to store plastic imported into the site, and part of the building would be used to store sorted plastic.

- 5.11 Unit 3 would measure 30m (l) X 24m (w); X 9m (to eaves) / 11.2m (ridge) again with a pitched roof and solar panels on the south facing section of the roof. Unit 3 would also be open on the western side.
- 5.12 The dimensions of the office building would be 35m (l) x 15m (w) x 3.7 (h) and it would be sited length-ways parallel to Dean's Copse Road. Materials would consist of charcoal black and light grey aluminium cladding with a black brick plinth, although samples would be submitted and subsequently approved via conditional discharge.

6. APPRAISAL

6.1 The main issues for consideration in the determination of this application are:

- Principle of the development
- Traffic and Transport
- Drainage and flood-risk
- Noise and air quality
- Potential for contaminated land
- Biodiversity
- Trees and Landscape
- Sustainable construction
- Socio-economic considerations
- Net self sufficiency

6.2 Principle of the development

6.2.1 The development plan policy that most relates to the principle of the development is considered to be WLP11 of the Waste Local Plan for Berkshire (WLPB) as the site is part of a Preferred area for waste development, namely Preferred area 10 — ARC Plant Site, Sheffield Bottom. It is stated within the WLPB that the potential uses for the site are green waste composting, recycling non-inert waste, recycling inert waste, and metal recycling.

6.2.2 In terms of definitions of waste management uses provided in the WLPB, the recycling of wood and plastics would be most closely linked to '*Recycling non-inert waste*' while the manufacture of RDF would be closely aligned to '*Waste derived fuel*' which is not specified within the details for Preferred area 10. It should be acknowledged however, that although the Saved policies from the WLPB remain part of the 'Development Plan', the WLPB is quite dated and waste management technology has changed a lot since its adoption. Technological advancements combined with the fact that pollution prevention and control measures have become better and more stringent respectively, are considered to make the potential uses set out in the WLPB less relevant now than they would have been. The accompanying text to the WLPB also states that the range of potential uses specified is not intended to be definitive, indicating that in a rapidly changing field during the lifetime of the Plan [WLPB], other waste management functions may arise which may not fall neatly within any of the categories, and that such proposals will be judged on their merits.

6.2.3 The assessments submitted with the application have been considered by the officer in conjunction with relevant technical experts, and as described below the impacts on the environment and amenity are considered to be acceptable. Therefore, in consideration of policy and the matters discussed above, the development as proposed is considered to be acceptable.

6.3 Traffic and Transport:

6.3.1 The application is supported by a Transport Assessment and Environmental Statement which considers the impact of the proposed development on the surrounding road network and the environment. On the advice of the Council's EIA Scoping opinion, the Environmental Statement focuses on traffic and transport.

6.3.2 The proposed development would increase the number of HGV trips on a typical weekday by 49, which equates to a 15% increase. Overall, the amount of all-vehicle type trips would increase by 89 which equates to a 4.0% increase of current weekday traffic.

6.3.3 The access is currently used by articulated HGVs, and the applicant has demonstrated satisfactory visibility splays. Other access attributes including its width and adjacent carriageway characteristics have also been considered. The anticipated primary haul route has also been considered, and although there is not considered to be another reasonable alternative, there are no objections in this context from WBC Highways or Traffic. Concern has been raised by Theale Parish over the potential for HGVs associated with the site, attempting to use the Theale canal bridge. A 'haulage and access' scheme has been requested via condition which shall detail the methods to be employed to inform the drivers of all heavy goods vehicles who use the site, that the preferred haul route to and from the site should be via the Burghfield Road and A4. This is in addition to the width restriction on the bridge which is understood to prevent HGVs from using the bridge.

6.3.4 The Environmental Statement and Transport Assessment have been assessed and the outcome of this is that there are no objections in highways terms. Therefore subject to conditions including those relating to the construction method statement, visibility splays, vehicle parking, motorcycle and cycle storage, and the haulage and access scheme, the development is considered to be acceptable in highways terms, and is in accordance with Policy CS13 of the Core Strategy and TRANS. 1 of the Local Plan.

6.4 Drainage and flood-risk

6.4.1 The applicant has produced a site specific Flood Risk Assessment which considers flood risk and how this could be managed and mitigated to allow the site to be developed.

6.4.2 The Site is located within Flood Zone 1, which means that it is at low risk of fluvial flooding. The proposed waste transfer and recycling facility is classified as a 'less vulnerable' use which is deemed acceptable in terms of flood risk in Flood Zone 1 (low risk). The Sequential Test would therefore be passed and the Exception Test would not be required. Groundwater flooding and surface water flooding were identified as secondary flooding sources within the site. The applicant indicates that flooding from secondary flooding sources would be mitigated through the adoption

of a surface water management strategy, and by setting finished floor levels 150mm above external levels. The applicant also provided further data indicating that flooding of the site itself by groundwater would be very unlikely. This is due to the fact that groundwater level below the site is totally controlled by the adjacent lake which would need to rise by 3.9m and this would not be possible without breaching the banks of the River Kennet and the Canal.

6.4.3 Groundwater level monitoring has however been requested which will determine the format of a drainage scheme to be submitted for approval via discharge of condition. Contamination of groundwater had been highlighted as an issue of concern by Sulhamstead Parish and it is considered that this will suitably mitigate flood risk from the secondary flooding sources and associated risk of contamination. The measures proposed as part this development are considered to be in compliance with WLP30 which in part specifies that regard should be had to impacts on the water environment, and the quality of watercourses and groundwater.

6.4.4 There are no objections in terms of flood risk from the Environment Agency and the WBC Drainage team accept the proposals to manage surface water runoff from the site in principle. Therefore, for the reasons outlined above, the proposal is considered to be compliant with CS16 which seeks to achieve a planning solution to flood risk management wherever possible, steering vulnerable development away from areas affected by flooding.

6.5 Noise and air quality

6.5.1 The site is relatively isolated in the sense that the nearest residential properties are some 500m away, however it is acknowledged that facilities such as these have the potential to result in negative impacts on amenity in terms of noise and air quality.

6.5.2 A Noise Impact Assessment was undertaken which predicted that noise levels from plant (including an externally mounted wood chipper) would result in noise that would be below background noise levels at the nearest residential properties.

6.5.3 An Air Quality assessment has also been produced which indicates that the facility has the potential to generate dust and odour emissions in association with the processing of waste. These impacts have been assessed as negligible given the distance from the nearest residential properties and the good practice measures that have been recommended.

6.5.4 There are no objections from WBC Environmental Health subject to conditions being applied to the permission relating to operating hours, non-tonal (white noise) reversing warning alarms for HGVs and fork lift trucks operating on site, and the submission of an air quality management plan.

6.5.5 Saved Local Plan policies OVS.5 and OVS.6 are concerned with 'Environmental Nuisance and Pollution Control' and 'Noise Pollution' from development respectively. WLP30 specifies that traffic and traffic related impacts should be taken into account when assessing waste proposals, and vehicle emissions were considered as part of the air quality assessment.

6.5.6 WLP27 states, inter alia that waste management development will only be permitted if the development would not give rise to any unacceptable environmental impacts and it is considered that the noise and air quality assessments have demonstrated this.

6.5.7 Considering the aforementioned issues, the development as proposed is considered to align with OVS.5, OVS.6, WLP30 and WLP27.

6.6 Potential contaminated land

6.6.1 This site has been historically infilled with waste material and the details submitted with the application have indicated that there may be potential sources of contamination on site. This site is located above a secondary aquifer and in close vicinity to a surface watercourse. These are controlled water receptors which could be impacted by any contamination present on site. There could also be risks from land contamination to the future users of the land, workers, neighbours and other offsite receptors.

6.6.2 The Environment Agency and WBC Environmental Health have recommended that further work is required to be undertaken which would encompass investigation, potentially with mitigation and remediation where required. Conditions are being recommended in relation to this, as they are for 'unexpected contamination', and 'piling' in the context of risk from potential contaminated land.

6.6.3 OVS.5 states inter alia, that the Council will only permit development proposals where they do not give rise to an unacceptable pollution of the environment. WLP30 states in part that consideration should be given to the likely effects of the proposed development on the surrounding population and the environment, including the effect on living and working conditions; the effect on the air and water environment; the amenity and wider environmental implications of any emissions, or any changes in the nature, quality and quantity of watercourses and groundwater, and drainage and flooding impacts.

6.6.4 Subject to suitable conditions being applied as above and complied with, the development proposed is considered to comply with OVS.5 and WLP30.

6.7 Biodiversity

6.7.1 The planning application is supported by a Preliminary Ecological Appraisal which sought to identify ecological features within or near the site that could potentially pose a constraint to the proposed development, and identify opportunities for incorporating biodiversity enhancements into the development proposals. With regard to reptiles it was confirmed that there were records in the area, and potential for populations across the site. Therefore, subsequently a Reptile Survey was undertaken on the site. In broad terms the outcome of these surveys in terms of mitigation was that sensitive clearance of vegetation should be undertaken which would be stipulated via planning conditions on the decision notice. As a biodiversity enhancement, the applicant has recommended that a reptile hibernacula be created on site, the details of which would be required to be submitted as part of a discharge of condition.

6.7.2 CS17 is concerned with, inter alia conserving and enhancing biodiversity assets across West Berkshire, and considering the mitigation set out above, the biodiversity benefit being put forward with regard to the reptile hibernacula, and there being no objections from WBC Ecology, the development is considered to be compliant with CS17.

6.8 Trees and Landscape

6.8.1 A Landscape and Visual Impact Assessment was undertaken for the proposed development and submitted with the application.

6.8.2 It was established through this assessment that the development would not result in any significant adverse landscape effects or visual effects. This is due to the limited visual envelope for the application site, local screening factors and the fact that the landscape is already influenced by existing urban infrastructure throughout the study area such as pylons and the M4.

6.8.3 The Assessment used 9 representative viewpoints from which the potential landscape and visual impacts of the proposed development have been considered. The applicant consulted WBC officers on the suitability of the viewpoints pre-assessment. The impacts were considered during construction; in the opening year to assess the impacts once the major construction is complete; and fifteen years after opening to allow for any mitigation planting and other landscape schemes to mature to give the intended effect.

6.8.4 The application site is situated between woodland to the north and south within a generally shallow valley, affording visual protection through intervening vegetation, and gently undulating topography. The relatively steep incline of Bennett's Hill to the south, and existing woodland also helps to limit the visual envelope towards the south.

6.8.5 From the north the distance of the proposed development from footpaths around the lake and the canal would help to mitigate visual impact of the site. It is likely that within Calcot some distant views of the site would be achievable from upper storeys of houses although this has not been assessed.

6.8.6 On the eastern side of Heron's Nest landfill (which is nearing completion) to the east of the application site, a public right of way runs off Dean's Copse Road in a northerly direction towards the M4, then turning to the west to run between the M4 and the lake. Views of (certainly) the upper parts of the buildings are likely to be achievable from the southern section of this right of way although these viewpoints have not been assessed in the Assessment. The site is likely to be more visible in the winter with less leaf cover on the intervening vegetation. The domed shape of the land would almost completely obscure views when on the northern section towards Reading Services and the M4. As described above as part of the restoration of the neighbouring landfill there is a commitment to provide a footpath and a shared use path to the east of the application site, and the tops of the 3 units would be visible from these rights of way when they are in place.

6.8.7 Mitigation has been recommended as part of the Assessment and this includes retention and management of tree planting on the southern boundary of the site; an infill block of tree planting, beyond the application boundary, to the northern extents, abutting the existing woodland; planting trees to the west of proposed units 1 and 2; a 2-3m height proposed bund to the eastern edge of the site to be planted with trees and hedgerow, a line of trees and understorey planting adjacent to the northern edge of the site; and an avenue of formal tree planting is proposed along the internal access road. A detailed landscaping scheme would be submitted and approved via subsequent discharge of condition. CS14 centres on achieving high quality design, and CS19 focuses on the conservation of the historic environment and landscape character and it is considered that the proposal aligns with these policies.

6.8.8 WLP30 highlights landscape and visual impact as a key consideration in the determining of planning applications for waste development while CS18 promotes the provision of green infrastructure in new development. With mitigation as described above the Assessment indicates that the development is expected to have a slight adverse to neutral effect on visual impact and a slight adverse to neutral landscape impact. In view of this, and the other issues referred to above it is considered that the implications in terms of landscape and visual impact have been satisfactorily assessed. It is considered that the development accords with WLP30, and due to the planting proposed the development is viewed as being aligned to CS18.

6.9 Sustainable construction

6.9.1 The objectives of the Core Strategy also seek to mitigate the impact of climate change, and the environmental performance of new buildings is particularly important in this context. Policy CS15 'Sustainable Construction and Energy Efficiency' requires that development proposals consider energy efficiency and sustainable design from the outset. New non-residential buildings are required by policy CS15 to comply with a BREEAM Excellent standard.

6.9.2 A BREEAM pre-assessment has been provided for the proposed site offices indicating that 'Very good' can be achieved rather than 'Excellent'. There are however, sustainability benefits in the co-location of this facility adjacent to the existing site to the west. It has been stated within the submitted details that quantities of waste material would be transferred straight into this proposed facility when currently they would require onward transportation to another site. A quantity of the non-recyclable material that comes into the adjacent site would be utilised in the proposed RDF building, and similarly quantities of wood and plastic waste would be transferred into the proposed site. The National Planning Policy for Waste (NPPW) states in part that in preparing their plans, waste planning authorities should consider a broad range of locations including industrial sites, looking for opportunities to co-locate waste management facilities together and with complementary activities. Although this refers to plan-making rather than the development management process, it is considered that co-location of waste facilities is in the spirit of the NPPW.

6.9.3 Advice from BRE Global indicates that generally speaking, if a building is not going to be occupied by human inhabitants and therefore heated, lit, ventilated, serviced etc. then it would not be recommended to be BREEAM assessed as large parts of

the criteria would not be applicable or appropriate. Although there would be people working in the proposed Units 1, 2 and 3 during working hours, the buildings are open on one side and would therefore not be heated. In this context it is considered that they are not required to be BREEAM assessed. It is also proposed to have solar panels on units 1, 2 and 3 in compliance with CS14 which is supportive of the incorporation of renewable energy technology into development.

- 6.9.4 Although the proposed offices would not achieve the 'Excellent' rating, considering the other sustainability benefits offered, this would not alone be a reason for refusal, and the proposals are considered to be in compliance with CS14.

6.10 Socio-economic considerations

- 6.10.1 ADPP6 of the Core Strategy sets out the overarching spatial strategy for the East Kennet Valley and it highlights the importance of ensuring that any development responds positively to the local context. Policy CS9 states inter alia that proposals for business development should be in keeping with the surrounding environment, not conflict with existing uses, and promote sustainable transport.
- 6.10.2 As previously described the proposed site is a Preferred Area for waste management, and there is an adjacent waste management facility to the west. Therefore it is not considered that the development would conflict with existing uses, in fact it would complement the neighbouring facility in compliance with ADPP6 and CS9.
- 6.10.3 It is stated that the construction of the development would take up to approximately 12 months generating 20 temporary jobs. It is difficult to be categorical about these matters, but it would seem plausible that at least some of the workforce would be sourced locally, and that the sourcing of labour, materials and plant is likely to lead to opportunities for local companies to capture sub-contractor roles. This in turn would support a number of jobs, for example associated with spending on accommodation, food, drink, and transport, resulting in 'indirect' effects from the construction phase positively impacting on the local economy on a temporary basis. Reducing unemployment, even on a temporary basis is likely to result in social benefits including improved physical and mental health, and a decrease in crime potentially.
- 6.10.4 Increased vehicle movements during construction could result in negative social impacts, however a Construction Method Statement has been requested by WBC Highways which would mitigate these impacts including avoiding peak traffic periods and the use of the Strategic Road Network where possible.
- 6.10.5 There is also potential for increased noise impacts during the construction period however the short temporal aspect of these impacts, and the distance between the application site and sensitive receptors means that impacts are unlikely to be significant. As previously described there is a commitment to provide 2 public rights of way as part of the restoration of the landfill site immediately to the east of the site. However, users of the rights of way would only be exposed to impacts for short periods when passing the application site (during construction and operation). The applicant also indicates that construction would be limited to Monday- Friday 08:00-18:00 and this would be stipulated in the Construction Method Statement to be approved via conditional discharge.

- 6.10.6 The applicant has indicated that the expected operational lifetime of the facility is 25 years and it is estimated that there would be a requirement for 20 full time staff to operate and maintain the facility. Staff would be required at various levels, consisting of management, administration, technicians, labourers, and plant operators. Given the 25 year period, and the number and diversity of jobs generated, it is considered that the development would have a significant positive impact on the local economy.
- 6.10.7 During operation, transport, noise, air quality and odour impacts have the potential to result in significant negative social and economic impacts. Regarding transport, the submitted Transport Assessment and Environmental Statement have been assessed and it is considered that the level of additional traffic is acceptable and is unlikely to lead to significant social or economic impacts. Noise and air quality assessments were undertaken and considering their findings and due to the distance to the nearest sensitive receptors, the impacts are not considered likely to be significant.

6.11 Net Self-sufficiency in Waste Management

- 6.11.1 Currently the Council is in the process of producing a new Minerals and Waste Local Plan (MWLP) and the most recent consultation stage (May/June 2017) was the 'Preferred Options' which contained draft policies relating to mineral and waste development. Clearly, these draft policies are not part of the Development Plan as the MWLP is emerging and has not been adopted.
- 6.11.2 Article 16 of the Waste Framework Directive relates to 'Principles of self-sufficiency and proximity' between Member States of the EU. These principles are also generally followed by waste planning authorities in the UK in terms of plan-making. To date the approach in the emerging MWLP has been that West Berkshire would aim to have at least as much waste management capacity as the estimated waste arisings from within West Berkshire during the projected plan-period.
- 6.11.3 As part of the evidence base for the MWLP a Local Waste Assessment (March 2017) has been produced which acknowledges that currently West Berkshire is likely to have more waste management capacity (c960,000tpa) than the estimated arisings (estimated c750,000tpa) within the District. This is a material consideration, however it is acknowledged that waste crosses administrative boundaries throughout the country and further afield. As previously discussed, in policy terms the site is currently an allocated Preferred Area for waste management in line with Saved Policy WLP11 of the Waste Local Plan for Berkshire. The overall waste management capacity in the District, in the officer's view would not be a reason to look on the proposal negatively given the economic and sustainability benefits, and also the fact that impacts on amenity have been assessed and deemed to be acceptable.

6.12 Other matters

- 6.12.1 The majority of the representations have made reference to impacts from the adjacent, existing site related primarily to noise, and impacts from increased levels of HGV traffic including inconsiderate driving, damage to the road network, and material being brought onto Dean's Copse Road. The fact that Dean's Copse Road

floods, and also the view that this development may lead to further development within the site are highlighted in the representations.

- 6.12.2 This application must however be considered on its own merits rather than through the impacts from the existing adjacent site or perceptions about what may happen in the future. The application documents have been assessed in view of the potential impacts from noise, traffic and flooding associated with the proposal and the development is considered not to give rise to unacceptable impacts. The relevant assessments have taken into account the existing situation in terms of baseline traffic levels and noise levels, and the specific topics are discussed in more detail earlier in this report.
- 6.12.3 There are some erroneous statements within the application documents including reference to the site as 'previously developed land' in the Environmental Statement. The NPPF specifically excludes from the definition of 'previously developed land' such land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures. It is also stated within the Environmental Statement that the proposed development is temporary in nature, however this development would be subject to a permanent planning permission (albeit with a 25 year stated lifetime for the facility itself).
- 6.12.4 Despite these errors, Regulation 18(b) of the Environmental Impact Assessment Regulations 2017 (as amended) states that an environmental statement must include the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment. The Environmental Statement on the advice of the Scoping Opinion adopted by the Council included traffic and transport, and also the cumulative impacts associate with traffic and transport, and it is deemed to be fit for purpose.

7. CONCLUSION

- 7.1 The site is a Preferred Area for waste management development and so in accordance with WLP11 of the Waste Local Plan for Berkshire (WLPB) the principle of the development is considered to be acceptable.
- 7.2 The impact of the development has been considered in the context of traffic, noise, flood risk, air quality, landscape, and socioeconomic factors. In terms of impact on amenity, the development is considered to be acceptable. It has been confirmed that the road network can accommodate the forecasted volume of traffic and that the environmental impacts associated with the traffic would not be significant. There would be visual impacts associated with the construction and operational phases from rights of way of way to the east (future and existing). However, within the landscape there are already urban/industrial features such as the neighbouring waste facility to the west, the M4 and electricity pylons. Overall, with mitigation the development is considered to be acceptable in terms of landscape and visual impact. The provision of a reptile hibernacula would present a biodiversity benefit. The co-location of this facility adjacent to the existing site to the west enables sustainability benefits, and the proposed solar panels would generate renewable

energy which is also considered to be positive in sustainability terms. For these reasons the recommendation is for a conditional approval.

8. FULL RECOMMENDATION

DELEGATE to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.1).

8.1 Schedule of conditions

1. Commencement

The development hereby permitted shall be started within three years from the date of this decision notice and implemented strictly in accordance with the approved plans and details specified within this decision notice.

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

2. Standard list of approved plans

The development hereby permitted shall be carried out in accordance with the approved drawings and other documents listed below:

Planning Statement Material Processing Facility ref CRM.192.005 (dated July 2017)

Drawing 'Site Plan Proposed Layout ref PL1002.C (dated October 2016)'

Drawing 'Site Office Plans and Elevations ref PL.1100 (dated October 2016)'

Drawing 'Unit 1 Elevations ref PL.1102.B (dated October 2016)'

Drawing 'Unit 1 Plans ref PL.1101.B (dated October 2016)'

Drawing 'Unit 2 Plans and Elevations ref PL.1103.A (dated October 2016)'

Drawing 'Unit 3 Plans and Elevations ref PL1104 (dated October 2016)'

Reptile Survey (July 2017) ref CRM.192.005.EC.R.003

Preliminary Ecological Appraisal (July 2017) ref CRM.192.005.EC.R.002

Tree survey report – Theale Quarry (dated January 2017) produced by Venners Arboriculture

Drawing 'Appendix 4 Tree protection plan ref PL1002 (dated Oct 2016)' within Tree survey report – Theale Quarry (dated January 2017) produced by Venners Arboriculture

Drawing 'Site Plan showing visibility splays ref CRM.192.005.T.D.003 Oct 2017' sent via email on 6 October 2017 from Enzygo to West Berkshire Council

Theale Quarry BREEAM pre-assessment ref 125164 (13 July 2017) produced by HRS Services Limited

Landscape and Visual Impact Assessment (August 2017) ref CRM.192.005.L.R.001

Except as may otherwise be amended by other conditions in this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Hours of working

Unless otherwise agreed in writing by the Local Planning Authority no operations or activities authorised by this permission including the receipt, movement and despatch of goods vehicles shall be carried out except between the following hours:

0700 and 1800 Mondays to Fridays

0700 and 1300 Saturdays

and no such operations shall be carried out on Sundays, Bank Holidays or Public Holidays

Reason: In the interests of the amenities of the area. This condition is imposed in accordance with policy WLP30 of the Waste Local Plan for Berkshire 1998-2006 and policy CS14 of the West Berkshire Core Strategy 2006-2026.

4. Details of external lighting

Prior to the erection of any external lighting on site details shall be submitted to and approved by the Local Planning Authority. The external lighting shall be installed in accordance with the approved scheme. The approved external lighting shall thereafter be retained.

Reason: Inappropriate external lighting would harm the special rural character of the locality. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design June 2006.

5. Ecological mitigation

The development shall be undertaken in full accordance with Section 5.2 'Further Survey and Mitigation' of the 'Preliminary Ecological Appraisal (July 2017) ref CRM.192.005.EC.R.002', and Section 5.2 'Mitigation' of the 'Reptile Survey (July 2017) ref CRM.192.005.EC.R.003' including the creation of a reptile hibernacula which shall be created in line with best practice (English Nature, 2001), details of which shall be submitted for approval, prior to its creation in line with condition 6 of this decision notice.

Reason: To ensure the protection of species protected by law. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

6. Reptile hibernacula

No development shall take place until details of a reptile hibernacula to be created on site have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall encompass a 1 metre deep and 1 metre wide east-west running trench which will be dug and filled with inert clean fill (hardcore, brick rubble, logs). The rubble shall then be covered with topsoil and turf leaving several parts exposed to allow access. Specifications for this including the proposed location of the hibernacula shall be submitted to and approved in writing by the Local Planning Authority. The reptile hibernacula shall be created in accordance with the approved scheme. The approved reptile hibernacula shall thereafter be retained.

Reason: To ensure the protection of species protected by law. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

7. Surfacing of Access and haul road

The access and internal haul road which runs between the highway, offices, and Units 1, 2 and 3 shown on approved Drawing 'Site Plan Proposed Layout ref PL1002/C (dated October 2016)' shall be surfaced with a bonded concrete or tarmacadam material across the entire width. The haul road shall be maintained and retained at all times for the use hereby permitted.

Reason: To avoid spillage of loose material onto the carriageway and in the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework, policies WLP27 and 31 of Waste Local Plan for Berkshire 1998-2006, policy TRANS.1 of the West Berkshire District Local Plan and policy CS13 of the West Berkshire Core Strategy 2006-2026.

8. Wheel cleaner / washer

No development shall take place until a scheme has been submitted to and approved by the Local Planning Authority which shall include:

- i) Details for monitoring the highway to assess the need for installation of wheel cleaning facilities together with the methodology of reporting;
- ii) Time scale for the period of monitoring, and for the subsequent provision of wheel cleaning facilities if it is agreed between the Local Planning Authority and Highway Authority that wheel cleaning facilities are required;
- iii) The scheme shall ensure that if it is deemed that wheel cleaning facilities are required, the distance the facilities shall be sited from the highway are provided;
- iv) The scheme shall ensure that if it is deemed that wheel cleaning facilities are required, details of the surfacing of areas between the highway and the wheel cleaning facilities are provided;
- vi) The scheme shall ensure that if it is deemed that wheel cleaning facilities are required, the full details of the wheel cleaning facilities, including maintenance procedures are provided.

The development shall be carried out in complete accordance with the approved scheme. Any wheel cleaning facilities that are installed shall be maintained and retained at all times for the use hereby permitted. All heavy goods vehicles exiting the site shall pass through and use any wheel washing/cleaning equipment provided.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework, policies WLP27 and 31 of Waste Local Plan for Berkshire 1998-2006, policy TRANS.1 of the West Berkshire District Local Plan and policy CS13 of the West Berkshire Core Strategy 2006-2026.

9. Weighbridge and welfare facilities

Prior to the erection of any weighbridge or welfare facilities on site, details shall be submitted to and approved by the Local Planning Authority. The weighbridge and welfare facilities shall be installed in accordance with the approved scheme. The approved weighbridge and welfare facilities shall thereafter be retained to the approved specifications.

Reason: Details of the weighbridge and welfare facilities were not fully provided with the application and are required to ensure that the proposed details are acceptable. This condition is imposed in accordance policy WLP30 of the Waste Local Plan for Berkshire 1998-2006 and policy CS 14 of the West Berkshire Core Strategy 2006-2026.

10. Oil tanks/fuel/chemical storage

Any chemical, oil, fuel, lubricant and other potential pollutants shall be stored in containers which shall be sited on an impervious surface and surrounded by a suitable liquid tight bunded compound. The bunded areas shall be capable of containing 110% of the container's total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. The vent pipe should be directed downwards into the bund. There must be no drain through the bund floor or walls.

Reason: To minimise the risk of pollution of the water environment and soils. This condition is imposed in accordance with the National Planning Policy Framework, the National Planning Policy for Waste, policy WLP30 of the Waste Local Plan for Berkshire 1998-2006, and policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

11. Repair/Maintenance of Vehicles

Repair, maintenance and refuelling of plant and machinery shall, where practicable, only take place on an impervious surface drained to an interceptor and the contents of the interceptor shall be removed from the site.

Reason: To minimise the risk of pollution of the water environment and soils. This condition is imposed in accordance with the National Planning Policy Framework, the National Planning Policy for Waste, policy WLP30 of the Waste Local Plan for Berkshire 1998-2006, and policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

12. Burning

No waste or other materials shall be burnt at the site.

Reason: To protect the amenities of the locality from the effects of dust and mud arising from the development. This condition is imposed in accordance with the National Planning Policy Framework, policy WLP30 of the Waste Local Plan for Berkshire 1998-2006, policy CS14 of the West Berkshire Core Strategy 2006-2026 and policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

13. Buildings

The site offices, unit 1, unit 2 and unit 3 identified on approved Drawing 'Site Plan Proposed Layout ref PL1002.C (dated October 2016)' shall be constructed in accordance with the specifications on approved:

Drawing 'Site Plan Proposed Layout ref PL1002.C (dated October 2016)';

Drawing 'Site Office Plans and Elevations ref PL.1100 (dated October 2016)';

Drawing 'Unit 1 Elevations ref PL.1102.B (dated October 2016)';

Drawing 'Unit 1 Plans ref PL.1101.B (dated October 2016)';

Drawing 'Unit 2 Plans and Elevations ref PL.1103 (dated October 2016)'; and

Drawing 'Unit 3 Plans and Elevations ref PL1104 (dated October 2016)'.

Thereafter, they shall be maintained and retained for the duration of the use on site.

Reason: This condition is imposed in accordance policy WLP30 of the Waste Local Plan for Berkshire 1998-2006 and policy CS 14 of the West Berkshire Core Strategy 2006-2026.

14. BREEAM

The offices identified on Drawing 'Site Plan Proposed Layout ref PL1002.C (dated October 2016)' and Drawing 'Site Office Plans and Elevations ref PL.1100 (dated October 2016)' hereby permitted shall achieve Very Good under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). This building shall not be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating of Very Good has been achieved for the development, has been issued and a copy has been provided to the Local Planning Authority.

Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS15 of the West Berkshire Core Strategy 2006-2026 and Supplementary Planning Document Quality Design June 2006.

15. Samples of materials

No development shall take place until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the buildings and hard surfaced areas hereby permitted, have been submitted to and approved by the Local

Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework, policy WLP30 of the Waste Local Plan for Berkshire 1998-2006 and policy CS14 of the West Berkshire Core Strategy 2006-2026.

16. Receipt of waste

The throughput of waste at this site shall not exceed 82,000 tonnes per annum of non-hazardous waste without prior agreement in writing from the Local Planning Authority.

Reason: In the interests of local amenity. This condition is imposed in accordance policy WLP30 of the Waste Local Plan for Berkshire 1998-2006 and policy CS 14 of the West Berkshire Core Strategy 2006-2026.

17. Records of waste

From the date the site begins to receive waste the operators shall maintain records of the monthly receipt of waste and shall make them available to the Local Planning Authority at any time upon request. All records shall be kept for at least 24 months following their creation or such longer period as the Local Planning Authority may specify in writing. These records shall include the quantities and types of waste including that which is transferred from:

-the Theale Waste Recycling and Transfer Facility (originally permitted under planning reference 13/01928/MINMAJ) which is adjacent to the west of the development hereby permitted; and

-the site hereby permitted to the Theale Waste Recycling and Transfer Facility (originally permitted under planning reference 13/01928/MINMAJ)

Reason: In order that the Local Planning Authority can monitor the receipt of waste to the site. This condition is imposed in accordance policy WLP30 of the Waste Local Plan for Berkshire 1998-2006 and policy CS 14 of the West Berkshire Core Strategy 2006-2026.

18. Waste storage

With the exception of the storage of wood waste associated with wood chipping in stockpiles of no more than 5 metres in height and in full accordance with the scheme to be approved via conditional discharge pursuant to condition 19, no waste storage operations shall take place on the site outside of the approved buildings.

Reason: In the interests of local amenity. This condition is imposed in accordance policy WLP30 of the Waste Local Plan for Berkshire 1998-2006 and policy CS 14 of the West Berkshire Core Strategy 2006-2026.

19. Waste processing

With the exception of wood chipping no waste transfer, recycling, or processing shall be undertaken on the site outside of the approved buildings, and wood chipping shall only be undertaken on the site subsequent to the submission and approval of details of:

- (i) The proposed location of the wood chipper within the site; and
- (ii) The proposed location of the stockpiles of processed and unprocessed wood material within the site.

Reason: In the interests of local amenity. This condition is imposed in accordance policy WLP30 of the Waste Local Plan for Berkshire 1998-2006 and policy CS 14 of the West Berkshire Core Strategy 2006-2026.

20. Agreement on storage of skips

No storage of skips shall take place on site until details of a storage area have been submitted to and approved by the Local Planning Authority. Thereafter, skips shall only be stored within this approved area to a maximum height of 5 metres and they shall be incidental to operation of the site.

Reason: In the interests of amenity. This condition is imposed in accordance with the National Planning Policy Framework, policy WLP30 of the Waste Local Plan for Berkshire 1998-2006, policy CS14 of the West Berkshire Core Strategy 2006-2026, and policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

21. Construction method statement

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:

1. The parking of vehicles of site operatives and visitors
2. Loading and unloading of plant and materials
3. Storage of plant and materials used in constructing the development
4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
5. Wheel washing facilities
6. Measures to control the emission of dust and dirt during construction
7. A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

22. Visibility splays before occupation

The development shall not be brought into use until the visibility splays at the access have been provided in accordance with drawing number CRM.192.005.T.D.003 received by West Berkshire Council on 6 October 2017. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 1.05 metres above the carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

23. HGV, car and light van parking provided to standards

No development shall take place until details of the vehicle parking and turning spaces/areas have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the parking spaces are to be surfaced and marked out. The development shall not be brought into use until the vehicle parking and turning spaces/areas have been provided in accordance with the approved details. The parking and/or turning spaces shall thereafter be kept available for parking and turning at all times.

Reason: To ensure the development is provided with adequate parking and turning facilities, in order to reduce the likelihood of roadside parking which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

24. Motorcycle and Cycle storage

No development shall take place until details of the motorcycle and cycle parking and storage spaces have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the motorcycle and cycle parking and storage spaces have been provided in accordance with the approved details and retained for these purposes at all times.

Reason: To ensure that there is adequate and safe motorcycle and cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

25. Delivery Management Plan

No development shall take place until details of a Delivery Management Plan have been submitted to and approved in writing by the Local Planning Authority. The Plan shall ensure delivery and collection vehicles access the site at staggered intervals, to mitigate the risk of more than one vehicle waiting at the security gate that could lead to queuing on Deans Copse Road. Thereafter the Delivery Management Plan shall be adhered to and retained for the purposes of deliveries to the site and collections from the site at all times.

Reason: To ensure there is adequate and safe access into the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy

26. Land contamination

No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site are each submitted to and approved, in writing, by the local planning authority:

(i) 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;

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

(iii) The results of the site investigation and detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and

(iv) 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 (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons

This site lies on a historic landfill and potential sources of contamination have been identified. This site is located above a secondary aquifer and in close vicinity to a surface watercourse. These are controlled water receptors which could be impacted by any contamination present on site. Further investigation is required to determine the extent of any contamination present and to what extent it poses a risk to controlled waters. Any risk identified would need to be adequately resolved to ensure that this does not impact on controlled water receptors. This may include remedial works to resolve contamination issues.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

27. Verification Report

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of 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. 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. It shall also include any plan (a "long-term monitoring and maintenance plan") for

longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reasons

To ensure that contamination at the site is remediated, so that it does not pose an unacceptable threat to controlled waters.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

28. Unsuspected 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.

Reasons

To ensure that any unexpected contamination encountered during the development is suitably assessed and dealt with, such that it does not pose a unacceptable risk to ground or surface water.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

29. Piling

Piling or any other foundation designs using penetrative methods shall not be 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 groundwater. The development shall be carried out in accordance with the approved details.

Reason

There is significant potential that hotspots of contamination may be present. Piling would need to be undertaken in a fashion not to lead to the mobilisation of contaminants into groundwater. Groundwater is particularly sensitive at this location because the proposed development is located upon a secondary aquifer.

30. Reversing Alarms

HGVs and fork lift trucks shall be fitted with non-tonal (white noise) reversing warning alarms.

Reason

To protect the amenities of the locality from the effects of noise arising from the development. This condition is imposed in accordance with the National Planning Policy Framework, the National Planning Policy for Waste, policy WLP30 of the Waste Local Plan for Berkshire 1998-2006, policy CS14 of the West Berkshire Core Strategy 2006-2026 and policy OVS.6 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007

31. Odour and dust monitoring scheme

Within 2 months of the commencement of the receipt of waste at the development site hereby permitted, a scheme and programme of the measures for the monitoring and mitigation/suppression of odour and dust resulting from the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

- 1) The identification of the elements of the operations hereby permitted which are, or have the potential to, generate adverse odours or dust;
- 2) An odour monitoring strategy to ensure the ongoing monitoring of odour or dust emissions from the sources identified;
- 3) The mitigation measures proposed to minimise the effects of the odours or dust;
- 4) An odour complaints procedure specifying how odour and dust complaints will be investigated, documented and where appropriate rectified; and
- 5) Provisions for an annual review and update of the odour and dust mitigation strategies reflecting outcomes from the odour and dust complaints procedure where required.

The approved scheme including the odour and dust mitigation strategies which shall be updated as required, shall be implemented in full and complied with at all times.

Reasons: To protect the amenities of the locality from the effects of odour and dust arising from the development. This condition is imposed in accordance with the National Planning Policy Framework, the National Planning Policy for Waste, policy WLP30 of the Waste Local Plan for Berkshire 1998-2006, policy CS14 of the West Berkshire Core Strategy 2006-2026 and policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

32. Landscaping

No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority which shall encompass the principles set out in 'Section 6.2' and the 'Landscape Strategy Plan – Rev A (dated August 2017) ref CRM.192.005.L.D.015.A' of the approved Landscape and Visual Impact Assessment (August 2017) ref CRM.192.005.L.R.001. The details shall include schedules of plants noting species, plant sizes and proposed numbers

and densities, an implementation programme, and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

- a) Completion of the approved landscape scheme within the first planting season following completion of development.
- b) Any trees shrubs or plants that die or become seriously damaged within five years of their planting shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

33. Landscape Management Plan

No development or other operations shall commence on site until a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for a period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The plan shall include any areas of existing landscaping including tree planting and also include any areas of proposed landscaping.

Reason: To ensure the long term management of existing and proposed landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

34. Tree Protection

Protective fencing shall be erected and retained intact for the duration of the development in accordance with Drawing 'Appendix 4 Tree protection plan ref PL1002 (dated Oct 2016)' within Tree survey report – Theale Quarry (dated January 2017) produced by Venners Arboriculture. Within the fenced area, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

35. Drainage

No development shall take place until details of the sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- 1) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards. These shall include the retrofitted SuDS measures within the development to provide betterment over the existing situation;

- 2) Include a ground investigation survey including groundwater monitoring to provide data for 3 months undertaken during the period November to March (inclusive). The groundwater levels should be used to design the surface water drainage system and ensure that there is no negative impact on the system from groundwater;
- 3) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- 4) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- 5) Include pre-treatment methods to prevent any pollution or silt leaving the site or causing any contamination to the soil or groundwater.
- 6) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for management and maintenance and any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime;

The sustainable drainage measures shall be implemented and maintained in the approved condition thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

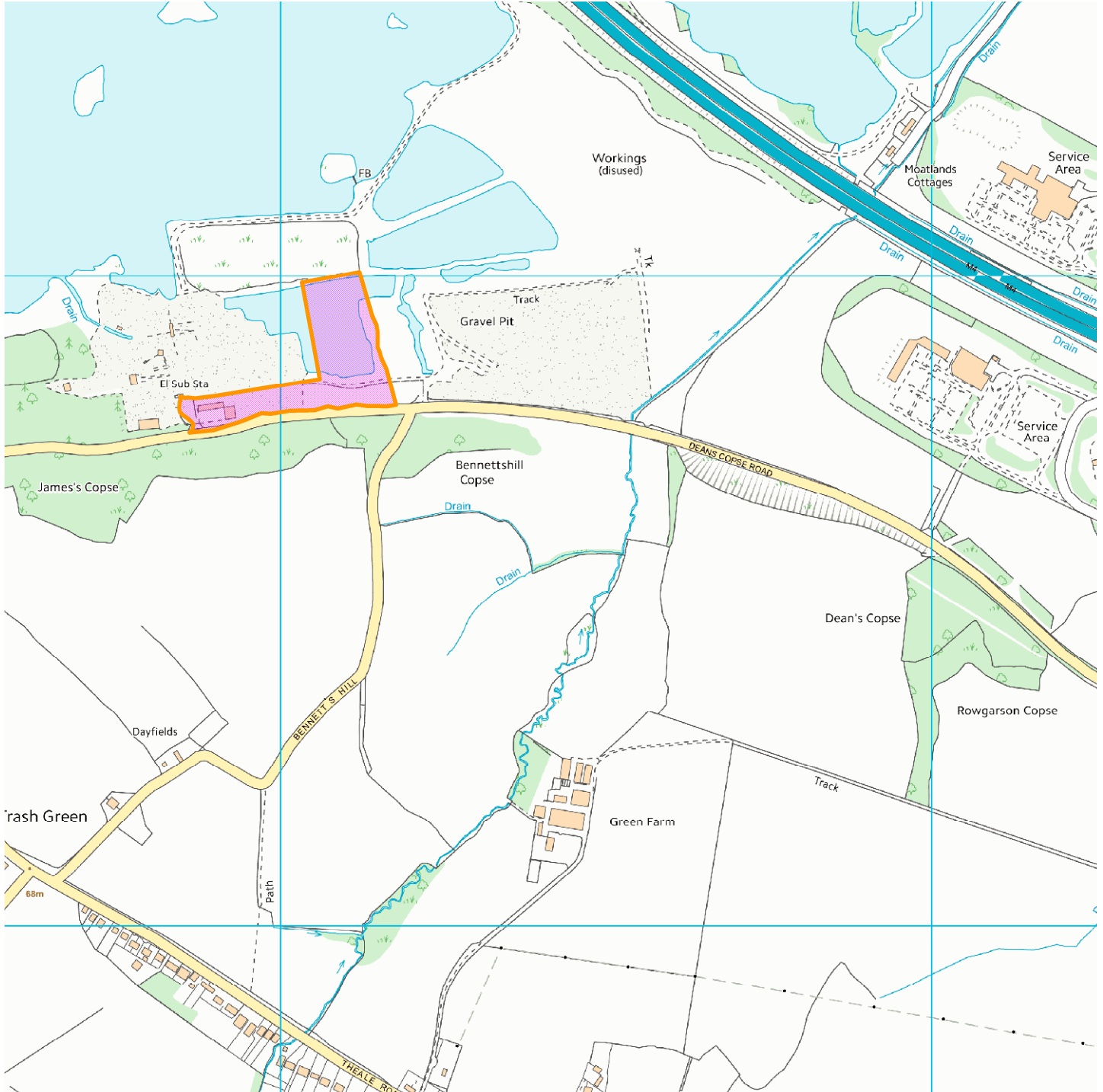
36. Haulage and access scheme

No development shall take place until a scheme of haulage and access has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall detail the methods to be employed to inform the drivers of all heavy goods vehicles that use the site that the preferred haul route to and from the site should be via the Burghfield Road, and A4 where reasonably possible.

Reason: This condition is imposed in accordance with the National Planning Policy Framework, the National Planning Policy for Waste, policy TRANS.1 of the West Berkshire District Local Plan and policy CS13 of the West Berkshire Core Strategy 2006-2026.

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Former Theale Quarry, Deans Copse Road, Theale

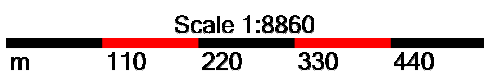


Map Centre Coordinates :

Scale : 1:8860

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Organisation	West Berkshire Council
Department	
Comments	
Date	04 January 2018
SLA Number	0100024151

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Agenda Item 5.

APPEAL DECISIONS EASTERN AREA-COMMITTEE

Parish and Application No Inspectorate's Ref	Location and Appellant	Proposal	Officer Recommendation	Decision
PURLEY ON THAMES 17/00650/FULD Pins Ref 3182919	Caravan at Site Of 23 River Gardens Purley On Thames	Demolition of existing caravan to erect a new detached 4 bedroom house	Delegated Refusal	Allowed 15.12.17
BEECH HILL 14/00574 Pins Ref 3153173	Trunkwell Mansion Hotel, Beech Hill Mr R Walton Parson Leisure	Marquee and Hardstanding	Enforcement	Withdrawn 22.12.17

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