

## 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, 17 JANUARY 2018**

**Councillors Present:** Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Marigold Jaques, Mollie Lock (Substitute) (In place of Alan Macro), Graham Pask (Chairman), Richard Somner, Quentin Webb (Substitute) (In place of Alan Law) and Emma Webster

**Also Present:** Jessica Bailiss (Policy Officer (Executive Support)), Gareth Dowding (Senior Engineer), Andrew Morrow (Senior Minerals and Waste Planning Officer), David Pearson (Development Control Team Leader) and Shiraz Sheikh (Acting Legal Services Manager)

**Apologies for inability to attend the meeting:** Councillor Alan Law, Councillor Alan Macro and Councillor Tim Metcalfe

#### **PART I**

#### **45. Minutes**

The Minutes of the meeting held on 20<sup>th</sup> December 2018 were approved as a true and correct record and signed by the Chairman.

#### **46. Declarations of Interest**

Councillor Emma Webster declared an interest in Agenda Item 4 (1), but reported that, as her interest was a personal or another registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

#### **47. Schedule of Planning Applications**

##### **(1) Application No. & Parish: 17/02241/MINMAJ - Former Theale Quarry, Deans Copse Road, Theale**

*(Councillor Emma Webster declared a personal interest in Agenda Item 4(1) by virtue of the fact that she was West Berkshire Council's appointed representative on the Royal Berkshire Fire Authority however, had not discussed the application. As her interest was personal and not prejudicial or a disclosable pecuniary interest she 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 17/02241/MINMAJ in respect of the development of three industrial buildings for the processing of non-hazardous materials, together with a small office, parking, storage areas and internal roads.

In accordance with the Council's Constitution, Mr Tom Wright, objector, and Mr Matt Fenton, applicant, addressed the Committee on this application.

Mr Wright in addressing the Committee raised the following points:

- His view represented the views of most residents who lived within a mile of the site.

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- Some residents had attended the site visit and felt that the application was up for approval as part of West Berkshire Council's overall waste plan.
- The recycling plant adjacent to the site was operated by the same company who had submitted the application. Both sites would use the same entrance if approved.
- Although not objecting to the application, there were a number of issues outstanding relating to the existing adjacent site that Mr Wright was concerned about. It was necessary for the application to be considered cumulatively with the existing site. There was a biomass boiler on the existing adjacent site that ran 24 hours a day, seven days a week, creating noise and was a nuisance. Noise levels had not been monitored since it was installed. The new site would incorporate a much noisier shredding machine, which would run at 100 decibels and a wood-chipping machine that would run at 110 decibels.
- It was felt reasonable that the Council should implement conditions that ensured a sound assessment was carried out once the site was operating if approved.
- Mr Wright was concerned about littering along Dean Copse Road and felt that a condition should be included if the application was approved, to ensure this did not become an issue.
- Dean Copse Road was often closed due to flooding and it was hoped that the applicant would extend his drainage system proposed for the site, to include the road as a gesture of good will.
- Mr Wright stated that he would like to see a condition added that ensured white noise reversing alarms were fitted to all site plant and vehicles.
- There was no clarity within the Officer's report regarding the hours or exports of recycling activity. This needed to be kept within the hours of 7am and 6pm.
- Mr Wright was concerned over lighting being installed on the site.

The Chairman invited Members of the Committee to ask any questions relating to the points raised by Mr Wright.

Councillor Marigold Jaques noted that residents were concerned about the noise being created by the existing site and asked Mr Wright if the issue had ever been reported to the Council's Environmental Health Service. Mr Wright confirmed that residents had expected the company operating on the site to investigate and therefore the Environmental Health Service had not been contacted. Mr Wright stated that 85 decibels might not seem very intrusive however, when this level of noise continued all day and frequently at night, it became problematic.

Councillor Keith Chopping was of the understanding that the baler and shredder would create more noise than the bio-mass boiler on the adjacent site. Mr Wright confirmed that this was correct and stated that 110 decibels would be created by the new site. Councillor Chopping also noted that Mr Wright had asked that white noise reversing alarms be installed and the Chairman highlighted that this was included within the conditions to the report.

Councillor Richard Crumly noted that Mr Wright had spoken of flooding in the area and asked if the site was also prone to this issue. Mr Wright stated that flooding was not an issue on the site however, Dean Copse Road ran parallel to the site and flooded regularly. Flooding on the road often stopped all vehicles using it apart from four by four vehicles. Residents were suggesting that as a good will gesture, the applicant implement

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a drainage system that included flood water coming from the south on Dean Copse Road.

Councillor Graham Bridgman referred to the agenda pack and noted the two points raised by Mr Wright i.e. external lighting and hours of working. Both of these issues were already covered by conditions within the report. Mr Wright confirmed that with regards to hours of working he was highlighting an anomaly within the application. The noise assessment stated that no recycling should take place between 11pm and 7am, although it stated that there might be movements on the site between these hours. However, another reference to hours of working within the application concurred with the Planning Officer's report, which stated that operation on the site would be restricted to between the hours of 7am and 6pm Monday to Friday and between 7am and 1pm on Saturdays.

Regarding external lighting, Mr Wright stated that there was currently a portakabin/security building with lighting at the entrance and another light that shone very brightly on the site. He did not feel that there should more lighting than this if the application was approved.

Councillor Pamela Bale asked Mr Wright if he had viewed the Officers comments regarding surface water run off on page 30 of the agenda. This issue was also covered by a condition (page 60). Mr Wright confirmed that he was referring to the flooding issue on Dean Copse Road rather than on the site. He was suggesting the applicant help to mitigate the problem.

Mr Fenton in addressing the Committee raised the following points:

- He aimed to address the concerns raised by Mr Wright.
- Firstly he referred to the noise on the existing site. His view was that the current application should be considered on its own merit. Regarding the bio-mass boiler on the adjacent site, he stated that he would be happy to meet with residents to help address their concerns.
- Regarding noise on the proposed development, a substantial noise assessment had been undertaken and this had provided a prediction of what the noise level would be and it had been concluded that this would be lower than that already incurred by the nearby residential area.
- There were conditions to ensure white noise reversing alarms were fitted and regarding external lighting.
- Regarding littering on Dean Copse Road, every effort was made to keep this to a minimum including sheeting of skips/vehicles. It was thought that residents might be getting confused between vehicles leaving the adjacent site and those leaving the tip site to the east, which had historically brought mud out onto Dean's Copse Road.
- The proposed site was not on a flood plain. Development of the site would not increase flooding.
- Mr Fenton noted the discrepancy that Mr Wright had mentioned relating to the hours of working and confirmed that he would look in to this.

Councillor Mollie Lock asked if lorries ever turned up and queued prior to the site gates opening. Mr Fenton reported that there was a Delivery Management Plan in place that covered lorries travelling to the site and helped to prevent queuing.

Councillor Bridgman noted that a Haulage and Access Scheme was referenced within the report and update sheet and asked how it would be ensured that drivers only used

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the routes designated for HGVs. Mr Fenton stated that HGVs could only come from the east and effort was made to ensure drivers were aware of the correct routes. Mr Fenton confirmed that vehicles were tracked and therefore it could be demonstrated if a vehicle had gone off track.

Councillor Argyle asked for confirmation that the wood chipper would only be operated during the stipulated daytime hours. Mr Fenton confirmed this to be correct.

Councillor Quentin Webb stated that the Royal Berkshire Fire and Rescue Service had made a notification with the Officer's report that a private fire hydrant(s) and sprinkler system should be installed. Mr Fenton stated that fire suppression in such buildings was a contentious subject as they had to comply with many regulations. Fire suppression was taken very seriously and it would be ensured as part of environmental regulations. Mr Fenton indicated that there was a fire hydrant in close proximity to the site.

Councillor Chopping referred to the comments made by Mr Wright regarding the level of noise created by the proposed shredders. Mr Fenton stated that a noise assessment had been carried out and had concluded that there would not be an adverse impact. He was unsure if the noise would be louder or quieter than the current bio-mass boiler. Councillor Chopping asked who had carried out the noise assessment and Mr Fenton confirmed that this had been undertaken by an independent organisation. Councillor Chopping did not feel that there was clarity on whether the noise levels would be lower than the adjacent residential area. The Chairman confirmed that a more in-depth explanation on this issue would be sought from Officers.

Andrew Morrow explained that assessing the impact of noise was the responsibility of Environmental Health and he was not an expert in this field, however as far as he understood a baseline level would have been recorded at the nearby residential area and the impact of any new noise was modelled on that baseline. The Chairman stated that he was of the view that if the application was approved and there was subsequently a problem with the level of noise caused by the site then there was Environmental Health legislation that could be acted upon.

Councillor Chopping asked if recommendations made by consultees were included within conditions by Planning Officers, Andrew Morrow confirmed that there were.

Councillor Webb asked Officers to comment of the recommendations made by Royal Berkshire Fire and Rescue Service in relation to sprinklers. Andrew Morrow stated that this would be included as an informative as he felt that it was beyond the realms of the planning system. Councillor Webb was of the view that the implementation of a sprinkler system had been recommended as a condition rather than an advisory comment. David Pearson reported that the operation had to adhere to other licensing and regulatory legislation. Mr Pearson stated that in light of the Grenfell Tower disaster, it was possible that building regulations might change however, this was not generally considered a planning consideration.

Councillor Bale referred to the comments made by Royal Berkshire Fire and Rescue Service and felt that sprinklers should be included as a condition. The Chairman highlighted that enforcement of this issue was by other licensing authorities. Legal Officer Shiraz Sheikh reiterated that that Planning Officers had suggested that the implementation of such systems be an informative.

Councillor Bridgman raised a couple of questions for the Highways Officer. First he referred to condition 21 on the update sheet, which detailed the Construction Method Statement, which referenced 'The preferred haul route' to and from the site. Councillor Bridgman asked if this was referring to construction vehicles.

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Secondly Councillor Bridgman noted the use of the word 'preferred' under the Haulage and Access Scheme and he felt that the use of wording needed strengthening to 'have to use'. Councillor Bridgman queried if any vehicle monitoring took place to ensure vehicles were using the correct routes.

Highways Officer, Gareth Dowding, confirmed that the word 'preferred' had to be used as vehicle drivers could use any route that they were legally permitted to. Vehicles might not necessarily come from junction 12 of the M4 and therefore the word 'preferred' had to be used.

Councillor Bridgman asked if Officers would consider monitoring vehicles. Gareth Dowding stated that the applicant would be asked to provide information on how he was ensuring vehicles were making use of the 'preferred' routes.

The Chairman asked if signage could be placed at the site exits to help correctly direct vehicle drivers. Gareth Dowding confirmed that effort was made to keep highway signage to a minimum however, it would be expected that the applicant would provide the necessary signage within the site.

Councillor Emma Webster referred to the hours of construction and felt that a condition should be added on the hours of working. Councillor Webster stated that she was unable to find a condition that related to the hours of build. Condition number three referred to operation rather than construction. Andrew Morrow stated that he would ensure that this was addressed.

Secondly Councillor Webster referred to the 'preferred' haulage route and queried if the word 'required' could be used instead. The Chairman stated that it would be difficult to use the word 'required' with regards to haulage routes, when vehicles drivers could use any route they were legally permitted to.

Finally Councillor Webster referred to conversations regarding the recommendations by the Royal Berkshire Fire and Rescue Service and stated that the consequences of not implementing hydrants could be devastating. She therefore recommended that stronger wording was required on this point.

Councillor Crumly referred to paragraph 6.8.6 on page 44 of the report and asked if the Planning Department had been approached regarding a planning application for waste disposal on the tip site to the east. It was confirmed that no-one had approached the Planning Department on this issue.

Councillor Lock referred to page 22 of the report, which included comments from the Environmental Health Team, who concluded that further consideration needed to be given to near surface soils unless the ground was to be hard surfaced. Councillor Lock noted that no surface soils were analysed and therefore queried if the soils were taken. Mr Morrow confirmed that this would be picked up under the conditions relating to contaminated land if approved.

Councillor Webb expressed his view that the area was a good location for the type of buildings proposed. He also used the opportunity to thank Officers for answering questions at the site visit.

Councillor Bridgman proposed that Members accept the Officer's recommendation to approve planning permission subject to the conditions being added that had been discussed by Members. He felt that the site was in keeping with the Council's waste policy. However, there were issues ongoing with the existing site and these would need to be taken up with the Environmental Health Department. Councillor Bridgman could not see a reason to refuse the application on planning grounds. Shiraz Sheikh asked Councillor Bridgman to clarify which conditions he would like to see added and Councillor

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Bridgman confirmed that these were in regards to the hours of construction and that a hydrant be installed. Councillor Crumly seconded the proposal.

The Chairman asked if there were any Members who would like to add to the debate before they voted on the proposal by Councillor Bridgman.

Councillor Chopping added that the comments raised by the Parish Council were dealt with by the different agencies. The site was in flood zone one and therefore there was little concern about flooding. Regarding the matter of noise, Councillor Chopping was prepared to accept the application on the basis that if noise issues did arise, these would be dealt with by Environmental Health. Councillor Bale queried if it was possible to add a condition requesting that the Environmental Health Department carry out a noise assessment. Mr Morrow stated that there was a current noise assessment that had assessed baseline levels for the residential area. The closest residential properties were the sensitive receptors in terms of the assessment.

Councillor Webster requested that the condition on construction be a standalone condition.

Councillor Richard Somner referred to noise concerns and highlighted that the level of noise considered was 'at the residential properties' and not 'from the residential properties' and therefore included noise from the nearby railway and M4. Councillor Somner further stated that he had two concerns, firstly regarding the two bridges that were nearby on Burghfield Road between Dean's Copse Road and Reading. Councillor Somner urged that regular surveys be carried out on the two bridges. Secondly Councillor Somner stated that the 'preferred' route via Calcot was not preferable to the residents of his ward area.

Councillor Crumly highlighted that the site was for non-hazardous materials and that there were not many areas suitable for such a site but in his view this site was. Councillor Crumly was therefore happy to support approval of the application.

Councillor Bridgman reiterated the additional conditions to support his proposal:

- A separate condition regarding the hours of working during construction.
- A condition regarding the implementation of a fire hydrant.

The Chairman invited Members to vote on the proposal given by Councillor Bridgman and seconded by Councillor Crumly and at the vote the notion was carried.

**RESOLVED that** the Head of Development and Planning be authorised to grant planning permission subject to the following conditions:

### **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)

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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

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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;
- v) 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.



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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**

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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**

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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, shipping containers, plant or machinery shall take place on site until details of a storage area have been submitted to and approved by the Local Planning Authority. Thereafter, skips, shipping containers, plant and machinery shall only be stored within this approved area to a maximum height of 5 metres and the storage 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**

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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
8. The preferred haul route to and from the site by heavy goods vehicles being via the section of the Dean's Copse Road to the east of the site access hereby approved, Burghfield Road, and the A4 where reasonably possible.

**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**

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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 CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan

### **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:**

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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).

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### **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.

**Reason:** 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

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'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;



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- 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 section of the Dean's Copse Road to the east of the site access hereby approved, Burghfield Road, and the A4 where reasonably possible;

-of all vehicles accessing the site for the purposes of importing processed or unprocessed waste material in association with the development hereby permitted, that all waste shall be netted, sheeted, or placed within containerised vehicles when accessing the site.

**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.

### **37. Sheeting of waste**

All vehicles exiting the site hereby permitted for the purposes of transporting processed and unprocessed waste, shall ensure that all processed and unprocessed waste is netted, sheeted, or placed within containerised vehicles.

**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.

### **38. Travel Plan**

Within 6 months of the date of occupation of the first of the buildings hereby approved, a travel plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall follow the principles set out in the travel plan submitted alongside planning application 17/02241/MINMAJ including (without limitation) timescales

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for achieving milestones and for regular reviews of the travel plan and be implemented in accordance with the agreed timescales, including regular reviews of its measure in the context of reducing the need to travel by means of the private car.

**Reason:** To ensure the development reduces reliance on private motor vehicles and manages its associated freight movements. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Supplementary Planning Document Quality Design (June 2006), and Policies LTP SC1 and LTP K12 of the Local Transport Plan for West Berkshire 2011-2026.

### **39. Fire hydrant**

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

- i) Specifications for the installation of a functional fire hydrant and associated infrastructure; and
- ii) Maintenance procedures necessary for the functional fire hydrant and associated infrastructure.

The use of the three industrial buildings and office hereby approved shall not commence until the fire hydrant and associated infrastructure have been installed in accordance with the approved plans. Thereafter the fire hydrant and associated infrastructure shall be maintained and retained at all times in association with the use hereby permitted and in accordance with the approved scheme.

**Reason:** In the interests of fire safety. 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 condition is imposed in accordance with the NPPF, policies CS5 and CS14 of the West Berkshire Core Strategy 2006-2026, and the Quality Design West Berkshire Supplementary Planning Document June 2006.

### **40. Hours of working during construction period**

Unless otherwise agreed in writing by the Local Planning Authority no operations or activities authorised by this decision notice associated with the construction of the development including the receipt, movement and despatch of all 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.

## **48. Appeal Decisions relating to Eastern Area Planning**

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

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

**CHAIRMAN** .....

**Date of Signature** .....