

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	21/00885/COMIND Beenham	27 July 2021 ¹	<p>Temporary change of use of land to allow for the creation of a laydown facility for the storage of materials and light fabrication operations, including welding to support the construction of the SSE Slough Multifuel Combined Heat and Power Facility, and the permanent provision of fencing, lighting and areas of hardstanding to provide for the future use of the land for the permitted composting activities.</p> <p>Beenham Landfill Site, Grange Lane, Beenham, Reading</p> <p>SSE Slough Multifuel Ltd and Grondon Waste</p>
¹ Extension of time agreed with applicant until 07.10.2021			

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/00885/COMIND>

Recommendation Summary: Grant conditional planning permission

Ward Member: Councillor Dominic Boeck

Reason for Committee Determination: Referred to EAPC by the Development Control Manager because of the need to balance economic and environmental considerations in the AONB.

Committee Site Visit: 29 September 2019

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1. Introduction

- 1.1 This application seeks planning permission for the temporary change of use of land to allow for the creation of a laydown facility for the storage of materials and light fabrication operations, including welding to support the construction of the SSE Slough Multifuel Combined Heat and Power Facility, and the permanent provision of fencing, lighting and areas of hardstanding to provide for the future use of the land for the permitted composting activities.
- 1.2 The application site is not within any defined settlement boundary, and is therefore regarded as open countryside for planning purposes. The development is within the North Wessex Downs Area of Outstanding Natural Beauty (AONB), the boundary of which runs along the A4.
- 1.3 The site is a former landfill, which has now been restored. This site has permission for the existing green waste composting facility in 2000 (00/55008/ADD) and permanent permission to extend the site was granted, on appeal, in September 2008 (APP/W0340/A/07/2056368). The green waste composting facility is not operating at present, although the permission is extant and capable of future operation. The site forms part of the wider Grundon Waste Management facility.
- 1.4 The application site is also located outside of, but adjacent to, the Protected Employment Area known as Beenham Industrial Area. To the south west of the site is Marley Tile Co Ltd and Marley Gas Extraction Plant.
- 1.5 There are no dwellings within approximately a 300m radius of the site. The closest dwellings to the site are along the Bath Road and The Crescent in Padworth. There are also properties along Beenham Hill. These are, on average, over 460 metres away from the site. There are also dwellings and commercial units at Beenham Grange which are, on average, 475 metres away from the site.
- 1.6 The site is approximately 2.8 hectares in size and is accessed via Pips Way from the Bath Road (A4).
- 1.7 The proposal can be viewed in two parts. First is the temporary change of use of land to allow for the creation of a laydown facility for the storage of materials and light fabrication operations, including welding to support the construction of the SSE Slough Multifuel Combined Heat and Power Facility. Temporary permission is sought for this use until May 2024.
- 1.8 The temporary laydown facility is needed to facilitate the building of the Slough MCHP Facility which was granted planning permission by Slough Borough Council on 2nd June 2017 (ref: P/00987/024) and once constructed will produce up to 50 megawatts ('MW') of power by converting waste derived fuel ('WDF') into low carbon electricity and heat. The Slough MCHP Facility is required to replace the existing redundant Slough HP Station which is now decommissioned. The Slough MCHP Facility will therefore provide additional capacity to mitigate the disconnection of the Slough HP Station from the electricity network. The 50MW Slough MCHP Facility will provide enough power for up to 111,000 homes in addition to the delivery of up to 20MW of steam and hot water to neighbouring properties on the trading estate.
- 1.9 The proposed temporary laydown facility at Beenham will be used to store goods which will be delivered to the pre-construction site on Stirling Road or direct to the actual site of the Slough MCHP Facility. The components to be delivered to the proposed laydown area are indicated to be:
 - Large metal columns/beams or pipework;

- Boiler panels up to 10m long;
- Sections of the combustion grate or hoppers;
- Silos for the storage of powders.

- 1.10 There will also light fabrication operations and pre-assembly and preparation works for the steel structure, plateworks, boiler and water steam cycle piping equipment. This will include grinding, welding, hammering of platework/steel.
- 1.11 Five temporary portacabins will brought onto the site for welfare purposes. There will be five permanent employee on site plus five employees who will be on call. When preassembly is required staff numbers at the site will increase. The maximum number of personnel at the site connected with preassembly works will be approximately 30 people.
- 1.12 The second part of the proposal is for the permanent provision of fencing, lighting and areas of hardstanding. This will enable the temporary laydown facility use, but will also provide for the future use of the land for the already permitted composting activities. This will enable the site to provide a waste management function in the future.

2. Planning History

- 2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision / Date
10/00827/COMIND	Section 73 - Removal or variation of conditions:- (14) Pollution Prevention (15) Litter Control (16) Surfacing (20) Plant and Machinery (27) Building Materials (28) Fencing (29) Landscaping (31) Compound Treatment) of appeal decision APP/W0340/A/07/2056368 (planning permission reference 07/00862/COMIND). Grundon Ltd Grange Lane Beenham Reading Berkshire RG7 5PY	Approved 19.07.2010
07/00862/COMIND Appeal APP/W0340/A/07/2056368	Section73. Removal of Condition 1 of application 06/01885/COMIND (To allow the extension to the existing composting facility on a permanent basis). Granted on appeal - appeal reference APP/W0340/A/07/2056368	Refused 16.07.2007, Granted on appeal 17.09.2008
00/55008/ADD	Removal of existing landfill settlement lagoons and construction of Green Waste Composting facility for the recycling of garden and plant material. Including a concrete pad, water storage, access, store and woodland landscaping.	Approved 07.02.2000

- 2.2 This site was granted planning permission for the existing green waste composting facility in 2000 (00/55008/ADD) and permanent permission to extend the site was granted, on appeal, in September 2008 (APP/W0340/A/07/2056368). The permitted extension area increased the site to a total operational area of the composting facility from some 2.6 ha to approximately 5.6 ha (if implemented). The appeal decision granting this extension was subject to 32 conditions that were agreed between the appellant, the LPA and the inspector during the public inquiry into the Council's refusal of 07/00862.
- 2.3 A further section 73A application was submitted in 2010 (10/00827/COMIND). This application was submitted to regularise the consent on site after details reserved for approval by condition were not discharged within the requisite timescale. Condition 16 of this permission provided that the area of land which forms the application site for this application was to be surfaced with mix of recycled aggregates to depth of 150mm following regarding and the laying a geotextile membrane.
- 2.4 The Council received written correspondence from Grundon Waste on 08.09.2011 confirming that they have implemented permission 10/00827/COMIND following grading works to form the base for the concrete pad and by the excavation of the foundations for the toilet block that were undertaken. The Council's Minerals and Waste team has verified this position.
- 2.5 The Planning Statement confirms that the site already has a layer of construction-rubble-rich inert material, spread over it in order to form a sub-base for the approved composting operations but the top course of crushed and rolled hardcore was never laid. Since the construction-rubble rich inert material was laid the site has partially revegetated. The site is already partly fenced. Thus, the site currently has permission for the green waste composting facility but is currently not operational at present. Nevertheless the works permitted under the previous permission can be completed at any time.

3. Procedural Matters

- 3.1 **EIA:** Screening has been undertaken under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, wherein it has been established that the development is not EIA development. An Environmental Statement under the EIA Regulations is not required.
- 3.2 **Publicity:** A site notice was displayed on 15.05.2021 at the entrance to Pips Way; the deadline for representations expired on 06.09.2021. A public notice was also displayed in the Newbury Weekly News on 13.05.2021; the deadline for representations expired on 03.06.2021. Additional site notices were erected at the following locations raise awareness of the application:
- At the entrance of The Crescent, Padworth
 - Bath Road (A4) near Padworth Close
 - Entrance to public footpath Beenham 18/1 (Beenham Hill)
 - By the roundabout on Beenham Hill and The Warings
- 3.3 **CIL:** Community Infrastructure Levy (CIL) is, a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre based on Gross Internal Area. Given the proposed use, the initial assessment is that the development would be zero rated. However, CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any

permission. More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Beenham Parish Council:	<p>Objection – 07.06.2021 - Request that a noise mitigation report is completed to address concerns of noise pollution. The Council is also concerned that the lights will create light pollution; that the hours of use are too long; and that a hedge is not enough, taller trees would be preferable. The Council also requests clarification on the temporary nature of the laydown facility.</p> <p>12.07.2021 - The Parish Council discussed the application at the meeting on Monday 5th July. Members agreed to reiterate the comment - Request that a noise mitigation report is completed to address concerns of noise pollution. The Council is also concerned that the lights will create light pollution; that the hours of use are too long; and that a hedge is not enough, taller trees would be preferable. Their understanding that a noise mitigation report is different to the noise impact assessment that was included and considered. They were grateful for the explanation of the temporary nature of the application and on consideration have requested that this is limited to 3 years.</p> <p>26.07.2021 - Apologies for the delay in responding I was on leave last week. I think the Parish Council would agree with the suggested condition to limit the activities outside of the core hours but I have emailed them to confirm this.</p> <p>02.08.2021 - Beenham Parish Council considered this at its meeting this evening. They have requested that the hours of operation is limited to Monday – Friday 8.30am-5pm, Saturdays 8.30am-2pm, Sundays and Bank holidays closed.</p>
Padworth Parish Council (adjacent):	<p>Objection - I write to advise that Padworth Parish Council supports Beenham Parish Council in their response to this application</p>
WBC Highways:	<p>No objection - In summary, the technical elements of the scheme submitted appears reasonable. However confirmation/clarification on the previous planning consent for SSE Slough Multifuel Combined Heat and Power Facility and the composting activities should be confirmed and any associated mitigation for that application.</p>
WBC Environmental Health:	<p>No objections - I have studied the above file and conclude that the proposals are unlikely to cause any significant nuisance to nearby residents. The nearest residents are at least 400m away.</p>

	<p>Whilst the site is probably emitting methane from decomposition of the landfill contents I doubt that this will be a problem for workers on site, even people working under a “hot works” permit.</p> <p>I therefore have no problem with planning permission being granted; however I do recommend that the hours of day to day work detailed in paragraphs 1.2.5 and 1.2.6 of the noise impact assessment carried out by Delta Simons (report / project ref 20-1698.02 dated January 2021) should be imposed as a planning condition to protect the amenity of nearby residents. These hours are reproduced below:</p> <p><i>1.2.5 The Development will have the following operating times:</i></p> <ul style="list-style-type: none"> • <i>Phase 1 – Storage – Monday – Friday: 07:30 to 18:30 and Saturday 08:30 to 14:30; and</i> • <i>Phase 2 – Preassembly Works – Monday – Friday: 07:30 to 18:30 and Saturday 08:30 to 14:30.</i> <p><i>1.2.6 In addition to the above core working hours some activities will take place outside of these in exceptional circumstances. Works outside of the core hours will be limited to less noisy activities e.g. bolting and welding activities or activities without the use of impact wrenches.</i></p>
Environment Agency:	No comments.
WBC Minerals and Waste Planning:	No objection - So long as the change of use is for a temporary period, and the land remains fit for purpose in relation to the existing approved waste composting facility, we would not object to the application on waste safeguarding grounds.
Natural England:	No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.
WBC Tree Officer:	The application is essentially for an aggregate surface to the main site area, with accompanying palisade fencing and landscaping proposals. This is as outlined in the Arb Appraisal by Andy Roberts CMLI dated March 2021. No tree protection plan accompanies the Arb report, and this is unlikely to be required, due to the drainage ditch to the south and bund to the north that protect existing trees. Existing hedges might be more susceptible, however use of the Landscaping condition below will cover any losses that might accidentally occur. The proposed landscaping is acceptable. I have no objections therefore, subject to a landscaping condition.
WBC Ecology:	No objection subject to conditions.
Exolum (oil pipeline):	We confirm that our client Exolum's does not have apparatus situated within the vicinity of your proposed works, and as such do not have any further comment to make.

WBC Economic Development Officer:	<p>Support - Thank you for the opportunity to comment on this application.</p> <p>This proposal will make some contribution to the local daytime economy in and around the Aldermaston Train Station area with the creation of 5 permanent full time employments. The impact this will have on footfall at local businesses will range from modest at normal times, to significant at times of preassembly, when up to 30 staff members will be working at the site. The operation of this site may also offer some, albeit small, opportunities for local logistics providers to become involved in moving materials to and from the site.</p> <p>The site is situated in the Beenham Industrial Area, and adjacent to a Protected Employment Area (PEA). This means the proposal meets West Berkshire Council Core Strategy Policy 10, as although it is not within the PEA, it is on a suitably located employment site.</p> <p>This proposal should also be viewed in the context of bringing forward the Slough MCHP Power Station. By contributing to delivery of the Power Station, it is supporting a project of national importance which will have a significant impact upon reducing national carbon emissions. SSE have considered and rejected 13 other sites for technical and operational reasons, and have confirmed that this is the only viable site to situate this facility.</p> <p>In both the West Berkshire Council Economic Development and Environment Strategies, we make clear that we are committed to assisting local businesses who wish to bring forward plans which will help to mitigate the impact of climate change. It is therefore my view that approving this application would further demonstrate our commitment to achieving a low carbon future as well as our support for businesses who share our ambition.</p> <p>For the reasons given above I see no reason why this application should not have the support of the Economic Development Team.</p>
Local Lead Flood Authority:	The LLFA has been involved in detailed negotiations regarding the proposed drainage strategy, and amendments sought to address detailed concerns with the infiltration rate, sloping ground levels, bund stability, surface water flows and risk of contaminants. These negotiations have culminated in the latest submitted drainage strategy.
Ministry of Defence:	No comments received.
AWE:	No comments received.
WBC Archaeological Officer:	No objection: Thank you for the consultation. Hilliers appears to be a small country house of early 20th century date, perhaps with Arts and Crafts elements. It is not listed but might be considered a non-designated heritage asset of local interest. However this

	proposal is minor and seems to be for a more modern part of the building. There are no archaeological implications.
North Wessex Downs AONB:	<p>23.06.2021 - I did notice that an assessment of the surrounding area states that it is equivalent to E2. We have done some zoning maps for the AONB and aim for this area to be E1. We have just published a Guide to Good External Lighting, with the zoning map.</p> <p>02.07.2021 - The AONB does not oppose the change of use of the site which is within the confines of the existing landfill site, we do however have concerns with regards to the lighting proposed and the industrial fencing, and an alternative fencing can provide security without having the heavy industrial appearance. We recognise that the impact of the fencing will be mitigated in part by existing and proposed hedgerows/trees but consider an alternative design/style fencing would be more appropriate for this landscape character area.</p> <p>We are aware that there are lighting columns within the wider landfill site albeit better contained in a low level area, however this does not justify additional lighting especially the number proposed (14 single mounted columns and twin mounted columns), which the AONB considers excessive. The site backs onto an open countryside were a matrix of PROW meander through. This open landscape is a dark environment. The site forms the transition between Environmental zones E2 and E1. We would request that the number of columns is halved and that the columns are reduced in height, a shield should also form part of the structure to ensure no backward spill for columns set on the perimeter of the site.</p> <p>Lights should also be dimmable and on a timer so they can be switched off when the site is not in use. When a site is lit but not occupied it provides no security, however when a dark site becomes lit by unusual light activity when the site is not in use it can be easily identified by security that a breach has occurred.</p>
WBC Planning Policy:	No comments received.
WBC Housing:	No comments received.
Thames Water:	No comments received.
Office of Nuclear Regulation:	No objection - I have consulted with the emergency planners within West Berkshire Council, which is responsible for the preparation of the Atomic Weapons Establishment Aldermaston off-site emergency plan required by the Radiation (Emergency Preparedness and Public Information) Regulations (REPPPIR) 2019. They have provided adequate assurance that the proposed development can be accommodated within their off-site emergency plan 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.

WBC Emergency Planning:	We have reviewed this application having regard to AWE Sites, as a result. We have no adverse comments to make.
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Public representations

4.2 No representations have been received in response to the public consultation.

5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS5, CS8, CS9, CS10, CS11, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies TRANS.1, OVS.5 and OVS.6 and of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2019-24
- North Wessex Downs AONB - A Guide to Good External Lighting (2021)
- North Wessex Downs AONB Position Statement on Setting
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Beenham VDS (July 2003)
- Local Transport Plan for West Berkshire 2011-2026
- Manual for Streets
- WBC Cycle and Motorcycle Advice and Standards for New Development
- West Berkshire Landscape Character Assessment (2019)
- North Wessex Downs AONB Integrated Landscape Character Assessment

6. Appraisal

6.1 The main issues for consideration in this application are:

- Compliance with commercial policies of the development plan (Principle of development)
- Employment, economic, climate benefits
- Alternative sites
- Major development in the AONB
- Effect of the character and appearance of the area
- Lighting
- Neighbouring amenity and noise
- Hours of work
- Highways

- Ecology
- Contamination
- Flood risk and drainage

Principle of development

- 6.2 The most important policies for determining whether the principle of development is acceptable are Policies ADPP1, ADPP5, CS9 and CS10 of the Core Strategy. The Core Strategy includes a Spatial Strategy (ADPP1 and ADPP5) that provides a broad indication of the overall scale of development in the district, applying the principles of sustainable development, and based on defined spatial areas and a settlement hierarchy. Policies CS9 and CS10 relate specifically to employment and the economy.
- 6.3 According to Policy ADPP1, most development will be within or adjacent to the settlements in the hierarchy, and related to their transport accessibility and level of services. The majority of development will take place on previously developed land, and the urban areas will be the focused for most development. The scale and density of development will be related to the site's accessibility, character and surroundings. Significant intensification of residential, employment generating and other intensive uses will be avoided within areas which lack sufficient supporting infrastructure, facilities or services or where opportunities to access them by public transport, cycling and walking are limited. Only appropriate limited development in the countryside (outside of the defined settlement boundaries) will be allowed, focused on addressing identified needs and maintaining a strong rural economy.
- 6.4 Policy ADPP5 is the spatial strategy for the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Recognising the area as a national landscape designation, the policy envisions that development will conserve and enhance the local distinctiveness, sense of place and setting of the AONB whilst preserving the strong sense of remoteness, tranquillity and dark night skies, particularly on the open downland. Development will respond positively to the local context, and respect identified landscape features and components of natural beauty. With respect to the economy, Policy ADPP5 states that the Protected Employment Areas within the AONB will continue to play a vital role in supporting the local economy, especially those in edge of centre locations. Small, local businesses will be supported, encouraged and protected within the AONB providing local job opportunities and maintaining the rural economy.
- 6.5 The proposed laydown facility use is considered to be a *Sui Generis* use, in that it does not have a primary use that falls within any of the defined use classes. However, the proposed use does exhibit characteristics that are similar to storage and distribution uses in Use Class B8, and industrial uses in Use Class B2. It is therefore considered appropriate to have regard to Policy CS9, which relates to such uses.
- 6.6 According to Policy CS9, the Council seeks to facilitate and promote the growth and forecasted change of business development in the plan period in order to retain a portfolio of sites for B8 (storage and distribution) uses in suitable locations. Proposals for industry, distribution and storage uses will be directed to the District's defined Protected Employment Areas, and existing suitably located employment sites and premises. Any proposals for such uses outside these areas/locations will be assessed by the Council against the following:
- compatibility with uses in the area surrounding the proposals and potential impacts on those uses; and
 - capacity and impact on the road network and access by sustainable modes of transport.

- 6.7 In terms of managing the scale, type and intensification of business development, Policy CS9 states a range of types and sizes of employment sites and premises will be encouraged throughout the District to meet the needs of the local economy. Proposals for business development should be in keeping with the surrounding environment, not conflict with existing uses, and promote sustainable transport.
- 6.8 According to Policy CS10, proposals to diversify the rural economy will be encouraged, particularly where they are located in or adjacent to Rural Service Centres and Service Villages. Existing small and medium sized enterprises within the rural areas will be supported in order to provide local job opportunities and maintain the vitality of smaller rural settlements.
- 6.9 Government policy in the NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (paragraph 81). Planning decisions should recognise and address the specific locational requirements of different sectors (paragraph 83). Planning decisions should enable the sustainable growth and expansion of all types of business in rural areas (paragraph 84).
- 6.10 The proposed development is not within any defined settlement boundary, and is therefore regarded as open countryside in terms of Policy ADPP1. The settlement boundary for Aldermaston Wharf runs along the southern side of the A4, which is predominantly residential in character. Whilst the site is within the AONB, it is also outside of, but near to the Protected Employment Area known as Beenham Industrial Area to the west.
- 6.11 In terms of the requirements of Policy CS9, the site is set within the Grundon Waste Management facility. It is considered the temporary laydown facility would share characteristics with industrial and storage and distribution uses. The Minerals and Waste Planning Officers have indicated that as long as the use is for a temporary period, and the land remains fit for purpose in relation to the existing approved waste composting facility, the officers would not object to the application on waste safeguarding grounds. The temporary change of use as proposed is considered not to be harm to the other waste uses and it compatible with the existing commercial uses in the area.
- 6.12 Residential properties are considered to be significant distance from the proposed site. The application has been supported by assessments which demonstrate that the proposed use would not cause material harm to neighbouring uses. In the context of existing commercial development, it is considered that the proposed use is compatible.
- 6.13 A transport statement as submitted with this application and reviewed by the Highway Authority. The site is accessed from the A4, and as such there are no capacity issues relating to the local road network. This has been confirmed by the Highway Authority. There are some opportunities for sustainable modes of transport (e.g. Regular bus route along A4, nearby Aldermaston Railway Station), although it is considered that the nature of the use is such that visitors are less likely to make use of public transport options in any event. It is, however, recognised that the application site has been selected given its accessibility to HGV movements that will transporting to the Slough site.
- 6.14 Overall, it is considered the proposal complies with Policy CS9, and is therefore consistent with the Council's spatial strategy for new development.
- 6.15 The proposal will provide local job opportunities for a temporary period and is considered not to effect the vitality of smaller rural settlements such as Beenham and Padworth. As discussed above, the site is considered to be compatible with existing commercial development in the area. In this respect it is considered to be supported by Policy CS10.

Employment, economic, climate benefits

- 6.16 According to paragraph 81 of the NPPF, planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be given to the need to support economic growth and productivity.
- 6.17 This application has the support of the Economic Development Team who noted that the proposal will make some contribution to the local daytime economy in and around the Aldermaston Train Station area with the creation of five permanent full time employments. The impact this will have on footfall at local businesses will range from modest at normal times, to significant at times of preassembly, when up to 30 staff members will be working at the site. The operation of this site may also offer some, albeit small, opportunities for local logistics providers to become involved in moving materials to and from the site. In both the West Berkshire Council Economic Development and Environment Strategies, we make clear that the Council are committed to assisting local businesses who wish to bring forward plans which will help to mitigate the impact of climate change.
- 6.18 It is therefore the view of the Economic Development Team that approving this application would further demonstrate the Council's commitment to achieving a low carbon future as well as our support for businesses who share the Council's ambition.
- 6.19 The employment and economic benefits of the proposal weigh in favour of granting planning permission.
- 6.20 It is suggested that the construction of the temporary laydown facility is essential to facilitate the construction of the Slough MCHP Facility which comprises renewable and low carbon development. There is a need to move to a low carbon economy as highlighted in paragraph 8 point c of the NPPF. Paragraph 152 states that the planning system should support the transition to a low carbon future in a changing climate, encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 6.21 The proposed development would temporarily make use of the non-operational composting facility for the temporary laydown facilitate the construction Slough MCHP Facility which does comprise renewable and low carbon development.
- 6.22 It is also recognised that the temporary use will bring investment into permanent infrastructure that could enable the permitted composting use to take place once the temporary use ceases. The permanent provision of fencing, lighting and areas of hardstanding will enable the composting facility to become operational.
- 6.23 West Berkshire Council has produced Environment Strategy and a declared a Climate Emergency. West Berkshire Council aims to achieve carbon neutrality by 2030. While it is understood that the Slough MCHP Facility is not within West Berkshire Council authority boundary. This proposal development in essential to enabling the construction of the Slough MCHP Facility. It is considered the Slough MCHP Facility it likely to have national benefits which transcend Local Authority boundaries.
- 6.24 The indirect benefits of the Slough MCHP Facility, which would be partly enabled by this development, also lend some weight in favour of granting planning permission.

Alternative sites

- 6.25 A detailed site search was submitted within the planning statement which demonstrates that there are no alternative sites which are suitable, available and could accommodate

the proposed development. Through this excise it has been demonstrated that there is no scope developing outside the designated area.

Major development in the AONB

- 6.26 According to paragraph 176 and 177 of the NPPF, great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
- 6.27 Footnote 55 of the NPPF advises that, for the purposes of paragraphs 172, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. This means that it 'major development' does not have the same means as given in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (e.g. 1,000sqm or more new floor space, or site areas of 1 hectare or more). Rather it is a matter of planning judgement.
- 6.28 As previously indicated site currently has permission for the green waste composting facility but is currently considered not to be operational at present. The proposed development will reuse the non-operational compositing facility for the temporary laydown facilitate the construction Slough MCHP Facility on a temporary basis before enabling the compositing facility to become operational. The nature and scale of the development are considered comparable to the existing commercial development. In this context it is considered that the development would not have a significant adverse impact on the purposes for which the area has been designated an AONB. Consequently, it is concluded that the proposed development is not 'major development' in terms of paragraph 172, and therefore the policy to refuse except in exceptional circumstances is not engaged. This is consistent with the conclusions the Council drew on nearby application 20/01895/COMIND for a scaffolding depot adjacent to the A4.
- 6.29 It should be stressed that this conclusion does not diminish the great weight that should still be applied to serving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.

Effect of the character and appearance of the area

- 6.30 According to Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Good design relates not only to the appearance of a development, but the way in which it functions. Considerations of design and layout must be informed by the wider context,

having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place.

- 6.31 Policy CS19 states that particular regard will be given to, amongst others, (a) the sensitivity of the area to change, and (b) ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.32 The West Berkshire Landscape Character Assessment (LCA) was published in 2019 and provides an up-to-date assessment of the district's landscape. The application site is located within landscape character area LV1 – Kennet Lower River Valley – which covers the strip of the countryside in the lower Kennet river valley between Theale and Newbury. The area is characterised by a flat and wide valley floor. It is bounded to the north and south by a change in topography, marking the rising slopes of the immediate valley sides. The northern edge of the floodplain (north of the A4), forms part of the North Wessex Downs AONB. Whilst the area is predominantly rural in character, the LCA identifies nucleated clusters of development around small settlements, and that transport corridors follow the length of the valley, including the main railway line and the A4. Gravel extraction has led to the modification of large portions of the valley floor, including areas around Aldermaston Wharf. Large industrial and commercial areas have also been constructed.
- 6.33 The application site forms part of the nationally valued AONB landscape, but it is not considered that the site exhibits any strong examples of the other valued features and qualities that the LCA identifies for this area, primarily due to past mineral extraction creating an industrialised character with the subsequent presence of existing commercial development.
- 6.34 A Landscape and Visual Appraisal was submitted as part of this application. It was concluded in the appraisal that temporary Laydown Facility would not cause noticeable change or departure from the current characteristics of the local landscape. During the construction period the level of key landscape effects would be negligible adverse and then minor adverse during the short-term occupation of the site as a lay-down facility. In the longer term, the additional perimeter planting would provide visual screening and habitat benefit. The proposed development would not result in any notable or large-scale detrimental effects on the local or wider visual amenity, character, and function of the AONB and adjacent areas. It is considered the development would not have any significant detrimental effect on the local environment, the landscape and recreational opportunities (foot paths) in the area.
- 6.35 A proposed planting scheme has been submitted with this application. The LVA found that the construction and SSE operational activities at the site will not be visible from local footpaths and bridleways due to the screening elements in the local landscape. In this context it is assessed that the level of key visual effects will be neutral.
- 6.36 Natural England, the AONB Officer and the Tree Officer have reviewed application raised no objections subject to suitable conditions.
- 6.37 It is considered proposed temporary use and proposed permanent provision of fencing, lighting and areas of hardstanding will not have a materially harm impact on the character and appearance of the local area. Thus the development complies with policies ADPP5, CS14 and CS19.

Lighting

- 6.38 The lighting element is part of the permanent operational development and would be retained as part of the restored composting facility. Therefore it is important that this

part of the development does not have a detrimental impact on dark night skies, which are a special characteristic of the North Wessex Downs AONB.

- 6.39 The North Wessex Downs AONB Partnership has produced guidance on lighting in the AONB; it is called the *North Wessex Downs AONB - A Guide to Good External Lighting (2021)*. This guidance refers to the Institution of Lighting Professionals (ILP) guidance, which recommends using 'Environmental Light Control Zone' to determine the appropriateness of proposed lighting schemes within different surroundings. The Environmental Light Control Zone guidance sets out zones and the limitations of light parameters for each zone.

Zone	Surrounding	Light environment	Examples
E0	Protected	Dark	Designated dark sky reserves and astronomical observable
E1	Natural	Dark	Rural areas, National Parks, Areas of Outstanding Natural Beauty
E2	Rural	Low District Brightness	Rural settlements or relatively dark outer suburban locations.
E3	Suburban	Medium District Brightness	Small town centres/suburban locations
E4	Urban	High District Brightness	Town centres with high levels of night-time activity

Table 1: Description of Environmental Light Control Zone.

- 6.40 Concerns were raised by the Parish Council, AONB Officer and Ecologist in regards to the level lighting proposed in conjunction with this development. The main concerns were that the level of suggested lighting was excessive for the proposed development and harmful to the sensitive landscape. The lighting assessment referred to Environmental Zone 2 but the site is within Environmental Zone 1. The original Lighting Strategy was designed to be compliant with Environmental Zone 3.
- 6.41 To help protect the dark skies of the North Wessex Downs, the AONB Partnership has mapped light control zones for the area. The site is within Environmental Light Control Zone 1 (E1). E1 parameters should be used for this zone.
- 6.42 Following officer feedback a revised assessment and lighting scheme was received but unfortunately it did not address officer concerns. However, following further feedback the Local Planning Authority have received the following comments from the agent:

"We have confirmed with Grundon, SSE and their contractors that the lighting scheme can be substantially reduced with details to follow by condition as part of a revised Lighting Strategy:

- Reducing lighting temperature to 3000k warmer light.*
- Luminaires to be fitted at a low angle to avoid light spill (details to be agreed).*
- Lights will be turned off in any parts of the site where lighting is not required for works – during any exceptional night-time HGV arrivals (as set out in the application) dimmed lighting will be switched on only at the site access and switched off immediately following cessation of works – this will have the effect that the majority of lighting within the site is switched off during dark hours, and in almost all cases will be switched off in the northern and eastern parts of the*

site which are most sensitive/closest to the open land which forms part of the AONB.

- *The number of lighting columns will be reduced further (details to be agreed).*
- *The lighting scheme will be designed to be compliant with Zone E1.”*

6.43 The above comments indicate that it would be a reasonable imposition upon the development to apply a condition on any planning permission to seek the prior approval of a revised lighting strategy that would stipulate compliance with Zone E1. As such, the current concerns can be adequately resolved by a condition.

Neighbouring amenity and noise

6.44 According to Policy CS14, new development must demonstrate high quality and sustainable design that makes a positive contribution to the quality of life in West Berkshire. Paragraph 127 of the NPPF states planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

6.45 Consequently, all development should be designed in a way to avoid any unacceptable harm to neighbouring residential living conditions, or the amenity of other uses. Applications will typically be assessed in terms of any significant loss of light, overlooking of neighbouring buildings or land, and whether the proposal would result in any undue sense of enclosure, overbearing impact, or harmful loss of outlook to neighbouring properties. The environmental impacts arising from commercial development are also relevant, such as noise, dust, fumes, odours and lighting.

6.46 Policy OVS.6 states that the Council will require appropriate measures to be taken in the location, design, layout and operation of development proposals in order to minimise any adverse impact as a result of noise generated. Special consideration is required where noisy development is proposed in or near Sites of Special Scientific Interest or which would harm the quiet enjoyment of Areas of Outstanding Natural Beauty.

6.47 The proposed use is considered compatible with the existing commercial development in all these respects. Given the location of the proposed development, and the separation distance from residential properties, no concerns are raised in terms of the built form (overlooking, overshadowing or overbearing impacts).

6.48 One of the protected characteristic on the North Wessex Downs AONB is tranquillity. According to the PPG, for an area to justify being protected for its tranquillity, it is likely to be relatively undisturbed by noise from human sources that undermine the intrinsic character of the area. It may, for example, provide a sense of peace and quiet or a positive soundscape where natural sounds such as birdsong or flowing water are more prominent than background noise, e.g. from transport. It is considered the site is in area which does not exhibit this special quality of the AONB due to the proximity to the A4 Bath Road, existing commercial development and the extant composting operations. It is therefore considered that this is not a determinative issue in this case.

6.49 Concern has, however, been raised by the Parish Council with respect to the impact on local amenity via noise generated from the development. A Noise Impact Assessment was submitted with the application.

6.50 The scope of the assessment has been determined in the following way:

- a) Analysis of the Site and the surrounding area was completed using available aerial photography in order to identify the location of the closest existing residential dwellings to the Site; and

- b) Completion of a background Sound Survey representative of the nearest receptors over a full weekday and weekend period. The Noise Impact Assessment has used supplied noise level data to complete an assessment in line with BS4142:2014+A1:2019 whereby the rated level of noise is compared against the typical measured background sound level at the closest residential receptor to the Site. The noise assessment also included HGV Source Noise Survey.
- 6.51 The main noise sources associated with the development is that of HGV movements for the storage area and grinding/welding/hammering for the preassembly area.
- 6.52 The Environmental Health Officer reviewed the assessment and provided the following feedback:
- 6.53 *"I have studied the above file and conclude that the proposals are unlikely to cause any significant nuisance to nearby residents. The nearest residents are at least 400m away.*
- 6.54 *Whilst the site is probably emitting methane from decomposition of the landfill contents I doubt that this will be a problem for workers on site, even people working under a "hot works" permit.*
- 6.55 *I therefore have no problem with planning permission being granted; however I do recommend that the hours of day to day work detailed in paragraphs 1.2.5 and 1.2.6 of the noise impact assessment carried out by Delta Simons (report / project ref 20-1698.02 dated January 2021) should be imposed as a planning condition to protect the amenity of nearby residents. These hours are reproduced below:*
- 1.2.5 The Development will have the following operating times:*
- Phase 1 – Storage – Monday – Friday: 07:30 to 18:30 and Saturday 08:30 to 14:30; and*
- Phase 2 – Preassembly Works – Monday – Friday: 07:30 to 18:30 and Saturday 08:30 to 14:30.*
- 1.2.6 In addition to the above core working hours some activities will take place outside of these in exceptional circumstances. Works outside of the core hours will be limited to less noisy activities e.g. bolting and welding activities or activities without the use of impact wrenches."*
- 6.56 The Parish Council raised concerns and requested that a Noise Mitigation Report is completed to address concerns of noise pollution.
- 6.57 Noise Impact Assessment is the assessment undertaken to see what development noise levels will be and the impact on the local area. Depending on the outcome of the aforementioned assessment, this will determine whether noise mitigation measures are required.
- 6.58 In this case the Noise Impact Assessment concluded level of noise generated by the site at the closest residential dwelling to the south east will result in a low noise impact. The assessment has shown that the rated level of noise, which includes for character corrections for impulsivity and intermittency, falls below the typical background sound level during the proposed operating times, as such, no noise mitigation measures are required.
- 6.59 Due to the conclusions of the Noise Impact Assessment, it is concluded that noise mitigation measures are not necessary because the assessment demonstrates low noise impact.

- 6.60 Environmental Health Officer reviewed the Noise assessment and raises no objections. For the reasons stated above it is not considered not reasonable request submission noise mitigation report or condition a noise mitigation to be submitted. It is considered reasonable to condition hours of day to day work as there is a scientific basis for this and is recommended by the Environmental Health Officer.
- 6.61 With operating hours secured by condition, it is considered the proposed development will not have a materially harmful impact of neighbouring amenity through the noise. When considered as whole, it is concluded the proposal are compliant with Policies and OVS.6.

Hours of work

- 6.62 The Planning Statement makes the following comments in regards to working hours:
- 6.63 Materials would arrive 24 hours a day, Monday to Friday but it is critical the materials needed for the next day are on the construction site by 7.30am to avoid any significant early morning traffic delays.
- 6.64 Working may be required outside normal working hours. If this is needed, it is proposed that this is limited to less noisy activities e.g., bolting and welding activities or activities without the use of impact wrenches.
- 6.65 The trucks/HGV's will be prepared for transportation to the construction site during the normal working hours. However, some HGV movements and in particular the abnormal loads (vehicles more than 3 m wide and more than 18.75m long) may arrive and leave the Site during different hours in order to reduce the impact on highway network. It may be necessary to take some limited deliveries on Sunday.
- 6.66 Officer have requested clarification in regards to hours of works as there was some concerns the presented information caused ambiguity in regards to the matter.
- 6.67 The following clarification has been received by the agent:
- 6.68 *"Almost all works which have potential to be disruptive will take place during working hours 07:30 to 18:30 Mon to Fri, 8:30 to 14:30 Sat. The standard condition on working hours could be included in the permission for these works. Any additional works beyond these hours would be restricted to less noisy activities which is reinforced by the lighting restrictions, which restrict any intensive works to within working hours anyway. HGV deliveries would only take place outside of these hours in exceptional circumstances due to traffic delays or shipping delays which are unavoidable. HZI/SSE are not proposing to programme deliveries in beyond the standard working hours set out above, however an element of flexibility for any unavoidable late arrivals would be welcome."*
- 6.69 It is noted that the Parish Council has request that the hours of operation is limited to Monday – Friday 8.30am-5pm, Saturdays 8.30am-2pm, Sundays and Bank holidays closed. It is necessary to impose conditions on operating hours that appropriately balance protecting neighbouring amenity whilst facilitating the delivery of the SSE Slough Multifuel Combined Heat and Power Facility. It is considered necessary to condition elements of working hours for example noise sensitive activities, lighting activities etc. to protect neighbouring amenity.
- 6.70 Conditions are recommended accordingly. These conditions include clauses which enable activities to take place outside of the stipulated hours with the agreement in writing of the Council. It is considered that this approach enable an important degree of flexibility to facilitate the Slough Facility, whilst giving the Council the ability to monitor

and control activities beyond the core hours, and if necessary to resist excessive disruptive activities.

Highways

- 6.71 Policies CS13 of the Core Strategy, and TRANS.1 of the Local Plan relate to highways and parking provision for non-residential uses. The Highway Authority was consulted on the application documents. The Highway Authority found that they were satisfied that the level of vehicle movements that are likely to be generated would not be to the detriment of highway safety. It is not considered that the impact of these additional vehicles on the public highway would not be severe. It is considered the proposal is compliant with the aforementioned policies subject to conditions.

Ecology

- 6.72 The Council's Ecologist raised concerns in regards to the originally submitted ecology information and the applicant submitted information to address the concerns raised. Following negotiations, and having regard to the extant permission, it is concluded that potential adverse ecological effects could be adequately mitigated through planning conditions. The Council's Ecologist also seeks substantial off-site tree planting, but having regard to the scale and location of the development, and the extant consent, such tree planting is not considered necessary to make the development acceptable. Nevertheless the proposed landscaping scheme will provide ecological benefits, and is considered proportionate to the development.

Contamination

- 6.73 According to Policy OVS.5 the Council will only permit development proposals where they do not give rise to an unacceptable pollution of the environment. Standing advice was received from The Environment Agency (EA).
- 6.74 The applicant has submitted a Preliminary Geo-Environmental Risk Assessment which found that, given the history of the site, the presence of contamination from the historical landfills is considered likely. In the context of the site setting, and proposed development, risk to end users, controlled waters and the built and natural environment is considered low. In relation to the anticipated made ground at the site, the laydown area will need to be appropriately constructed considering the likely poor underlying ground conditions and potential for differential settlement. This has been considered as part of the drainage proposals.
- 6.75 It is considered that the measures set out in the Preliminary Geo-Environmental Risk Assessment demonstrate the proposal would not lead to unacceptable pollution or contamination of the environment. It is considered a suitable condition can be put in place to secure appropriate remediation if unexpected contamination is encountered during construction. Thus the proposal is compliant with Policy OVS.5.

Flood risk and drainage

- 6.76 The site is located within Flood Zone 1, which indicates a low risk of fluvial (river) flooding. It is also not within any critical drainage area identified by the Strategic Flood Risk Assessment for the district. However, a Flood Risk Assessment (FRA) has been submitted because the site area is more than 1 hectare. The applicant has also submitted a Sustainable Drainage Strategy. There were some initial concerns from the Local Lead Flood Authority and the applicant submitted further information to address these concerns.

- 6.77 The proposed drainage scheme has been assessed whilst having due regard to the hardstanding that can be constructed under the extant consent. Improvements have been made to the design to maximise appropriate surface water drainage.
- 6.78 The proposed hardstanding would be enclosed by a small bund of approximately 0.5m height. Consideration has been given to surface water flows, and there is no evidence to suggest that existing flows would be adversely affected. The outflow from the hardstanding would be controlled by a hydraulic break to ensure an appropriate runoff rate.
- 6.79 It is recognised that there have been drainage issues near to the site along the A4. The location of the site and nature of the proposals is such that it is not anticipated that this development would have a material impact on these issues.
- 6.80 It is considered the proposal has demonstrated that it is capable of complying with Policy CS16.

7. Planning Balance and Conclusion

- 7.1 It is considered that this decision is finely balanced. Whilst the application site is located in open countryside in terms of Policy ADPP1, it is considered that the proposal finds support from Policies CS9 and CS10 and the NPPF. Furthermore, the economic benefits of the proposal, and the indirect benefits of the Slough Facility are considered to lend additional weight in favour of granting planning permission.
- 7.2 The temporary change of use would intensify the industrial operations for a temporary period. The site currently has permission for the green waste composting facility but is not operational at present. Nevertheless, it must be taken into account as a valid fallback position. It is considered that the permeant operational development proposed may also enable the future reinstatement of the composting facility.
- 7.3 Given the existing context of commercial development within the immediate vicinity, it is considered that the proposal can be absorbed into its landscape setting, and any landscape harm would be limited. Applying great weight to this limited harm, it is considered that this would not outweigh the policy support and economic benefits.
- 7.4 Other environmental and technical considerations can be made acceptable through the application of planning conditions. It is therefore recommended that conditional planning permission is granted.

8. Full Recommendation

- 8.1 To delegate to the Service Director – Development and Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1. Commencement of development

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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. Approved plans

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

- Application form received 30.03.2021
- Location Plan titled Planning Application and Landownership Areas dated January 2021 drawing number DG/ES/BEE/StorageArea/02 received 27.04.2021.
- Proposed Planting drawing number ARCML/B1/21/1 dated March 2021 received 30.03.2021
- Proposed Floor Plan Cabin tilted Beeham Storage Area Cabin Layout drawing number DG/EN/BEE/WDL/2165 dated 19.04.2021 received 30.03.2021
- Proposed elevation of Cabin tilted Beeham Storage Area Cabin elevation drawing number G/EN/BEE/WDL/2164 dated 19.04.2021 received 30.03.2021
- Beenham Storage Area Palisade Fence Elevation dated 19/04/2021 Drawing Number DG/EN/BEE/WDL/2162 received 20.08.2021
- Beenham Storage Area Gates Elevation dated 19/04/2021 Drawing Number DG/EN/BEE/WDL/2161 received 20.08.2021
- Beenham Storage Area Cross Sections dated 06/08/21 Drawing Number DG/EN/BEE/WDL/2136-2 received 23.09.2021
- Amended Beenham Storage Area Layout dated 12/01/2021 Drawing Number DG/EN/BEE/WDL/2136 received 23.09.2021
- Noise Impact Assessment reference Delta-Simons Project No. 20-1698.02 received 30.03.2021
- Preliminary Geo-Environmental Risk Assessment (part 1, 2, 3, 4) received 30.03.2021
- Details within document Klargester BioTec Product data sheet received 30.03.2021
- Arboricultural Appraisal dated March 2021 received 30.03.2021
- Preliminary Ecological Appraisal Report received 30.03.2021
- Landscape and Visual Appraisal received 30.03.2021
- Planning Statement received 30.03.2021
- Amended Transport Statement received 08.07.2021
- Construction Environment Management Plan received 13.08.2021
- Letter from enzygo environmental consultants reference CRM.049.016.EC.R.020 received 13.09.2021
- Proposed HGV Parking Arrangement drawing number AMA/20886/ATR004 received 07.09.2021

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

3. **Construction method statement**

No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved CMS. The CMS shall include measures for:

- (a) A site set-up plan during the works;
- (b) Parking of vehicles of site operatives and visitors;
- (c) Loading and unloading of plant and materials;
- (d) Storage of plant and materials used in constructing the development;
- (e) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing;
- (f) Temporary access arrangements to the site, and any temporary hard-standing;

- (g) Wheel washing facilities;
- (h) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;
- (i) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- (j) Hours of construction and demolition work;
- (k) Hours of deliveries and preferred haulage routes;

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.

4. **Construction Environmental Management Plan**

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- (a) Risk assessment of potentially damaging construction activities.
- (b) Identification of "biodiversity protection zones".
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- (d) The location and timing of sensitive works to avoid harm to biodiversity features.
- (e) The times during construction when specialist ecologists need to be present on site to oversee works.
- (f) Responsible persons and lines of communication.
- (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- (h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To secure appropriate mitigation of ecological assets. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.

5. **Hours of work (construction/demolition)**

No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

No work shall be carried out at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

6. **Construction delivery hours**

No deliveries shall be taken at or despatched from the site outside the following hours:

Mondays to Fridays: 07:30 to 18:30

Saturdays: 08:30 to 14:30

No deliveries shall be taken at or despatched from the site on Sundays and public holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, 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).

7. Unexpected contamination

If any previously unidentified contaminated land is found during demolition and/or construction activities, it shall be reported immediately in writing to the Local Planning Authority (LPA). Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. These submissions shall be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation), and conducted in accordance with current best practice. The remediation scheme shall ensure that, after remediation, as a minimum, the land shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. Thereafter, any remediation measures shall be carried out in accordance with the approved details. Unless otherwise agreed in writing by the LPA, the development shall not be first brought into use until any approved remediation measures have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the LPA.

Reason: 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 human health or the environment. This condition is applied in accordance with paragraphs 170, 178, 179 and 180 the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

8. Lighting strategy (temporary laydown facility)

No external lighting shall be installed in relation to the temporary laydown facility until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- (a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.
- (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species.
- (c) Include isolux contour diagram(s) of the proposed lighting.
- (d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.
- (e) Include proposed times of operation, and other controls to minimise the operation of the lights.
- (f) Include calculations and methodology of calculations to demonstrate lighting levels are designed within the limitations of Environmental Lighting Zone 1.

No external lighting shall be installed on the site in relation to the temporary laydown facility except in accordance with the approved strategy.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, and to conserve the dark night skies of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

9. **Lighting strategy (permanent)**

Prior to the cessation of the temporary use of the site as a laydown facility, a lighting strategy for the permanent retention of lighting in associated with the restored composting use of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall ensure the permanent amount and level of lighting is no more than is necessary to facilitate the restored composting use. The strategy shall:

- (a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.
- (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species.
- (c) Include isolux contour diagram(s) of the proposed lighting.
- (d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.
- (e) Include proposed times of operation, and other controls to minimise the operation of the lights.

Within three months of the cessation of the temporary use of the site as a laydown facility (or an alternative timescale agreed in writing by the Local Planning Authority), any lighting associated with the lighting strategy for the temporary laydown facility shall be removed, altered or replaced to be in accordance with the permanent lighting strategy. Thereafter, no external lighting shall be installed on the site in relation to the restored composting use except in accordance with the approved permanent strategy.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, and to conserve the dark night skies of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

10. **Landscaping (approved plans)**

All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme (ARCML/B1/21/1 dated March 2021.) within the first planting season following completion of building operations / first use of the temporary laydown facility (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

11. **Drainage**

The temporary laydown facility shall not be brought into first use until the drainage strategy has been implemented in accordance with the approved plans. Thereafter

the drainage measures shall be managed and maintained in accordance with the approved details.

Reason: To ensure the appropriate drainage of the site. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy, and the Council's adopted Sustainable Drainage SPD.

12. Use restriction

The site shall be used solely as either:

- (a) a temporary laydown facility associated with the construction of the Slough MCHP Facility, which was granted planning permission by Slough Borough Council on 2nd June 2017 (ref: P/00987/024), and for no other purpose, including any other purpose in Classes B8 or E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification); or
- (b) For compositing activities permitted on the land under planning permission 10/00827/COMIND.

This restriction shall apply notwithstanding any provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The development has been justified on these specific uses, and any other uses may not be acceptable on the site. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5, CS5, CS13, CS14, CS16 and CS19 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

13. Operating hours (machinery/processes)

During the operational phase of the temporary laydown facility, no machinery and/or industrial processes shall take place outside of the following hours, unless otherwise agreed in writing by the Local Planning Authority:

Mondays to Fridays: 07:30 to 18:30

Saturdays: 08:30 to 14:30

No industrial processes shall take place on Sundays and public holidays, unless otherwise agreed in writing by the Local Planning Authority

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, 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).

14. Music

No amplified or other music shall be played externally on the premises.

Reason: To safeguard the amenities of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

15. Delivery hours

During the operational phase of the temporary laydown facility, no deliveries shall be taken at or despatched from the site outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

Mondays to Fridays: 07:30 to 18:30

Saturdays: 08:30 to 14:30

No deliveries shall take place on Sundays and public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, 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).

16. Permitted development restriction (fences)

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order), no gates, fences, walls or other means of enclosure (except those expressly authorised by this permission) that would otherwise be permitted by Schedule 2, Part 2, Class A of that Order shall be erected within the application site, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the inappropriate means of enclosure within the site in the interests of respecting the character and appearance of the surrounding area. This condition is imposed in accordance with the National Planning Policy Framework, and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

17. Temporary permission (restoration)

The temporary laydown facility use hereby permitted shall be for a limited time period ending on 31st May 2024. This temporary use shall be discontinued, and all paraphernalia and temporary operational development associated with this temporary use shall be removed from the site by this date. This requirement to remove temporary operational development does not apply to the permanent hardstanding and fencing hereby permitted, or any lighting permitted under the permanent lighting strategy pursuant to conditions.

Reason: The laydown facility is proposed for a temporary period. This condition is to ensure appropriate cessation and restoration of the land in accordance with the planning application proposals. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5, CS5, CS9, CS10, CS13, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.