

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 24 AUGUST 2022

Councillors Present: Graham Pask (Chairman), Alan Macro (Vice-Chairman), Jeremy Cottam, Alan Law, Tony Linden, Ross Mackinnon, Geoff Mayes, Richard Somner and Keith Woodhams

Also Present: Liz Allen (Consultant Landscape Architect) Sharon Armour (Principal Lawyer - Planning & Governance), Paul Bacchus (Senior Engineer (Drainage)) Stephen Chard (Democratic Services Manager), Bob Dray (Development Control Team Leader), Gareth Dowding (Principal Engineer (Traffic and Road Safety)), Elise Kinderman (Minerals and Waste Team Leader), Gemma Kirk (Senior Planning Officer), Kate Powell (Environmental Health Officer) Andrew Reynolds (Principal Engineer (Highways Maintenance)), Matthew Shepherd (Senior Planning Officer), Benjamin Ryan (Democratic Services Officer) and Vicki Yull (Principal Democratic Services Officer)

PART I

15. Minutes

The Minutes of the meeting held on 3 August 2022 were approved as a true and correct record and signed by Councillor Graham Pask subject to the inclusion of the following amendments:

On Pages 6-7 for Item 4(1) 'St Ives Road' and 'Volunteer Close' should read as 'St Ives Close' and 'Volunteer Road'.

16. Declarations of Interest

17. Schedule of Planning Applications

(1) Application No. and Parish: 22/01330/REG3, Wokefield

(Councillor Richard Somner declared a personal interest in Agenda Item 4(1) by virtue of the fact that that he was deputy to the Environment Portfolio Holder. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillor Geoff Mayes declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a member of the Berks, Bucks & Oxon Wildlife Trust (BBOWT), as well as being a consultant for environmental matters. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

Councillor Ross Mackinnon declared a personal interest in Agenda Item 4(1) by virtue of the fact he was a member of the Environment Board. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillor Graham Pask declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a member of BBOWT. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 22/01330/REG3, in respect of the construction and operation of a solar farm and battery storage system together with cable route and all associated works, equipment and necessary infrastructure.

Mr Matthew Shepherd (Senior Planning Officer) introduced the item which took into account all the relevant policy considerations and other material planning considerations.

In accordance with the Council's Constitution, Councillor Chris Faulkner, Wokefield Parish Council representative, Mr Neil Callan (on behalf of the Bloomfield Hatch Residents Association), Mr Steven Davies and Mr Craig White, objectors, Mr Miles Roberts, applicant, Mr Ernie Shelton, agent and Councillor Graham Bridgeman, Ward Member addressed the Committee on this application.

Parish Council Representations:

Mr Faulkner in addressing the Committee raised the following points:

- That use of the agricultural land for a solar farm would have exacerbated Britain's self-sufficiency issues surrounding food production and would leave the national economy vulnerable to global markets.
- The solar farm would limit biodiversity, as it would restrict 70% of the available farmland and this was in opposition to West Berkshire Council's Environment Strategy.
- Solar panels would have been better placed on existing brownfield sites, as this would not have limited the use of viable farmland.
- The Committee had recently refused a similar application, which was then overturned by Central Government, however Mr Faulkner believed that attitudes had changed within Parliament as prominent MPs, such as Rishi Sunak and Liz Truss had expressed views on protecting British farmland.

Member Questions to the Parish Council:

- The Chairman asked how many farms there were within the Parish and Mr Faulkner responded that there were 20 in total, however this farm was one of only a few dairy farms within West Berkshire.
- Councillor Mayes enquired as to the size of the farm and whether the field south of Cross Lane was part of the farm, as well as what the field was used for. Mr Faulkner replied that the farm was 115 acres and 75 acres would be used for the solar farm. The field to the south was part of the farm ownership, which was rotated between grazing and growing maize.
- In response to a question from Councillor Jeremy Cottam, Mr Faulkner explained that the farm bred chickens.

Objector Representations:

Mr Callan, Mr Davies and Mr White in addressing the Committee raised the following points:

- A previous proposal on Clappers Farm for a travellers' site in 2014, was turned down due to the 1936 Palmer family conveyance and that this was also applicable to the land within the application. The conveyance stated that no temporary building or sleeping quarters should be erected on the land and that the proposed use of ten steel containers would be contrary to this.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

- In the 2006 to 2026 Core Strategy, English Heritage laid out that any build must protect the local distinctive nature and character of an area and that if the solar farm was built it would conflict with this, as it would have been built on farmland that dated back to at least 1086.
- Policy 'EM: 8' stated that commercial proposals for the commercial generation of energy would be permitted, unless there were adverse environmental, economic and social impacts, which included loss of farmland.
- An alternative access route would need to be used, due to the increased noise and traffic caused by the site and that car parking would be required contrary to what the applicant stated.
- George Palmer had left the farm to the community in his will for purposes of farming.
- The plans did not provide adequate flood mitigation and the solar panel run off could affect the farms septic tank.
- There was no evidence that the required full assessment of transport impact had taken place.
- The plan and site displays had not complied with West Berkshire Council's own standards.

Member Questions to the Objectors:

Councillor Alan Law enquired over why the installation of solar panels would increase the chances of a potential flood risk and Mr White answered that this was because the solar panels could create a concentrated run off which would channel and accelerate storm water flow.

Councillor Mayes pondered whether there was any risk of contamination of livestock from the proposals and Mr Davies explained that there was a risk, so allowing people onto the site would need to be managed.

Applicant/Agent Representations:

Mr Roberts and Mr Shelton in addressing the Committee raised the following points:

- That boosting the UK's own energy supply by building solar farms could allow the UK to dictate its own energy prices.
- The scheme would generate enough power for 7570 homes for 30 years and the carbon reduction would be equivalent to taking 2000 cars off the road. In total the scheme would reduce West Berkshire's carbon footprint by 48% each year.
- The land that was used by the solar farm could still be used for sheep farming.
- Only 0.08% of British land was used for solar farms and the environmental impact was minimal compared to the likes of pony paddocks.
- The National Farmers Union supported the installation of solar panels on farms.
- Continued global warming would lead to further flooding and droughts, which would affect farm production far more than the installation of solar panels.

Members Questions to the Applicant/Agent:

Councillor Alan Law questioned the financial viability of building a solar farm and Mr Shelton replied that if the predicted revenue was based on the lowest average price of an electricity long term run rate of 5p per kWh, the farm would generate £1.1 million, which

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

would be offset by maintenance costs, debt repayment and operational costs. Mr Shelton also stated that to build the farm would cost in the region of £19 million.

Councillor Mayes wanted to understand how the network would output its energy and Mr Shelton explained that solar panels generated on average 1,500 volts DC, which would be converted to AC at 33,000 volts, which would then be connected below ground north of the Burghfield site and then to Scottish and Southern Energy (SSE) overhead power lines. Councillor Mayes then queried whether it would be possible to connect closer to the site, to which Mr Shelton stated that Ofgem rules expressed that SSE had to provide a connection site that would be the closest and cheapest, however there was a possibility of a second connection site. Councillor Mayes then proposed the site at Cross Lane as an option and Mr Shelton answered that the site at Cross Lane did not have the ability for reverse power, therefore would not meet the solar farm's needs.

Councillor Somner wanted clarification over the farmer's ability to continue to use the farmland and Mr Shelton explained that, if the farmer wanted to continue leasing the land, he could do what he wanted with the site, however the understanding at the time was that the chicken farming would continue and that the farmer would start to rear sheep which would help maintain the land.

Councillor Law was unsure of the aforementioned figures by Mr Shelton after working out costs, to which Mr Shelton stated that there had been a lot of financial analysis which showed that at the lower end of energy price estimates, the farm would still give a return after borrowing and if energy prices remained high, it would give an extremely generous offering to the Council.

Councillor Cottam wanted to know why the financial implications of the site were relevant to the planning decision, of which Councillor Law explained that financial impact was part of the three levels of sustainability, which were financial, social and economic.

Councillor Tony Linden wanted to understand the impact that a rise in interest rates would have on the solar farm and asked Mr Shelton to comment on the farmer's remarks about sheep herding being difficult on solar farms. Mr Shelton explained that the solar farm would be sensitive to rising interest rates and that the financial modelling had been done with the use of the Public Works Loan Board (PWLB) investment in mind. Mr Shelton emphasised that if interest rates went up, energy costs usually followed a similar pattern.

In terms of sheep on the land, other farmers across Europe and the UK did successfully herd sheep alongside solar farms, however Mr Shelton conceded that it could make it slightly harder to get sheep in and out of the field. Councillor Linden asked how the predicted fluctuation of energy costs could affect the solar farm and Mr Shelton explained that there were two ways of predicting energy prices. Firstly, you could predict energy prices by 'sentiment' this entailed the prediction of what could happen, for example in Eastern Europe with the Ukraine crisis, which would be a potential market response and that this was a difficult parameter to predict. Secondly, you could make estimations based on 'fundamentals' and these included factors such as, the need to electrify transport and heat, which would create further demand for electricity. The 'fundamentals' were easier to predict and suggested that there would be a sharp dip in energy prices, followed by a slow and steady increase, as supply and demand began to level out. Councillor Linden added that although some were trying to get rid of nuclear power there were some, such as Rolls Royce, who were trying to revive it and this could have an impact on solar energy.

Councillor Mayes asked whether they had allowed for loss in transmission within their costed models and whether the farmer would incur the cost of changing his farming

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

practices. Mr Shelton explained that they had accounted for loss of transmission and that conversations had occurred between West Berkshire Council and the farmer where choices had been discussed, however it would be up to the farmer.

Ward Member Representations:

Councillor Bridgman in addressing the Committee raised the following points:

- The Committee needed to be impartial and could only consider the application as the Planning Committee and not as West Berkshire Councillors.
- The site had previously been put up for development.
- There were questions over the quality of the land.
- The Committee needed to consider whether the increased number of vehicle movements would actually be an issue and whether the access road would be safe.
- At 6.69 of the report it stated that there would be no increase of flooding, however 6.70 stated there would be a speeding up of rain water run-off, which led to concerns over the septic tanks flooding.
- Condition 3 required the word 'after' to be inserted between '14 days' and 'prior notice' to make grammatical sense.
- The date of generating electricity should be inserted by the applicant to avoid potential mismanagement in regards to the dismantling of the site after 30 years and six months, once electricity had been produced.
- Condition 13 in regards to the Atomic Weapons Establishment (AWE) emergency zone, discussed the installation of a landline and that this practice needed to be modernised.
- Condition 21 was in regards to the bird nesting season which stated that it was March to August inclusive and this in fact should have been March to July inclusive, as this would be in line with the Royal Society for the Protection of Birds (RSPB) website.

Members Questions to the Ward Member:

Councillor Macro questioned Councillor Bridgman's doubts over traffic movements, to which Councillor Bridgman replied that the road was set at the national speed limit, however there would be enough of a sight line to exit and enter the site, as well as doubts over how much traffic the site would actually generate.

Members Questions to the Officers:

Councillor Law wanted to know how solar panels could exacerbate the run-off issues and Mr Paul Bacchus explained that even though solar panels were an impermeable surface they should not be considered the same as rooftops or pavements. The application did recognise that there would be a speeding up of the run-off water and it had been suggested that they would have infiltration trenches to circumnavigate the issue.

Councillor Mayes raised concerns over the trenches potentially damaging the land quality, to which Mr Shepherd highlighted that Condition 3 stated that the land would have to be restored to its original state.

Councillor Macro questioned whether West Berkshire Council could be sure that they could prevent water run-off into the south west corner where residents were concerned of sewage flooding. Mr Bacchus explained that the site was downhill of the property and the location of the panels meant that the flood risk was highly minimal.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Councillor Linden wanted assurance that The Granary area would not be flooded and Mr Bacchus answered that this area was higher than the site, so would not suffer from flooding as a result of the development.

Councillor Cottam queried where the financial impact was discussed in the report. Mr Dray emphasised Councillor Law's aforementioned point on the three areas of sustainability and that in terms of Planning's assessment of the site, it would be combined with in principle development and the focus would have been on the economy as a whole.

The Chairman wanted clarification on the sight line figures on 6.57, 6.59 and the summary on 6.54, within the report. Mr Gareth Dowding explained that the sight line figures were given based on the 85th percentile speed recording along the road and that this was represented in the first set of visibility displays given on 6.57 of the report. There were two versions of the sight lines provided, one where the offset was at 1 metre from the kerb and one which was on the kerb. The X distance had been measured 2 metres from the road and 2.4 meters from the edge road and this showed how the difference of 0.4 altered the sight lines, as displayed on the Y axis. In whole the sight lines did not affect the development, because they were not near the 85th percentile speeds. However, there were mitigation plans proposed that could resolve the issue and why temporary traffic signals were proposed during the construction period. After construction there would only be two additional vehicle movements a week, so there would be no need for further traffic controls. The Chairman then asked for clarification over the total vehicle movements, to which Mr Dowding explained that during construction there would be 11-12 additional vehicle movements per week and after construction there would be only two additional vehicle movements.

Mr Dray stated that the standard model for solar farms was that after 30 years and six months they were removed and a notice erected for enforcement purposes. The requested landline was from the Emergency Planning Officer. In the future it would include mobile coverage, but a landline had been included due to the nature of the site. Finally, in regards to bird nesting, the condition should state 'to August inclusive', as different species of birds had different nesting seasons.

Mr Gareth Ryman explained that the addition of sheep at an appropriate level would benefit bio-diversity compared to an intensively grazed system and that the biodiversity net gain system suggested that the area would go from fairly poor to fairly good levels of bio-diversity.

Councillor Bridgman raised the importance of the Planning Authority being informed of when exactly electricity would start to be generated from the site and Mr Dray explained that the recording of the 30 years and 6 months could be added as a condition.

Debate:

Councillor Cottam argued that nuclear power would be very expensive in the future and carried the obvious environmental impact, in a world where flooding and drought were increasing, finding environmentally friendly energy sources was necessary.

Councillor Macro addressed the objections. Firstly, the flood risk, which the Committee had been reassured would not be an issue. Secondly, road safety, however with only two vehicle movements a week, this was not seen as an issue and finally, food sustainability and supply, which had to be balanced with the concerns over energy supply, as well as climate change, of which the Council had to do as much as possible to counter.

Councillor Linden believed there was a need for energy production that was environmentally friendly and understood the need for increased food production. The Councillor was pleased that the land could still be used for sheep herding, he noted that

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

the farm was going to be assigned for housing before the site was designated within the AWE emergency zone. The Councillor believed the West Berkshire Council had to play its part in helping provide clean energy to the grid and to help improve sustainability, which meant that the building of a solar farm was a good use of the land.

Councillor Law reinforced the point that the Committee needed to be impartial from West Berkshire Council and that the environmental argument had two sides, carbon reduction and sustainability. The current local plan did not mention anything of solar farms, however the emerging one did and yet the Committee did not consider the emerging plan for previous decisions. On the other hand National Policy supported the development of solar farms. He added that if the agricultural land was of higher quality this might have been a different debate. Councillor Law emphasised that the economic benefits outweighed the benefits of cattle farming, as a result Councillor Law proposed Officer Recommendation with the insertion of 'after' between '14 days' and 'prior notice' in condition 3 and requested that notice be given of when the electricity would be generated which would commit the applicant to a commencement date for the 30 years and six months. This was seconded by Councillor Linden.

Councillor Somner expressed that looking into the economic viability of the farm had been interesting, however this was not the key reason and that the environmental benefits were seen as a good way to deliver on West Berkshire Council's environmental goals.

The Chairman invited Members of the Committee to vote on the proposal by Councillor Law and Seconded by Councillor Linden to approve Officers' Recommendation. At the vote the motion was carried.

RESOLVED that the Service Director of Development and Regulation be authorised to grant planning permission subject to the following conditions:

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:

Site Location Plan and Red Line Boundary - 302-014-008 REV C

Proposed Layout Plan - 302-014-004 REV D

Intake Substation Plan - 302-014-009 REV B

Proposed Installation Elevations - 302-014-005 REV D

Proposed Ecological Mitigation Works & Planting - 302-014-007 REV D

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

3. Lifetime of development

No electricity shall be generated by the development hereby permitted until 14 days after prior notice has been submitted to the Local Planning Authority in writing. The development hereby permitted shall be removed in its entirety and the land restored to its

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

former condition within 30 years and six months of the date that electricity was first generated by the development, or within six months of the development failing to generate electricity for 12 consecutive months, whichever occurs first. The land shall be restored to its former condition to enable it to revert to agricultural use in accordance with a scheme of decommissioning work and land restoration that shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the land is restored to its original undeveloped condition following the expiry period or once the development fails to generate electricity, in the interests of protecting the amenity of the open countryside. This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS10, CS14, CS15 and CS19 of the West Berkshire Core Strategy (2006-2026).

4. Decommissioning removal of operational development

As part of the decommissioning process required by Condition 3, all operational development in, on, over or under the land enclosed by the red line on the Location Plan associated with the development hereby permitted shall be completely removed from the application site within 30 years and six months of the date that electricity was first generated by the development, or within six months of development failing to generate electricity for 12 consecutive months, whichever occurs first.

Reason: To ensure that the land is restored to its original undeveloped condition following the expiry period or once the development fails to generate electricity, in the interests of protecting the amenity of the open countryside. This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS10, CS14, CS15 and CS19 of the West Berkshire Core Strategy (2006-2026).

5. Materials

No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials respond to local character. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP6, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is required because the materials we need to be agreed prior to construction.

6. 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.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

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.

7. Drainage measures

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

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and the WBC SuDS Supplementary Planning Document December 2018 with particular emphasis on Green SuDS and water re-use;
- b) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse or piped system at no greater than 1 in 1 year Greenfield run-off rates;
- c) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels. Soakage testing shall be undertaken in accordance with BRE365 methodology;
- d) Include run-off calculations based on current rainfall data models (FEH 2013 preferred), discharge rates (based on 1 in 1 year greenfield run-off rates), and infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- e) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- f) Ensure permeable paved areas are designed and constructed in accordance with manufacturers guidelines if using a proprietary porous paved block system; otherwise ensure any permeable areas are constructed on a permeable sub-base material, such as MoT/DoT Type 3;
- g) Include a management and maintenance plan showing how the SuDS measures will be maintained and managed after completion for the lifetime of the development. This plan shall incorporate arrangements for adoption by the Council, Water and Sewage Undertaker, Maintenance or Management Company (private company or Trust) or individual property owners, or any other arrangements, including maintenance responsibilities resting with individual property owners, to secure the operation of the sustainable drainage scheme throughout its lifetime. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
- h) Include measures with reference to Environmental issues which protect or enhance the ground water quality and provide new habitats where possible;
- i) Include details of how surface water will be managed and contained within the site and along the cable routes, during construction works to prevent silt migration and pollution of watercourses, highway drainage and land either on or adjacent to the site;
- j) Include an Application for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc);

Thereafter, the development shall be undertaken in accordance with the approved details. The development shall not start generating electricity until the drainage measures have been completed in accordance with the approved details.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

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), Part 4 of Supplementary Planning Document Quality Design (June 2006) and the Sustainable Drainage Supplementary Planning Document (December 2018). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

8. Archaeological work

No development including site clearance shall take place within the application area until a Stage 1 written scheme of investigation (WSI) for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by Stage 1, then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI no site clearance work or development shall take place other than in accordance with the agreed WSI, which shall include:

- a) The statement of significance and research objectives, the programme and methodology of archaeological site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting archaeological material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 205 of the 2021 National Planning Policy Framework and is in accordance with the requirements of Policy CS19 of the West Berkshire Core Strategy (2006-2026). A pre-condition is required because the WSI will need to be adhered to through construction activities.

9. Arboricultural supervision

No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: The Local Planning Authority must be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with the objectives of the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

supervision works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

10. Tree protection

All tree protective fencing and ground protection shall be erected and installed in accordance with the submitted plans, reference Woodland and Countryside Management drawing numbers WWCM/SSR/HPE/ES/BHF/TP/1 dated May 2022. The protective fencing shall be implemented and retained intact for the duration of the development, unless otherwise agreed in writing by the Local Planning Authority. Within the fenced area(s), there shall be no excavations, storage or mixing of materials, storage of machinery, parking of vehicles or fires.

Reason: Required to safeguard and to enhance the setting within the immediate locality to ensure the protection and retention of existing trees and natural features during the construction phase in accordance with the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

11. Landscaping

No development shall take place until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:

- a) Detailed plans with planting a retention schedules, noting species, plant sizes and proposed numbers/densities.
- b) A programme or work including an implementation programme providing sufficient specifications to ensure successful cultivation of trees, shrub and grass establishment.

All landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first operation of the development (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 the lifetime of the development five years of completion of the approved 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: Comprehensive landscaping is essential to ensure the development is appropriately assimilated into the environment, and detailed specifications and a programme of works are necessary to ensure proper establishment and maintenance. 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. A pre-condition is required because landscaping is essential to landscape and visual mitigation and so a clear strategy must be agreed before the development is built out.

12. Landscape maintenance

No development shall take place until a Landscape Maintenance and Management Strategy has been submitted to and approved in writing by the Local Planning Authority. Such a strategy shall detail the maintenance and management of the landscape during the lifetime of the development. Thereafter the development shall be carried out and operated in accordance with the approved details.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Reason: To ensure that the landscaping remains of a sound quality throughout the lifetime of the solar farm, to the benefit of the character of the area and neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

13. AWE Emergency Plan

No development shall take place until a site-specific Emergency Plan has been submitted to and approved in writing by the Local Planning Authority. The Emergency Plan shall provide policies and procedures for the preparedness and response to an incident at AWE Burghfield. The Plan should cover both the construction and operational phases of development, or two separate plans may be provided for each phase. The Emergency Plan must cover the processes for:

- a) Activation of the Plan.
- b) Sheltering.
- c) Supporting the vulnerable residents, staff and visitors whilst in sheltering conditions.
- d) Evacuation.
- e) Recovery.

Thereafter, the development shall be carried out with the implementation of the approved Emergency Plan(s), or an approved revision. Upon the site being commissioned for operations to commence the approved measures within the Emergency Plans shall be implemented in full, shall be kept up-to-date by the site manager/operator and management/owners. Thereafter, the Plan should be reviewed and amended as necessary and at least annually. The Local Planning Authority may at any time require the amendment of the plan by giving notice pursuant to this condition. The Local Planning Authority may at any time require a copy of the then current Emergency Plan for the site which shall be submitted to the Local Planning Authority within 1 month of notice being given.

A landline phone shall be installed on site to ensure the AWE Telephone Alerting System can operate successfully, to inform the workers in the event of a radiation emergency at AWE.

Reason: The approval and implementation of a site-specific Emergency Plan is necessary to mitigate the residual risk posed to public safety by the close proximity of AWE Burghfield, to ensure appropriate preparedness and response in the event of an incident at AWE, and to ensure that the development does not adversely affect the AWE Off-Site Emergency Response Plan. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS8 of the West Berkshire Core Strategy 2006-2026.

Note: For queries relating to the content of the site-specific Emergency Plan, please contact the Joint Emergency Planning, West Berkshire Council, Council Offices, Market Street, Newbury, RG14 5LD. Tel: 01635 503535, Email: emergencyplanning@westberks.gov.uk. Please quote the application reference. In order to provide assurance that an effective plan will be put in place, normally this means that only the final contact details and names are not completed.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

14. Construction Traffic Management Plan (CTMP)

The development shall be carried out in accordance with the approved Construction Method Statement and site set-up plan, unless otherwise agreed in writing by the Local Planning Authority.

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, 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).

15. Access and visibility splays

The first development operation shall be the construction of the site access onto Cross Lane in accordance with the approved details. No further development shall take place until the access has been completed in accordance with the approved details, and the visibility splays shown on the approved drawings, including within the CTMP, have been provided at the site access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.9 metres above carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026). A pre-condition is necessary because safe access must be maintained from the outset of construction.

16. Agricultural Land Management Strategy

The development hereby approved shall not begin producing electricity until an Agricultural Land Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include the following:

- a) A strategy for reinstatement, restoration and after plans for the soil to return the soil to the former land quality grade or as close as reasonably possible.
- b) A agricultural land management plan for the lifetime of the development.

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

Reason: Soil is a finite resource which plays an essential role within sustainable ecosystems, performing an array of functions supporting a range of ecosystem services, including storage of carbon, the infiltration and transport of water, nutrient cycling, and provision of food. The soil before the solar panels need to be maintained so that the land can be returned to its original condition This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

17. 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".

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

- (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: This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because the LEMP may need to be implemented during construction.

18. Landscape and Ecological Management Plan (LEMP)

No development shall take place until an updated Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- (a) Description and evaluation of features to be managed.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management.
- (d) Appropriate management options for achieving aims and objectives.
- (e) Prescriptions for management actions.
- (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- (g) Details of the body or organization responsible for implementation of the plan.
- (h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because the LEMP may need to be implemented during construction.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

19. Time constraints for ecological plans/updated reports

Bat reports will need to be updated every 12 months and all other surveys after 3 years. As such after 12months/3 years (as appropriate to their validity) from the date the approved report is written a further supplementary ecological survey will need to be undertaken and submitted to and approved in writing by the Local Planning Authority along with any mitigation measures updated. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: Ecological surveys are valid for limited periods of time. As such, they will need to be kept under review to ensure the appropriate mitigation measures are in place in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

20. Lighting strategy (Landscape/Ecology)

No external lighting shall be installed 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 the appropriate Environmental Lighting Zone , as described by the Institute of Lighting Engineers.

No external lighting shall be installed on site except in accordance with the above strategy.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

21. Restrictions during bird breeding season

No demolition, or site/vegetation clearance shall take place during the bird breeding season (March to August inclusive) unless carried out under the supervision of an experienced ecologist, who will check the habitat to be affected for the presence/absence of any birds' nests. If any active nests are found then works with the potential to impact on the nest must temporarily stop, and an appropriate buffer zone shall be established, until the young birds have fledged and the nest is no longer in use.

Reason: To prevent harm to nesting birds from demolition and vegetation clearance. This condition is applied in accordance with the statutory provisions relating to nesting birds, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

22. Hard landscaping

The development hereby permitted shall not commence until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

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.

Informatives

1. Proactive statement

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

2. Compliance with conditions

Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.

3. Pre-conditions

This decision notice contains pre-conditions that impose requirements which must be met prior to commencement of the development. Failure to observe these requirements could result in the Council taking enforcement action, or may invalidate the planning permission and render the whole of the development unlawful.

4. Compliance with approved drawings

Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.

5. Access construction

The Asset Management team, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD, or highwaysassetmanagment@westberks.gov.uk should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

6. Damage to footways, cycleways and verges

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

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

7. Damage to the carriageway

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

8. Incidental works affecting the highway

Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 503233, before any development is commenced.

(2) Application No. and Parish: 20/02029/COMIND, Burghfield

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 20/02029/COMIND in respect of the development of an Energy Recovery Centre and adjacent Data Centre, as well as associated infrastructure.

Ms Elise Kinderman (Team Leader (Minerals and Waste)) introduced the item which took into account all the relevant policy considerations and other material planning considerations. It was reported verbally that a letter had been received from Matt Rodda MP making representations on the application. This was received post the publication of the update report, but did not raise any new material issues.

In accordance with the Council's Constitution, Mr Graham Hudson, objector, Mr Mark Westmoreland-Smith, Ms Jennifer Hepworth, Mr Jay Mould, Mr Kevin Parr and Mr James Whatton, applicant/agent, and Councillor Bridgman, Ward Member, addressed the Committee on this application.

Objector Representations:

Mr Hudson in addressing the Committee raised the following points:

- That West Berkshire Council had never mentioned the installation of an incinerator during the 2019 West Berkshire Climate Conference.
- That Reading Borough Council wanted to be consulted on the application, if approved, over details such as; haulage routes, pollution and traffic generated matters, as well as for it to be considered against national policy and the Local Plan.
- Thames Water noted that the report did not require their services, however they could come under pressure whilst the site was operational. If Thames Water did need to get involved this could cause serious traffic issues.
- Emissions from 150,000 tonnes of waste annually could cause a large amount of CO2.
- Within the report the wrong local MP was listed as the President of United Nations Climate Change Conference (COP 26). It was noted as the Reading East MP where it should have been the Reading West MP.

Members Questions to the Objector:

There were no questions for the objector.

Applicant/Agent Representations:

Mr Westmoreland-Smith, Ms Hepworth, Mr Mould, Mr Parr, and Mr Whatton in addressing the Committee raised the following points:

- The proposed site was already a Waste Management facility.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

- This was a unique proposal with an energy recovery system and data centre, which could provide two pieces of necessary infrastructure.
- This facility would have been able to divert 150,000 tonnes of waste from landfill, with 20,000 tonnes coming from the site itself, which would have saved waste miles.
- The site would have allowed West Berkshire to be self-sufficient in waste management.
- The facility would generate a secure and low carbon source of energy. Generating 11MW of electricity, which would have been enough to power 30,000 homes. The facility would provide 33 permanent jobs.
- The air quality would have been adequately assessed by the strict regulations of an Environmental Permit and would not have posed a significant risk to residents of West Berkshire.
- There would be considerable bio-diversity net gains, as shown by the removal of the Wildlife Trust objection.
- There would be no significant effect on transport.
- The site would provide a saving in greenhouse emissions compared to current methods.

Members Questions to Applicant/Agent:

- Councillor Pask enquired into how much waste would be brought into the facility from elsewhere and Mr Westmoreland-Smith explained that 130,000 tonnes would be imported through external contracts with around 78 HGV movements a day, however these would be controlled by conditions.
- Councillor Linden raised concerns over the potential pollutants and the size of the site. Mr Westmoreland-Smith reassured that pollution control was a sophisticated process and the promoter could only work within the remit of an Environmental Permit, which was monitored closely. Councillor Linden asked whether this was public information and this was confirmed to be the case.
- Councillor Macro pondered whether all the plastic would be removed when burning the waste, to which Mr Westmoreland-Smith explained that as much plastic as possible would be removed and recycled.
- Councillor Law queried whether CO₂ was considered a pollutant and Mr Westmoreland-Smith stated that it was. Councillor Law further probed over how the developer would minimise the negative impact on climate change, reduce vulnerability and provide resilience to the impacts of climate change. Mr Westmoreland-Smith answered that the machine managed waste and generated electricity, which compared to landfill would save 200 kilos of CO₂ per tonne of residual waste, as well as providing a significant reduction in methane. Compared to the electricity produced by the site, the facility would produce the equivalent of 183g of CO₂ per kWh, which compared to the stock generation of the grid that used combined cycle gas turbines (CCGT), which produced 340g per CO₂ equivalent, was a significant decrease in CO₂ production.
- Councillor Cottam raised concerns over the potential particulate pollution and pondered how the 50m chimney prevented the particles affecting local residents, to which Mr Westmoreland-Smith explained that there would be a scrubbing process throughout the stack, however some particulates would escape and the height of the chimney was designed for proper dispersal. Furthermore the monitoring of the

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Environmental Agency would make sure that the facility would be properly managed and therefore would not pose a health risk to the general population.

- Councillor Somner wanted to know where the 130,000 tonnes of imported waste would be imported from, of which Mr Westmoreland-Smith could not confirm exactly where, however models suggested that waste would be collected near West Berkshire and that most third parties would look to dispose of their waste as close as possible, due to the cost of transport.

Ward Member Representations:

Councillor Bridgman in addressing the Committee raised the following points:

- That the emerging Minerals and Waste Local Plan was at a stage where some value should be attached to it.
- The facility would sit in the middle of the site, which would reduce the visual impact, however not completely.
- There was an over-capacity of waste in the system according to United Kingdom Without Incineration Network (UK WIN) and UK WIN considered that a reason for refusal, however in opposition of this was the self-sufficiency argument for West Berkshire.
- It was questioned where the waste was going and whether the vehicle movements were longer at the time compared to that of the potential site.
- Air quality was an issue that could be affected by wind direction and that those that were not directly living by the site might still be effected.

Member Questions for Ward Member:

Councillor Linden asked whether Councillor Bridgman was referring to a particular site, of which the Councillor replied he was not speaking of any site and that he just questioned where the waste was going.

Member Questions for Officers:

Councillor Cottam wanted reassurance that the regulation would be thorough and why Public Health regarded the site as municipal even though it would be privately owned. Ms Kinderman stated that the definition of municipal, in this case, included local authority collected waste, as well as a similar fraction of commercial waste, which would be of the same composition. Ms Kinderman also explained that the Environmental Agency would monitor the site. Councillor Cottam queried whether West Berkshire's Environmental Health would be involved and Ms Kate Powell explained that Environmental Health would not be involved with the site.

Councillor Cottam wanted clarification on whether the permit would be part of the application, or whether it would need to be applied for. Mr Dray explained that the permit would be separate from planning and that inclusion within the conditions would lead to unnecessary duplication. The Chairman emphasised that there might be several technicalities that the Committee might not have knowledge of, but the Committee must trust other agencies to do their job properly, which was compounded by Mr Dray who stated that the Committee had to base decisions on the assumption that other authorities would work effectively.

Councillor Mayes wanted to know where the Englefield Lagoon was and what the drainage strategy was in regards to the lagoon. Ms Kinderman explained that it was to the north of the site and that the drainage strategy was to have surface water drain into the lake at a controlled outfall, after being collected on site. Councillor Mayes asked

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

whether any pollutants could enter the Thames Water aquifers and Ms Kinderman explained that there were two separate systems, so there was little chance of any cross-contamination. There was also the inclusion of oil interceptors within the water disposal system. Mr Bacchus further commented that the system would be fully sealed with a membrane around the attenuation tank, which would be used prior to discharge and the applicant would need to make sure the system was fully sealed and that conversations between Officers and the applicant had occurred to guarantee this. Councillor Mayes further questioned where the water for firefighting would come from and Mr Bacchus clarified that there was a difference between drainage, which would be dealt with by the applicant and supply, which would be dealt with by Thames Water.

Councillor Linden wanted officers to comment on Veolia's waste disposal to other sites outside of West Berkshire. Ms Kinderman stated that the waste went to places in Hampshire, Slough and Oxfordshire, however this changed year on year. For example the Hampshire contract would end in 2030 and there was also uncertainty over the future of the site in Slough.

Councillor Law highlighted Section 6.43 and wanted to know why the site was not included within the preferred areas and Ms Kinderman explained that the Minerals and Waste Local Plan did not define preferred areas for waste management sites, however it did set criteria for potential sites and because the application would be developed on an existing waste management site, it met the criteria for the Minerals and Waste Local Plan.

Debate:

Councillor Linden highlighted the visual impact on the M4, but believed West Berkshire needed to be able to deal with its waste needs and that the location was generally remote, as a result Councillor Linden proposed Officer's Recommendations and this was seconded by Councillor Cottam.

Councillor Macro explained that there was a table on page 126 of the Agenda that expressed where some of the waste from West Berkshire was going and in conversation with Oxfordshire County Council, West Berkshire was, at the time, sending 45,000 tonnes of waste to Sutton Courtenay and that this site would close in 2030. The South East Waste Planning Advisory Group stated that Britain had been exporting 2.6 million tonnes of waste to Europe each year. Councillor Macro did have concerns over the visual impact of the site, however despite that he was willing to support the application.

Councillor Mackinnon expressed concerns over the visual impact and due to the lack of information over the potential pollution and how the Environmental Permit would be enforced. The Councillor sympathised with residents' concerns over the burning of waste close to their homes and as a result felt he could not support the application.

Councillor Cottam expressed that the 50m chimney was at least a guarantee that the pollution would not go locally, as the prevailing wind blew westerly. Councillor Cottam had concerns for the local population and stated that if the Environmental Agency did not do their job properly, the Council should have some responsibility and that the Committee needed to trust the scientific data.

The Chairman invited Members of the Committee to vote on the proposal by Councillor Linden and seconded by Councillor Cottam to approve Officer Recommendations. At the vote the motion was carried.

RESOLVED that the Service Director of Development and Regulation be authorised to grant planning permission subject to the following conditions:

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Conditions

1. Commencement

The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority within seven days of such commencement.

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. List of Approved Documents

The development hereby permitted shall be carried out in accordance with the approved drawings and other documents listed below, except as they may be amended by another condition in this decision notice, or updated by another document in this list.

- (i) Application Boundary Plan, Drawing No. CRM.1144.010.PL.D.002.A, dated September 2020
- (ii) Ownership Boundary Plan, Drawing No. CRM.1144.010.PL.D.002.B, dated September 2020
- (iii) Proposed Site Plan, Drawing No. 2000, Rev K, dated 31.05.2022
- (iv) HGV Access Route Plan, Drawing No. CRM.1144.010.PL.D.004.D, dated September 2021
- (v) Site Access Visibility Splays, Drawing No. 1059-010, Rev A, dated September 2021
- (vi) Existing Access Visibility Splays and Visibility from Proposed Footway/Cycleway, Drawing No. 1059-010, Rev A, dated September 2021.
- (vii) ERC Floor Plan, Drawing No. 2010, Rev E, dated 31.05.2022
- (viii) Roof Plan, Drawing No. 2020, Rev J, dated 31.05.2022
- (ix) ERC Elevations – North and South, Drawing No. 2030, Rev G, dated 31.05.2022
- (x) ERC Elevations – East and West, Drawing No. 2040, Rev F, dated 31.05.2022
- (xi) Data Centre Ground Floor Plan, Drawing No. 2050, Rev E, dated 31.05.2022
- (xii) Data Centre First Floor Plan, Drawing No. 2060, Rev E, dated 31.05.2022
- (xiii) Data Centre Second Floor Plan, Drawing No. 2070, Rev E, dated 31.05.2022
- (xiv) Data Centre Elevations, Drawing No. 2080, Rev E, dated 31.05.2022
- (xv) ERC and Data Centre Views, Drawing No. 2090, Rev F, dated 31.05.2022
- (xvi) Ancillary Buildings/Plant Elevations, Drawing No. 2110, Rev B, dated 31.05.2022
- (xvii) Site Sections Showing Existing Ground Levels, Drawing No. 2120, Rev C dated 31.05.2022
- (xviii) Views, Drawing No. 1040, Rev E, dated 03.12.2020
- (xix) Planning Statement, ref CRM.1144.010.PL.R.001, dated August 2020
- (xx) Design and Access Statement, ref CRM.1144.010.PL.R.005, dated August 2020
- (xxi) Updated Environmental Statement, reference CRM.1144.010.PL.R.100, dated December 2021
- (xxii) Air Quality Assessment, ref 01.0009.024 (v2), dated August 2020
- (xxiii) Air Quality Assessment - Stack Height Determination, ref 01.0009.024_SHD (v2), dated August 2020
- (xxiv) Traffic Pollution: Air Quality Impact Assessment, ref 01.0009.024/AQ v3. Dated December 2021
- (xxv) BS 5837:2012 Arboricultural Survey, ref CRM.1144.010.AR.R.001, dated August 2020
- (xxvi) BS 5837:2012 Arboricultural Impact Assessment and Method Statement, ref 1144.010.ENZ.XX.00.RP.AR.45.002, dated June 2022
- (xxvii) Ecological Impact Assessment, ref CRM.1144.010.EC.R.004, dated 14th October 2021

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

- (xxviii) Biodiversity Metric 3.0 Calculation Tool, dated 15th June 2022
- (xxix) UK Habitat Map, Drawing No. CRM.1144.010.EC.D.001.B, dated June 2022
- (xxx) UK Retained/Lost Habitat Map, Drawing No. CRM.1144.010.EC.D.002, dated June 2022
- (xxxi) UK Created Habitats Map, Drawing No. CRM.1144.010.EC.D.003, dated June 2022
- (xxxii) Stage 1 HRA Screening Report, ref CRM.1144.010.R.005, dated 14th October 2021
- (xxxiii) Water Framework Directive Screening Technical Note, ref CRM.1144.010.PL.R.003
- (xxxiv) Energy Statement, by Stroma Built Environment, dated 05.05.2022
- (xxxv) BREEAM Pre-Assessment Report, by Stroma Built Environment, dated 05.05.2022
- (xxxvi) Response to West Berkshire Core Strategy Policy CS15, by Air Quality Consultants, dated May 2022
- (xxxvii) Greenhouse Gas Assessment, by Air Quality Consultants, dated December 2021
- (xxxviii) Updated Flood Risk Assessment, ref CRM.1144.010.HY.R.001.B, dated March 2022
- (xxxix) Historic Environment Assessment, by Heritage Archaeology, dated December 2020
- (xl) Human Health Risk Assessment: Reading Quarry Energy Recovery Centre, by Air Quality Consultants, dated August 2020
- (xli) Surface and Foul Water Drainage Strategy, Drawing No. 101 P06, dated 09/06/22
- (xlii) Indicative Highway Drainage, Drawing No. 102 P01 (P03), dated 27/09/21
- (xliii) Mitigation Plan, ref ENZ-01-xx-DR-L-00-021 (Figure 8.21), rev P04, dated June 2022
- (xliv) Mitigation Plan – Access Road, ref CRM.1144.010.LA.D.020 (Figure 8.20), rev P04, dated June 2022
- (xlv) Phase 1 Preliminary Risk Assessment, ref CRM.1144.010.GE.R.002, dated August 2020
- (xlvi) Socio-Economic Statement, ref CRM.1144.010.PL.R.002, dated August 2020
- (xlvii) Health Impact Assessment, ref CRM.1144.010.PL.R.010, dated October 2021
- (xlviii) Transport Assessment and Travel Plan Statement Addendum, by Key Transport Consultants Ltd., dated December 2021
- (xlix) Alternative Site Assessment, ref CRM.1144.010.PL.R.003, dated August 2020
- (l) Letter to the Environment Agency, ref CRM.1144.010.HY.L.001, dated 27th October 2020
- (li) Letter to West Berkshire Council Planning Officer, ref CRM.1144.010.PL.L.007, dated 09th June 2022
- (lii) Letter and Report to Highways England, ref CRM.1144.010.HY.L.002, dated 06th January 2021
- (liii) Letter from Air Quality Consultants Ltd. and Isopleth Regarding Air Quality and Human Health, dated 29th January 2021.
- (liv) Letter to Lead Local Flood Authority, ref CRM.1144.010.HY.L, dated 15th February 2021.
- (lv) Letter to Lead Local Flood Authority, ref CRM.1144.010.HY.L.003.B, dated 17th February 2021.
- (lvi) Response to Lead Local Flood Authority, ref. CRM.1144.010.HY.L.004, dated 04th March 2022

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

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

3. Display of Conditions

A copy of the planning permission for the development hereby permitted and any amendments subsequently approved shall be made available at the site office during working hours, and shall be made known to any person(s) given responsibility for the management and control of operations on the site.

Reason: To ensure that all employees may readily make themselves aware of the requirements of this permission so as to ensure the orderly operation of the site.

4. Operating Hours (Construction)

No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 07:30 and 18:00 Monday to Friday and 08:30 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

5. Operating hours (Deliveries)

No material deliveries shall take place outside of the following hours unless agreed in writing with the Local Planning Authority:

Mondays to Saturdays: 06:00 to 19:00

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, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

6. Construction Method Statement

No development shall take place until details of a scheme (Construction Method Statement) to control the environmental effects of the demolition and/or construction work has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:-

- (i) the control of noise
- (ii) the control of dust, smell and other effluvia
- (iii) the control of rats and other vermin
- (iv) the control of surface water run-off
- (v) details of excavation and dewatering methods to prevent silt pollution
- (iv) the proposed method of piling for foundations (if any)
- (vi) proposed construction and demolition working hours
- (vii) hours during the construction and demolition phase when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the site.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

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

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, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policies OVS.5 and OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary because insufficient detailed information regarding mitigation measures during the construction phase accompanies the application so it is necessary to approve these details before any development takes place.

7. Annual Throughput

The throughput associated with the Energy Recovery Centre shall not exceed 150,000 tonnes per annum.

Reason: In the interests of local amenity. This condition is imposed in accordance with Policy WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy CS14 of the West Berkshire Core Strategy (2006 - 2026), Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policies OVS.5 and OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

8. Waste Permitted

(i) No waste shall be treated at the ERC other than residual waste which cannot be reasonably managed further up the waste hierarchy in accordance with a scheme approved from time to time under part (ii) of this condition;

(ii) The ERC facility shall not be brought into use until a scheme has been submitted to and approved by the local planning authority in writing and which aims to minimise recyclable and reusable waste received at the ERC, showing:

- (a) the sources and types of waste to be treated;
- (b) the steps to be taken to ensure that (so far as practicable) there will have been prior treatment to ensure as much reusable and recyclable material is removed from that waste, and
- (c) arrangements for the review of the scheme at not more than 3 yearly intervals.

(iii) Any scheme approved under part (ii) above shall be implemented in full during the period in which the ERC facility is operational until replaced by a subsequently approved scheme.

Reason: To enable the implementation of the waste hierarchy as required by The Waste (England and Wales) Regulations 2011 (as amended). This condition is imposed in accordance with Policy 3 of the West Berkshire Minerals and Waste Local Plan.

9. No wastes other than those defined in the application (being residual non-hazardous municipal, commercial and industrial wastes) shall be imported to the Energy Recovery Centre.

Reason: To enable the implementation of the waste hierarchy as required by The Waste (England and Wales) Regulations 2011 (as amended) and to ensure the significant

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

environmental effects associated with the proposal as assessed by the Environmental Statement are accurately taken into account. This condition is imposed in accordance with Policy WLP27 of the Waste Local Plan for Berkshire 1998-2006 and Policy 3 of the West Berkshire Minerals and Waste Local Plan.

10. Receipt of Waste

No more than 130,000 tonnes of the annual throughput for the Energy Recovery Centre shall be sourced from locations other than the existing Waste Transfer Facility (WTF) at Reading Quarry.

Reason: To ensure the likely significant environmental effects regarding traffic, as assessed by the Environmental Statement, are accurately taken into account. This condition is imposed in accordance with Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

11. No waste materials shall be accepted at the site directly from members of the public, and no retail sales of wastes or processed materials to members of the public shall take place at the site.

Reason: In the interests of local amenity and to ensure the implementation of the waste hierarchy as required by The Waste (England and Wales) Regulations 2011 (as amended). This condition is imposed in accordance Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy CS14 of the West Berkshire Core Strategy (2006 - 2026), Policies OVS.5 and OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policies 3 and 26 of the West Berkshire Minerals and Waste Local Plan.

12. Records of Waste

From the date the site begins to receive waste a record of the monthly receipt of waste (including source and volume) shall be maintained and shall be made 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.

Reason: To enable the implementation of the waste hierarchy as required by The Waste (England and Wales) Regulations 2011 (as amended) and to ensure the significant environmental effects associated with the proposal as assessed by the Environmental Statement are accurately taken into account. This condition is imposed in accordance with Policy WLP27 of the Waste Local Plan for Berkshire and Policy 3 of the West Berkshire Minerals and Waste Local Plan.

13. Sheeting of waste

All loaded (heavy) goods vehicles transporting waste entering/leaving the site shall ensure that the waste is netted, sheeted, or placed within containerised vehicles.

Reason: In the interests of local amenity. This condition is imposed in accordance with the National Planning Policy Framework, the National Planning Policy for Waste, Policies TRANS.1 and OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006 - 2026), and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

14. R1 Efficiency Status

Prior to operation of the Energy Recovery Centre, details verifying that the ERC has achieved R1 status from the design stage shall be submitted to the Local Planning Authority. Within 24 months of the first operation of the ERC, details verifying that the operating facility has achieved R1 status through certification from the Environment Agency shall be submitted to the Local Planning Authority. Thereafter, R1 status shall be maintained for the lifetime of the facility, and confirmation shall be provided to the Local Planning Authority on request.

Reason: To ensure that the Energy Recovery Centre is classified as a recovery operation and not a disposal operation in order to comply with the Waste Hierarchy, as set out in the Waste (England and Wales) Regulations 2011 (as amended) and in compliance with the Waste Management Plan for England (2021). This condition is imposed in accordance with Policy WLP27 of the Waste Local Plan for Berkshire 1998-2006 and Policy 3 of the West Berkshire Minerals and Waste Local Plan.

15. Electricity Grid Connection

The Energy Recovery Centre shall not be brought into use until the electric links from the ERC to the National Electricity Grid and/or the Data Centre have been constructed and are capable of transmitting the electrical power produced by the ERC. Thereafter, except during periods of maintenance and repair and unless required to do so by the National Grid, no waste shall be processed by the plant unless power is being generated.

Reason: To ensure that the Energy Recovery Centre is able to recover available energy and be classified as a recovery operation in order to comply with the Waste Hierarchy, as set out in the Waste (England and Wales) Regulations 2011 (as amended), and in accordance with the renewable/low carbon energy requirements of West Berkshire Core Strategy Policy CS15.

16. Heat Export

The ERC shall not be brought into use until a scheme detailing arrangements for the on-site use of a minimum of 2MW of heat from the ERC has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To maximise the recovery of energy from the ERC, and thus increase the relative carbon benefits of the facility in accordance with the Resources and Waste Strategy for England (2018), Waste Management Plan for England (2020) and National Planning Policy for Waste paragraph 4.

17. The ERC shall not be brought into use until a Combined Heat and Power (CHP) Feasibility Review, assessing potential commercial opportunities for the use of heat from the plant, shall be submitted to and approved in writing by the Waste Planning Authority. The Review shall provide for the ongoing monitoring and full exploration of potential commercial opportunities to use heat from the plant, at not more than 3 yearly intervals. Once a viable heat customer is identified, a plan for the construction of heat offtake to the customer(s), and a signed agreement that they will accept the heat available for export from the ERC shall be included within the Feasibility Review. Reviews shall be conducted until all of the reasonably available heat for export is utilised.

Reason: To maximise the recovery of energy from the ERC, and thus increase the relative carbon benefits of the facility in accordance with the Resources and Waste

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Strategy for England (2018), Waste Management Plan for England (2020) and National Planning Policy for Waste paragraph 4.

18. Solar Panels

The Data Centre shall not be brought into use until the solar panels are constructed and the electric link has been constructed and is capable of transmitting the electrical power produced by them to the Data Centre.

Reason: To ensure compliance with the requirements of West Berkshire Core Strategy Policies CS14 and CS15 and West Berkshire Minerals and Waste Local Plan Policy 25.

19. Data Centre

The Data Centre shall utilise the building methods for energy efficiency as prescribed in sections 6.1 and 6.2 of the Energy Statement by Stroma Built Environment, dated 05.05.2022.

Reason: To ensure compliance with the requirements of West Berkshire Core Strategy Policies CS14 and CS15 and West Berkshire Minerals and Waste Local Plan Policy 25.

20. The Data centre shall not be brought into use until the electric and heat links from the ERC to the Data Centre have been constructed and are capable of transmitting the electrical power and heat produced by the ERC.

Reason: In accordance with the renewable/low carbon energy requirements of West Berkshire Core Strategy Policy CS15.

21. All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise therefrom does not exceed at any time a level of 5dB[A] below the existing background noise level or 10dB[A] if there is a particular tonal quality [or is intermittent in nature] when measured in accordance with BS4142:2014 at a point one metre external to the nearest residential or noise sensitive property.

Reason: To protect the occupants of nearby residential properties from noise. This condition is imposed in accordance with Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006 and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

22. The ERC shall not be brought into use until a Noise Validation Report has been submitted to the Local Authority, confirming that outdoor noise levels are as predicted, when the facility is running at maximum capacity.

Reason: To protect the occupants of nearby residential properties from noise. This condition is imposed in accordance with Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Policy WLP30 of the Waste Local Plan for Berkshire 1998-2006 and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

23. Notwithstanding any submitted details, the building envelope of the Energy Recovery Centre shall be constructed with “acoustic wall panels/sheets”, in addition to acoustic louvres for openings.

Reason: To protect the occupants of nearby residential properties from noise. This condition is imposed in accordance with Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

24. Pest Management Plan

Prior to the ERC being brought into use, a Pest Management Plan, which shall include measures for the management and control of pests such as flies and vermin, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of local amenity. This condition is imposed in accordance Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

25. External Lighting

Prior to the installation of any external lighting full details of lighting and its location shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). The development shall thereafter be undertaken in strict accordance with the approved details prior to the first occupation of the development hereby permitted and retained in accordance with the agreed specification.

Reason: To mitigate any adverse impact from the development on the M4. To ensure that the M4 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

26. Boundary Treatments

No fencing or other means of enclosure of the Energy Recovery Centre shall take place except in accordance with a scheme that shall have been agreed with the Waste Planning Authority.

Reason: Limited details have been provided with the application, so to ensure any enclosure of the ERC is in keeping with the surrounding landscape details will need to be agreed before boundary treatments are applied. This condition is imposed in accordance with Policy WLP30 of the Waste Local Plan for Berkshire 1998–2006, Policy CS19 of the West Berkshire Core Strategy 2006–2026 and Policy 18 of the Minerals and Waste Local Plan for Berkshire.

27. Landfill Gas Risk Assessment

No development approved by this permission shall commence until a landfill gas investigation and risk assessment has been submitted to and approved in writing by the

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Local Planning Authority. Where a risk from gas is identified, appropriate works to mitigate the effects of gas shall be incorporated in detailed plans to be approved by the Local Planning Authority.

Reason: To protect future occupiers of the site and structures from the risks associated with the migration of toxic and flammable gasses. This condition is imposed in accordance with Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998–2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary because a Landfill Gas Risk Assessment is identified as being necessary in the Phase 1 Contaminated Land Report, but none has been supplied with the application. Therefore it is necessary to approve these details before any development takes place.

28. Highways

The development shall be carried out in accordance with the Offsite Highway Works General Arrangement shown on drawing 101 Revision P06 or such other scheme of works or variation substantially to the same effect, as may be approved in writing by the Local Planning Authority (in consultation with National Highways) and the approved scheme of highway works shall be completed fully prior to first occupation of the development hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the M4 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety. This policy is imposed in accordance with Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998–2006, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy 22 of the West Berkshire Minerals and Waste Local Plan.

29. Construction Traffic Management Plan

No development shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that the conclusions in the Transport Assessment and Air Quality Assessment are able to be applied to the construction period and ensure no additional effects arise during this period. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary because insufficient detailed information accompanies the application and construction traffic management measures may be required throughout the construction phase. Therefore it is necessary to approve these details before any development takes place.

30. Wheel Cleaner / Washer

Prior to operation of the Energy Recovery Centre, wheel cleaning facilities shall be installed in accordance with details of design, specification and position which shall have been submitted to and approved in writing by the Local Planning Authority. All (heavy) goods vehicles/commercial vehicles leaving the site shall pass through and use the wheel cleaning/washing equipment immediately prior to exiting the site.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP31 of Waste Local Plan for Berkshire 1998-2006, policy TRANS.1 of the West Berkshire District Local Plan, Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

31. 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, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

32. 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, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

33. Contaminated Land

Prior to each phase of development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site Page 173West Berkshire Council Eastern Area Planning Committee 24th August 2022
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

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

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

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

Reason: To protect sensitive receptors in line with paragraph 174 of the National Planning Policy Framework so they will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary, as contamination could be identified during the construction phase.

34. Prior to any part of the permitted development being brought into use, a verification report demonstrating the 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.

Reason: To protect sensitive receptors in line with paragraph 174 of the National Planning Policy Framework so they will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

35. Sustainable Urban Drainage Systems (SuDs)

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reasons: To protect sensitive receptors in line with paragraph 174 of the National Planning Policy framework so they will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. Permeable pavement infiltration drainage is proposed and it has the potential to mobilise contaminants from the soils. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

36. Surface Water Management Strategy

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

No development shall take place until details of 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:

- m) 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, particularly the WBC SuDS Supplementary Planning Document December 2018;
- n) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site as per the agreed surface water drainage strategy on Drawing No. 101 P06, dated 09/06/22 at no greater than Greenfield run-off rates;
- o) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- p) 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;
- q) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- r) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime;
- s) Include a Contamination Risk Assessment for the soil and water environment (assessing the risk of contamination to groundwater, develop any control requirements and a remediation strategy);
- t) Include measures with reference to Environmental issues which protect or enhance the ground water quality and provide new habitats where possible;
- u) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc);
- v) Include with any design calculations an allowance for an additional 10% increase of paved areas over the lifetime of the development;
- w) Provide details of how surface water will be managed and contained within the site during any construction works to prevent silt migration and pollution of watercourses, highway drainage and land either on or adjacent to the site;
- x) Provide a post-construction verification report carried out by a qualified drainage engineer demonstrating that the drainage system has been constructed as per the approved scheme (or detail any minor variations thereof), to be submitted to and approved by the Local Planning Authority on completion of construction. This shall include: plans and details of any key drainage elements (surface water drainage network, attenuation devices/areas, flow restriction devices and outfalls) and details of any management company managing the SuDS measures 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

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Berkshire Core Strategy 2006-2026, Policy 24 of the West Berkshire Minerals and Waste Local Plan, Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). A pre-commencement condition is necessary because insufficient detailed information accompanies the application. Surface water management measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

37. Water Discharge

No discharge of water from the development shall be permitted except treated surface water from the outfall to Englefield Lagoon.

Reason: To protect sensitive receptors in line with paragraph 174 of the National Planning Policy framework so they will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

38. Pollution Prevention Plan and Maintenance Schedule

No development approved by this planning permission shall be commenced until a pollution prevention plan and maintenance schedule for the septic tank has been submitted and approved in writing by the planning authority. The approved details shall then be fully implemented in accordance with the approved details throughout the lifetime of the development.

Reason: The Thames River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact could cause deterioration of a quality element to a lower status class and cause deterioration of a drinking water protected area, in this case the Kennet and Holy Brook water body, because it would result in the release of untreated effluent. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary as insufficient detailed information detailed information accompanies the application.

39. Landscaping (including hard surfaces)

No development shall take place (including site clearance and any other preparatory works) until full details of both hard and soft landscape works (including those works in the field adjacent to the western boundary of the site as identified on Mitigation Plan, ref ENZ-01-xx-DR-L-00-021 (Figure 8.21), rev P04, dated June 2022) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing and materials to be used, a schedule of plants (noting species, plant sizes and proposed numbers/densities), an implementation programme, and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

- a) Completion of the approved landscaping within the first planting season following the completion of the development; and Page 176

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

- b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the following year by plants of the same size and species.

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 and Policy 18 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; landscaping measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

40. Tree Protection (Scheme Submitted)

Tree Protection (Scheme Submitted)

All Tree Protective Fencing shall be erected in accordance with the submitted plans, reference drawing numbers 1144-010-ENZ-XX-01-DR-AR-45-001 Rev PL02 and 1144-010-ENZ-XX-01-DR-AR-45-002 Rev PL02, by Enzygo Environmental Consultants (Revised Jun 22).

The protective fencing shall be implemented and retained intact for the duration of the development.

Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: Required to safeguard and to enhance the setting within the immediate locality to ensure the protection and retention of existing trees and natural features during the construction phase in accordance with the NPPF, Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006 – 2026 and Policy 18 of the West Berkshire Minerals and Waste Local Plan.

41. Arboricultural Supervision

No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.

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, Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026 and Policy 18 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site supervision works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

42. Landscape and Ecological Management Plan (LEMP)

No development shall take place until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- a) Description and location of all ecological enhancements (including a minimum of 20 bird nesting opportunities, 3 reptile hibernacula and 5 bat roosting opportunities to cover habitat loss and disturbance during the construction phase).
- b) Habitat and enhancement installation/planting (including species list)
- c) Ongoing management prescriptions to cover the biodiversity net gain period
- d) Detailed design of the pond and surrounding habitats to demonstrate how the pond has been designed to enhance biodiversity; and
- e) Details of how the Local Wildlife Site will be protected from any adverse impacts resulting from the operation of the site.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure biodiversity protection and enhancement measures are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework, Policy CS17 of the West Berkshire Core Strategy 2006-2026 and Policies 18 and 20 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is required because insufficient detail has been included within the application and the LEMP may need to be implemented during the construction phase.

43. Construction Environmental Management Plan (CEMP)

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; and
- i) Details of how the Local Wildlife Site and its associated species will be protected during the construction phase.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

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 ensure biodiversity is protected during the construction phase of development. This condition is applied in accordance with the National Planning Policy Framework, Policy CS17 of the West Berkshire Core Strategy 2006-2026, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006 and Policy 20 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.

44. Lighting Strategy for Biodiversity

Prior to occupation of any buildings, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for wildlife and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging;
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places; and
- c) ensure boundary habitats are not subject to increased levels of artificial light.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: Certain wildlife is sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation. This condition is applied in accordance with the National Planning Policy Framework, Policy CS17 of the West Berkshire Core Strategy 2006-2026, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998–2006 and Policy 20 of the West Berkshire Minerals and Waste Local Plan.

45. Relevancy of Ecological Reports

Each Ecological Report (with regard to the aspect that it covers) shall only be valid for a period up to 3 years from the date it is written, with the exception of any aspects relating to bats, which shall be valid only for 12 months.

Reason: To ensure the ecological information presented is a representative basis for decision making and to determine compliance with relevant NPPF, and Local Plan policies.

46. BREEAM

The assessable elements of the ERC and Data Centre shall achieve Very Good under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). The buildings shall not be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

sustainable building which replaces that scheme) rating of Very Good has been achieved 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.

47. Schedule of Materials

No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the buildings hereby permitted, has 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). A pre-commencement condition it necessary as insufficient information has been included with the application, and the building materials will need be determined prior to construction.

48. Emergency Planning

No development shall take place until a comprehensive Emergency Plan has been submitted to and approved in writing by the Local Planning Authority in relation to the construction phase of the development.

Reason: The application site is within the Middle Consultation Zone of AWE Burghfield. To this end a robust emergency plan should be in place in order to ensure protect the health and safety of those working and visiting the site. This condition is imposed in accordance with Policy CS8 of the West Berkshire Core Strategy 2006 – 2026. A pre-commencement condition is necessary because no Emergency Plan has been submitted regarding the construction phase of the development and so it is necessary to approve these details before any development takes place.

49. No development shall take place until an outline Emergency Plan has been submitted to and approved in writing by the Local Planning Authority. This outline emergency plan should be in sufficient detail to provide assurance that an effective plan will be put in place, normally this means that only the final contact details and names are not completed.

Reason: The application site is within the Middle Consultation Zone of AWE Burghfield. To this end a robust emergency plan should be in place in order to ensure protect the health and safety of those working and visiting the site. This condition is imposed in accordance with Policy CS8 of the West Berkshire Core Strategy (2006 – 2026). A pre-commencement condition is necessary because no Emergency Plan has been submitted regarding the development and so it is necessary to approve these details before any development takes place.

50. No occupation of the buildings, shall take place until a comprehensive Emergency Plan has been submitted to and approved in writing by the Local Planning Authority.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Reason: The application site is within the Middle Consultation Zone of AWE Burghfield. To this end a robust emergency plan should be in place in order to ensure protect the health and safety of those working and visiting the site. This condition is imposed in accordance with Policy CS8 of the West Berkshire Core Strategy 2006 – 2026.

51. The Emergency Plan must be implemented in full and shall be kept up-to-date by the site operator, thereafter, being reviewed and amended as necessary and at least annually. The Local Planning Authority may at any time require the amendment of either/both plan(s) by giving notice pursuant to this condition. The Local Planning Authority may at any time require a copy of the then current Emergency Plan for the site which shall be submitted to the Local Planning Authority within 1 month of notice being given.

Reason: The application site is within the Middle Consultation Zone of AWE Burghfield. To this end a robust emergency plan should be in place in order to ensure protect the health and safety of those working and visiting the site. This condition is imposed in accordance with Policy CS8 of the

52. Water Provision

Development shall not commence until details for the provision of a water supply including fire hydrants to meet firefighting needs throughout the development (including the installation arrangements and the timing of such an installation) have been submitted to, and approved in writing, by the Local Planning Authority. The approved measures shall be implemented in full accordance with the agreed details.

Reason: To ensure that adequate measures for firefighting can be incorporated into the development, including the construction phase. This condition is imposed in accordance with Policy WLP27 of the Waste Local Plan for Berkshire 1998-2006. A pre-commencement condition is necessary because insufficient information has been included within the application, and arrangements for fire-fighting may be necessary during the construction phase.

53. No development shall be occupied until confirmation has been provided that either:

- All water network upgrades required to accommodate the additional flows to serve the development have been completed; or
- A development and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. This condition is imposed in accordance with Policy WLP27 of the Waste Local Plan for Berkshire 1998-2006.

54. Local Liaison Group

The ERC shall not be brought into use until a local liaison panel for the Energy Recovery Centre has been established in accordance with details to be submitted to and approved in writing by the waste planning authority. The details shall include terms of reference

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

and frequency of meetings of the panel. The panel shall meet in accordance with the approved details.

Reason: In the interests of the local amenity of the area. This condition is imposed in accordance Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

55. Decommissioning

If for any reason other than for extended maintenance or repair, the ERC and/or Data Centre cease to be used for a period of more than 36 months, a scheme for the demolition and removal of the buildings and related infrastructure (which shall include all buildings, structures, plant, equipment, areas of hardstanding and access roads) shall be submitted for approval in writing to the Council. Such a scheme shall include:

- (i) details of all structures and buildings which are to be demolished;
- (ii) details of the means of removal of materials resulting from the demolition and methods for the control of dust and noise ;
- (iii) timing and phasing of the demolition and removal;
- (iv) details of the restoration works; and
- (v) the phasing of restoration works.

The demolition and removal of the building and the related infrastructure and subsequent restoration of the site shall thereafter be implemented in accordance with the approved scheme.

Reason: To ensure a satisfactory restoration of the site upon the facility coming to the end of its operational life. This condition is imposed in compliance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006 – 2026 and Policy WLP31 of the Waste Local Plan for Berkshire 1998.

56. Prior to the decommissioning of the Energy Recovery Centre, a scheme and timetable for the decommissioning of the building and plant and decontamination and restoration of the land shall be submitted to and approved in writing by the Local Planning Authority. The decommissioning of the plant shall be carried out in complete accordance with the details approved in accordance with the timetable set out in the approved scheme.

Reason: To ensure a satisfactory restoration of the site upon the facility coming to the end of its operational life. This condition is imposed in compliance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006 – 2026 and Policy WLP31 of the Waste Local Plan for Berkshire 1998.

Informatives

1. Compliance with Conditions

Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

2. Pre-Conditions

Conditions nos. 6, 27, 29, 36, 38, 39, 41, 42, 43, 47 & 52 impose requirements which must be met prior to commencement of the development. Failure to observe these requirements could result in the Council taking enforcement action, or may invalidate the planning permission and render the whole of the development unlawful. Page 182
West Berkshire Council Eastern Area Planning Committee 24th August 2022

3. Compliance with Approved Drawings

Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.

4. Water Utilities

The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. The necessary processes will need to be followed if work is to be carried out above or near Thames Water pipes or other structures. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

5. Building Regulations

In the event that planning permission is granted for the proposed development, the development will need to be designed and built in accordance with the functional requirements of current Building Regulation requirements. The Fire Authority seeks to raise the profile of these requirements and requests that the relevant documentation is made available to the applicant and/or planning agent by means of web link: <https://www.gov.uk/government/publications/fire-safety-approved-document-b>
Full assessment of the proposed development in respect of 'Building Control' matters will be undertaken during the formal statutory Building Regulations consultation.

6. Gas Utilities

Your attention is drawn to the response by Southern Gas Networks, that there is a high pressure pipeline in the vicinity of your works. Your proposals would require the exact location of this pipeline and other SGN assets to be located before any work commences, either by electronic detection or by hand excavated trial holes as specified in the attached SW/2 document. These works must be supervised by an SGN representative, please contact Daniel Midwinter on 07411348949 / daniel.midwinter@sgn.co.uk to arrange a pre-works site visit and any future supervision.

7. Consultation

Reading Borough request being formally consulted on any future approval of details applications or legal agreement obligations (as appropriate) in respect of the following matters:

- Proposed haulage routes / traffic generation related matters Page 183

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

West Berkshire Council Eastern Area Planning Committee 24th August 2022

- Bus route measures / improvements
- Control of pollution measures
- Air Quality assessments

8. Decision Making

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.

9. Environmental Impact Assessment

This decision has been made taking into account the relevant environmental information, as defined by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

(3) Application No. and Parish: 22/01541/TELE56, Purley-on-Thames

(In accordance with the Council's Constitution paragraph 7.13.5, the Chairman proposed a no notice motion to continue the meeting beyond 10.00pm on the basis that the business of the meeting be concluded by 10.30pm. This was seconded by Councillor Keith Woodhams and agreed by the Committee.)

The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 22/01541/TELE56 in respect of an application to determine if prior approval was required for a proposed 15m monopole tower to support antenna, associated radio-equipment housing and ancillary development thereto.

Ms Gemma Kirk (Senior Planning Officer) introduced the item which took into account all the relevant policy considerations and other material planning considerations.

In accordance with the Council's Constitution, Councillor George Nyamie, Purley on Thames Parish Council representative, Ms Cathy Walls and Mr Richard Farrow, objectors, and Councillor Rick Jones, Ward Member addressed the Committee on this application.

Parish Council Representation:

Councillor Nyamie in addressing the Committee raised the following points:

- That there was a better location for the site 200 metres down the road.

Members Questions for the Parish Council:

The Chairman asked what Councillor Nyamie believed was wrong with the proposed location and Councillor Nyamie stated that the preferred location was a dead space and remote, which would be favourable to residents.

Councillor Linden pondered whether the site referenced by Councillor Nyamie was near the Knowsley Road area, of which Councillor Nyamie confirmed and noted that it was a considered site.

Objectors Representations:

Ms Walls in addressing the Committee raised the following points:

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

- There was no real justification for the proposed location of the mast and that ease of access and cost were not viable reasons for permitting planning.
- The applicant (Dalcour Maclaren) described the mast as visually intrusive and this conflicted with planning policy.
- That the mast could be a potential distraction to drivers.
- There was already an existing mast at this location.
- There was no evidence that anyone had visited or given proper consideration to the site location.
- The tree line did not obscure the visual impact of the mast.
- Dalcour Maclaren had not consulted with local residents and schools despite their claims.
- Reading Borough Council had also turned down a similar application by Dalcour Maclaren for visual reasons.

Members Questions for Objectors:

For the benefit of those Members who were unable to attend the site visit, the Chairman clarified the distance between Ms Walls house and the proposed site as being of a similar distance as between the Chairman's seat and the speakers' lectern.

Ward Members Representations:

Councillor Jones in addressing the Committee raised the following points:

- The authority could only provide approval on appearance and location and could not recommend potential alternative locations.
- Councillor Jones supported the objections of the residents.
- The application could affect the green corridor.
- The site could be a road safety hazard by obscuring sight lines.
- The site was too close to residential houses and the developers seemed to have exaggerated the height of the tree screen.
- There was another potential site that could overcome residents' concerns.

Members Questions for Ward Members:

Members had no questions for the Ward Member.

Members Questions for Officers:

Councillor Law wanted clarification over whether the Committee could turn down the application on the basis that there were better sites that had not been properly assessed and that there were concerns over the mast boxes blocking the sight lines of drivers. Ms Kirk clarified that the boxes would be situated near the kerb of the road and Mr Dray stated that developers did offer alternatives and that it had been concluded there would be no harm to the location, as a result they did not need to consider other sites as the chosen one was considered acceptable.

The Committee could only consider alternative sites if they thought there would be considerable harm caused to the area by development. Councillor Law asked whether an obstruction to sight lines would be considered harmful and Mr Dray confirmed that the Committee could not turn down an application because they believed there would be a better location.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Mr Dowding explained that there needed to be a clearance from the roadside of 450mm, however in regards to visibility he was unsure about how the cabinets obscured driver's sight lines, although the pole itself would not be an issue.

Councillor Linden was concerned about the overgrowth on the road and road sign in the area. Mr Dowding said he would pass on the issue with regards to foliage.

Councillor Macro wondered why there was no response from the Tree Officer, to which Ms Kirk noted that the trees were considered a sufficient enough distance away and the trees themselves were not covered by a Tree Preservation Order, or within a Conservation Area.

Debate

Councillor Macro was concerned regarding the effect the boxes had on sight lines, as well as the visual impact they would have on the houses, as a result Councillor Macro proposed refusal on those grounds and Councillor Law seconded the proposal.

The Chairman noted that even though it was a 30mph zone, the boxes would definitely obscure sight lines.

Councillor Mayes believed that the bend was too steep to the left and would obscure the view of the drivers and that even if they were under the trees that would lead to issues with the tree roots.

Mr Dray asked whether Councillors Macro and Law meant that the mast was too close to houses in regards to a character appearance point of view or residential amenity and both Councillors answered that both were viable considerations.

The Chairman invited Members of the Committee to vote on the proposal made by Councillor Macro, seconded by Councillor Law, to refuse planning permission. At the vote the motion was carried.

RESOLVED that the Service Director of Development and Regulation be authorised to refuse planning permission for the following reasons:

Reasons

1) Oxford Road (A329) forms part of a green corridor which are sought to be protected and enhance under Policy CS18 of the Core Strategy. The verdant grass verge in which the proposed telecommunications development is proposed contributes to this green corridor. Behind the proposed development are trees and hedges that make a strong contribution to the green character of the area and street scene. This character also has a positive contribution for the residential dwellings to the west/south-west (Clairmore Gardens). Policies CS14 and CS19 of the Core Strategy seek high quality development that must respect and enhance the character of the area with particular regard to ensuring that new development is appropriate in terms of location, scale and design in the existing settlement form, pattern and character.

The proposed 15 metre monopole and cabinets are in a prominent position on the grass verge (close to the kerb) and due to the incongruous appearance would be intrusive in the street scene. The intrusion would not be sympathetic or well camouflaged and therefore harmful to the 'green' character of the area and its positive contribution to the residential properties at Clairmore Gardens. It is considered that the scheme would neither protect nor enhance the green corridor.

Both the siting and appearance of the telecommunications development are considered to be materially harmful to the green corridor and the positive contribution this has to the character of the area. The proposed development is therefore contrary to Policies CS14,

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and paragraph 115 in the National Planning Policy Framework (2021).

2) The grass verge in which the proposed telecommunications development will be sited is adjoined to the west by the residential dwellings at Clairmore Gardens. The residential dwellings 3 Clairmore Gardens and 4 Clairmore Gardens adjoin the grass verge where the proposed telecommunications mast would be sited. Policy CS14 of the Core Strategy advises that development should make a positive contribution to the quality of life in West Berkshire.

Due to the proximity and height of the telecommunications development it is considered that there would be a harmful overbearing impact on these properties. This impact would impact on both residential gardens and dwellings of those identified to be adjacent to the development.

Both the siting and appearance of the telecommunications development are considered to be materially harmful to the amenity of residents. The proposed development is therefore contrary to the Policy CS14 of the West Berkshire Core Strategy (2006-2026) and the National Planning Policy Framework (2021).and the positive contribution this has to the character of the area. The proposed development is therefore contrary to Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and paragraph 115 in the National Planning Policy Framework (2021).

3) Policy CS13 of the Core Strategy advises that road safety is a key consideration for all development. The proposed radio equipment housing is positioned in close proximity to the A329 carriageway. The siting of the development is on a bend on the A329 and it is considered that the development, in particular the radio equipment housing, would interfere with the forward visibility splays. It is therefore considered that the siting would result in a hazard to highway users and is contrary to Policy CS13 of the West Berkshire Core Strategy (2006-2026) and the National Planning Policy Framework (2021).

(The meeting commenced at 6.30 pm and closed at 10.17 pm)

CHAIRMAN

Date of Signature