

Item No.	Application and Parish	No.	8/13 Week Date	Proposal, Location and Applicant
(2)	14/01280/COMIND Yattendon Parish		13 August 2014	Construction of an earth banked slurry lagoon, at Land North of Oaken Copse, Yattendon, Berkshire. Yattendon Estates Ltd.

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=14/01280/COMIND>

**Recommendation Summary:**                      **The Head of Planning and Countryside be authorised to GRANT planning permission.**

**Ward Member(s):**                                      Cllr Virginia von Celsing

**Reason for Committee determination:**                      Called in by Cllr von Celsing to ensure that local concerns are aired and agent is given opportunity to explain rationale to create greater local acceptance.

**Committee Site Visit:**                                      17 July 2014

#### Contact Officer Details

<b>Name:</b>	Mark Campbell
<b>Job Title:</b>	Senior Minerals & Waste Planning Officer
<b>Tel No:</b>	(01635) 519 111
<b>E-mail Address:</b>	mcampbell@westberks.gov.uk

## **1. Site History**

- 1.1 There is no relevant planning history for this site.

## **2. Publicity of Application**

- 2.1 The Town and Country Planning (Development Management Procedure) (England) Order 2010 (DMPO) requires in the case of an application for planning permission for major development, the application shall be publicised by giving requisite notice:

(a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; or by serving the notice on any adjoining owner or occupier; and

(b) by publication of the notice in a newspaper circulating in the locality.

- 2.2 A site notice was displayed at the sites entrance on 16 June 2014 to expire on 7 July 2014. Neighbour notification letters have been sent to numbers 1 and 2 Broadfield Cottage, Yattendon. The application was listed in a public notice in The Newbury Weekly News on 12 June 2014. The authority has therefore discharged their duty to publicise applications in accordance with the DMPO.

## **3. Environmental Impact Assessment**

- 3.1 The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In accordance with Regulation 7 of the Regulations, the local planning authority (LPA) is required to adopt a screening opinion as to whether the proposal constitutes EIA development, and therefore whether Environmental Impact Assessment (EIA) is required as part of the application.

- 3.2 A screening opinion has been adopted because the proposed development is considered to fall within Section 11(d) of Schedule 2 of the EIA Regulations, and the site is located within a sensitive area. The LPA does not consider the proposed development likely to have significant effects on the environment by virtue of factors such as its nature, size or location. As such, the LPA concludes that the proposal is not EIA development, and therefore EIA is not required.

## **4. Consultations and Representations**

**Yattendon Parish Council:** Raise no objections.

**Ashampstead Parish Council:** Object as they believe that being so close to a footpath, the proposed slurry lagoon may prove to be a danger to both dogs and children. The Councillors are also concerned as to the impact of odours arising from the site.

<b>Public Protection:</b>	<p>The proposed lagoon is to be 600m to the north of Yattendon village and is designed to store up to six months of slurry in order to comply with the Nitrate Pollution Prevention regulations.</p> <p>There is concern that the odour of slurry will be discernible in the village of Yattendon and surrounding area, however current guidance from other authorities such as the Pembrokeshire Good Practice Guidance: Slurry Stores January 2013, identifies that an odour management plan would be required if residential properties were 200 metres or less from the slurry lagoon. The proposed lagoon will be 600 metres away from the nearest residential. It is therefore considered unlikely that odour from the slurry will be noticeable at the nearest residential property.</p> <p>Environmental Health raise no objections to this application.</p>
<b>Environment Agency:</b>	Raise no objection and refer to standing advice.
<b>North Wessex Downs AONB Management Board:</b>	The North Wessex Downs AONB Unit raise no comments subject to suitable planning conditions ensuring the retention of any existing suitable boundary landscaping and the provision of the new landscaping as proposed. The need for this slurry lagoon is noted and it is also noted that this is the type of facility that is best not located closer to the village.
<b>Highways:</b>	Following receipt of further information on vehicle movements no objections are raised.
<b>Public Rights of Way:</b>	No objections raised and suggest standard informatives.
<b>Archaeology:</b>	<p>The application to construct a slurry lagoon is of some archaeological interest. The proposed development area is within an area of archaeological potential; the site of a Roman building at Calvesley's Farm lies 400m to the south east and Roman finds (a 4<sup>th</sup> century brooch) have been uncovered in this same area. Slightly further to the east, a Roman ritual hoard and further evidence of structures has been found, and the Scheduled Monument of Eling Roman Villa is located 2 kilometres to the West. All of this evidence suggests that this area of the Pang Valley was exploited during the Roman period, and perhaps earlier. Considering this evidence, and the relatively large scale and depth of the proposed lagoon, it is possible that the proposal would have a significant impact on any potential surviving archaeological deposits.</p> <p>I would suggest that the applicant(s) be asked to commission a programme of archaeological supervision (watching brief) during the excavation of the area and any related groundwork's for the lagoon.</p>

**Representations:** 7 letters of representation received objecting to the proposal, primarily on the grounds of odour impact, as well as concerns with traffic movements. 2 further letters of representation were received withdrawing earlier objections following discussions with Yattendon Estates and the issues of odour. Therefore, 5 letters of objection remain.

## **5. Policy Considerations**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan comprises
- The West Berkshire Core Strategy (2006-2026)
  - The West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
  - The South East Plan (May 2009), only insofar as Policy NRM6 applies
  - The Replacement Minerals Local Plan for Berkshire (2001)
  - The Waste Local Plan for Berkshire (1998)
- 5.2 Other material considerations include government guidance, in particular:
- The National Planning Policy Framework (March 2012)
  - The National Planning Practice Guidance Suite (March 2014)
  - Planning Policy Statement 10: Planning for Sustainable Waste Management
  - Manual for Streets (DCLG/DfT)
- 5.3 The South East Plan was adopted on 6 May 2009 and carries due weight according to its degree of conformity with the Framework. Although this plan has been revoked, Policy NRM6 (Thames Basin Heaths Special Protection Area) remains in force. As such, the South East Plan is only relevant insofar as this policy applies. For the avoidance of doubt, for the purposes of this application the policy is not relevant as the site is not within nor does it influence the Thames Basin Heath SPA.
- 5.4 The West Berkshire Core Strategy was adopted on 16 July 2012 and carries full weight in decision-making as a development plan document adopted since the publication of the Framework. The following policies from the Core Strategy are relevant to this application:
- NPPF Policy
  - ADPP1: Spatial Strategy
  - ADPP5: North Wessex Downs Area of Outstanding Natural Beauty
  - CS10: Rural Economy
  - CS13: Transport
  - CS14: Design Principles
  - CS19: Historic Environment and Landscape Character
- 5.5 The saved policies of the West Berkshire District Local Plan carry due weight according to their degree of conformity with the Framework. The following saved policies from the Local Plan are relevant to this application:
- OVS.5: Environmental Nuisance and Pollution Control
  - OVS.6: Noise Pollution
  - TRANS.1: Meeting the Transport Needs of New Development
- 5.6 The Waste Local Plan for Berkshire (Waste Local Plan) is a key planning policy document relevant to this proposal. It is accepted that the Waste Local Plan is now dated, but it remains the adopted plan relating to waste proposals in Berkshire and provides a key local planning policy context. In accordance with the Planning and Compulsory Purchase Act (2004) the Waste Local Plan was reviewed in 2007 and a number of policies were saved following this review process.

- 5.7 Despite the fact that the Waste Local Plan was adopted in 1998 it is clear from the NPPF that policies in existing adopted plans shall still be afforded due weight and more weight given to policies that are consistent with the NPPF. The NPPF does not contain any specific policies on Waste, referring to PPS10 but confirms that decision makers should have regard to policies in the NPPF and therefore it is considered that, where the policies in the Waste Local Plan are in conformity with the policies in the NPPF and PPS10 then they should still be afforded due weight in the consideration of planning applications. The relevant saved policies for the determination of this application are:
- WLP1: Sustainable Development
  - WLP19: Farm and stable waste
  - WLP27: Is development needed
  - WLP29: Non identified sites for waste management development outside preferred areas
  - WLP30: Assessing the impact of development proposals
  - WLP31: Information to be provided with application
  - WLP33: Environmental improvements and wider benefits
- 5.8 The Replacement Minerals Local Plan for Berkshire (Minerals Local Plan) sets out the policy framework for the consideration of minerals management developments across Berkshire. The Minerals Local Plan was adopted by the County Council in 1995, with alterations adopted in 1997. A review of the Minerals Local Plan was undertaken and alterations were adopted in May 2001. In accordance with the Planning and Compulsory Purchase Act (2004) the Minerals Local Plan was reviewed in 2007 and a number of policies were saved following this review process. It is clear from the NPPF that policies in existing adopted plans shall be still afforded due weight and more weight given to policies that are consistent with the NPPF. In this instance none of the policies within the Minerals Local Plan are considered relevant.
- 5.9 In addition, the following locally and regionally adopted policy documents are material considerations relevant to this application:
- The North Wessex Downs AONB Management Plan (2009-2014)

## **6. Description of Development**

- 6.1 The application site is located on land 0.9km north of the village of Yattendon. The site forms part of the wider Yattendon Estate, a substantial land holding (1,790 hectares), within West Berkshire. The site is effectively surrounded by agricultural land with Oaken Copse approximately 160 metres to the south. The nearest residential properties are 1 and 2 Broadfield Cottage, which are located approximately 600 metres south west of the proposed lagoon. With regard to the wider area the site forms part of the North Wessex Downs Area of Outstanding Natural Beauty (AONB).
- 6.2 Access to the site is achieved via an existing track (only partly made), which leads from Yattendon Road adjacent to 1 and 2 Broadfield Cottage. A public right of way, Footpath 1/1, crosses this track (and adjacent fields) as it runs north from Yattendon Road. There is an existing hedgerow along the southwest boundary together with a single tree.
- 6.3 Planning permission is sought for the construction of an earth banked slurry lagoon and associated works. The lagoon would measure 65 metres by 40 metres and have a maximum overall depth of 4.75 metres, which includes 0.75 metres freeboard required by The Water Resource (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010 (SSAFO). The lagoon will provide for a useable volume of 6,349m<sup>3</sup>. It will be lined with a black HDPE liner which has a permeability of less than 10<sup>-9</sup>m / second. Excess spoil from the excavation of the lagoon would be used for its banks and to fill an existing depression

within the field. Therefore, the development does not require the import or export of any materials.

- 6.4 Further works will include the creation of a gently sloping ramp and flat area to the west of the proposed lagoon, to provide a pumping area for filling and emptying, as well as to allow for east turning for tractors and tankers. This area would be located in line with the existing track and would not be surfaced. In addition to this a security / safety fence would be erected around the perimeter of the lagoon, with access gates provided adjacent to the filling / emptying area as well as at mixing points. The details of the security fence, at this stage, are indicative.
- 6.5 The application details, within the submitted supporting statement, that the siting of the lagoon has been driven by the applicants desire to reduce traffic movements related to slurry spreading. It also confirms that the lagoon will, from time to time, be filled from an existing slurry tower via an overland umbilical pipeline and underground road crossings. There are also proposal for further landscaping to include a hedgerow and tree and shrub planting.

## **7. Consideration of the Proposal**

- 7.1 The main issues to consider with the determination of this application are; the principle of the development; impact on living conditions and the environment; impact on the AONB; highway and PROW considerations; archaeological impact; and the need for sustainable development.

### Principle of Development

- 7.2 With regard to the principle of the development, it is considered that the spatial policies of the Core Strategy, namely ADPP1 and ADPP5 are relevant, together with policy WLP19 of the Waste Local Plan and the NPPF. ADPP1 sets out the spatial strategy for development in West Berkshire. It is clear that development in West Berkshire will follow the existing settlement pattern (and comply with the spatial strategy set out in the Area Delivery Plan policies based on the four spatial areas) with most being within or adjacent to the settlements included on the settlement hierarchy. Within the open countryside only appropriate limited development will be allowed.
- 7.3 Policy ADPP5 covers the spatial area of the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The policy is quite lengthy and is separated into sub-headings for Housing; Environment; Economy; Accessibility; and Community Infrastructure and Services. It is considered that the environment policy points are the most relevant. However, there is no specific policy points that would directly relate to the development proposed, with the exception of the need for development to conserve and enhance the local distinctiveness of the AONB.
- 7.4 Within the Waste Local Plan policy WLP19 provides the context for farm and stable waste. This policy supports the principle of proposals for the treatment of farm and stable wastes, outside of preferred areas (for waste management), subject to the proposals being located within or adjacent to existing groupings of farm buildings; being appropriate in scale, form, character and siting to its location; and overcoming or accommodating all constraints deriving from the considerations set out in policies WLP27 and WLP29 to WLP33, plus all other relevant policies.
- 7.5 It should be noted that WLP19, although relevant, is not considered to be a “comfortable fit” for this proposal. The primary reason for this is the policy is aimed at proposals that take farm waste for treatment to recover resources (heat and power for example), and not necessarily storage of slurry. The supporting text of the policy also makes it clear that much of the waste produced by farms is disposed of safely in controlled quantities on

agricultural land as fertiliser. Therefore, the policy would seem to more relevant to proposals that fall outside of that remit, namely treatment for another purpose than fertiliser. With this being the case, the principle of the proposal, having regard for WLP19, is considered acceptable.

- 7.6 The NPPF sets out the presumption in favour of sustainable development, which is the overarching principle issue for all new development. There are no specific principle issues raised by the NPPF aside from the need for sustainable development. However, it should be noted that the NPPF does support the rural economy through the development (and diversification) of agricultural and other land based rural business, and this is acknowledged at paragraph 28. Policy relating to the AONB is dealt with under separate sections of this report.
- 7.7 Given the above principle policy context, and the lack of any specific policies relating to slurry storage facilities, it is considered that in general terms the principle of the development is acceptable. The site is outside of the settlement boundary and within the AONB where normally development would be restricted. However, as an engineering operation that will still have a degree of a natural appearance (despite obviously being man made) by virtue the land grading and minimal operational structures (only fencing), it is considered that in this instance the principle is acceptable. Furthermore, clearly the slurry storage facility must be constructed within an area where it would be most effective, therefore it will not always be possible to provide such infrastructure within settlements or urban areas.

#### Impact on living conditions and the environment

- 7.8 Policy CS14 of the Core Strategy requires new development to make a positive contribution to the quality of life of residents of West Berkshire. Conversely then, those developments that cause a negative impact to quality of life are not acceptable. Further policy provision comes in the form of WLP30 which, inter alia, seeks the assessment of the need to safeguard living conditions including amenity levels. Policies OVS.5 and OVS.6 of the Local Plan relate to environmental nuisance and pollution control, and noise pollution respectively. They essentially require developments to not cause unacceptable levels of harm to the environment or the amenity of residents in terms of pollution and noise.
- 7.9 For the purposes of this application, it is considered that the primary impacts relating to living conditions and the environment are potential odour; visual impact; and the effect on surface and ground water sources.
- 7.10 As described earlier within this report the nearest residential properties to the proposed lagoon are approximately 600 metres away to the south. Considerable concern has been raised within the representation letters with regard to odour generated by the slurry. The decomposition of the slurry will create various emissions and gases that in turn have an odour impact. However, it should be noted that that these gases are heavier than air and thus do not have a large dispersal rate. Furthermore, the applicant has confirmed, within their supporting statement, that during the Nitrate Vulnerable Zone (NVZ) closed period (a period of no spreading) the slurry will form a crust. This crust has a significant effect on the level of odour arising as it suppresses emissions.
- 7.11 Furthermore, there has been no objection raised by the Councils Public Protection Department. In their consultation response Public Protection officers referred to guidance on slurry stores provided by other authorities, such as the Pembrokeshire Good Practice Guidance: Slurry Stores January 2013, which identifies that an odour management plan would be required if residential properties were 200 metres or less from the slurry lagoon. As the nearest properties are approximately 600 metres away it is considered unlikely that odour will be noticeable, therefore no objection has been raised.

- 7.12 It should also be noted that, subject to various criteria, slurry storage can be permitted development. One of these criteria is that structures, buildings or excavations used for the storage of slurry cannot be within 400 metres of a protected building (dwellings included). Therefore, it is possible that a slurry lagoon, that meets all of the requirements of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), could be closer to residential properties than the one proposed within this application.
- 7.13 It is therefore considered that the proposal will not lead to odour levels that will cause demonstrable harm to living conditions.
- 7.14 With regard to visual impact, it is unlikely that the lagoon will be visible from any residential property. It will potentially be visible from the nearby footpath, but the existing hedgerow should provide sufficient screening. There are no obvious long distances viewpoints and in any event the nature of the land and the nearby woodland provide a degree of visual protection. The proposed landscaping will help to assimilate the development into the landscape further. Thus, the proposal is not considered to cause any visual harm.
- 7.15 As part of the application process the Local Planning Authority have consulted the Environment Agency. As detailed earlier within this report their consultation response has raised no objections. The site is located on a principal aquifer within a Source Protection Zone (SPZ) 3 and a NVZ. As such groundwater beneath the site must be protected. The provision of the HTPE liner should provide a sufficient barrier to prevent leaching contaminants into ground water. Furthermore, the lagoon must legally comply with the requirements of the SSAFO in order to reduce the risk of water pollution. With this being the case there is no reason to refuse planning permission on surface and ground water source issues.

#### Impact on the AONB

- 7.16 As already described the site and its immediate surroundings, form part of the North Wessex Downs Area of Outstanding Natural Beauty. With regard to the relevant policies, ADDP5 provides the spatial strategy for developments within the AONB; whilst policy CS19 gives consideration to landscape character issues. The NPPF also provides context to development within the AONB within paragraphs 115 and 116.
- 7.17 Policy ADDP5, which has been previously detailed within this report, has no specific elements that would cause the proposed development to be considered unacceptable.
- 7.18 Policy CS19 provides context to developments impact on the historic environment and landscape character of the district. It adopts a holistic approach that seeks to ensure that the diversity and local distinctiveness of the landscape character of the district is conserved and enhanced, the natural, cultural, and functional components of its character are considered as a whole.
- 7.19 It is considered that the proposal will not harm the diversity and/or the local distinctiveness of the landscape character of the district. Although the lagoon and its associated infrastructure will clearly appear as man made features within the landscape, the landscaping proposed will help the proposal assimilate into its surroundings. Furthermore, despite the sites designation as part of the AONB, there is no clear harm to the landscape and any impact is contained to the immediate vicinity.
- 7.20 The NPPF makes clear, at paragraph 115, that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. It goes on to state at paragraph 116 that planning permission should be refused for major developments in these designated areas except in exceptional



circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and

any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

- 7.21 The first issues to address, with regard to the NPPF, is whether the proposal constitutes a major development. Clearly, in the teams of the DMPO the application is deemed to be a major development, but this provision merely relates to the procedures of how the application is dealt with and its advertisement. Put simply, there are circumstances when an application that falls to be considered as a major development by the definition of the DMPO, is not major in terms of its scale and impacts and thus is unlikely to be considered major development with regard to the NPPF. The NPPF does not provide a definition of what constitutes a major development. Furthermore, the NPPG states; whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 116 of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context.
- 7.22 It is considered that, although the proposal is a large engineering operation, given its associated impacts and the local context to which these impacts will be contained, the proposed development is not a major development to which policy in paragraph 116 of the NPPF applies. Further weight is given to this position by the fact that the North Wessex Downs AONB Board have raised no objection to the application and acknowledged its need.
- 7.23 In any event, having regard to paragraph 116, it is considered that there is a clear need for the development which aligns with national considerations for the storage of slurry. As previously described the development needs to be in this location to be the most effective in terms of both functionality and impact on living conditions. The scheme will still have a degree of a natural appearance. Thus, the proposal is not considered to cause harm to the landscape and scenic beauty of the AONB and as such accords with policies ADDP5, CS19 and the provisions of the NPPF.

#### Highways and PROW issues

- 7.24 With regard to traffic and highway implications policy CS13 of the Core Strategy and TRANS.1 of the Local Plan are considered relevant. Policy CS13 requires development to satisfy a list of bullet points, although it acknowledges that proposals will not need to fulfil each point. For the purposes of this application it is considered that the most relevant bullet point is to mitigate the impact on the local transport network and the strategic road network. Policy TRANS.1 relates more to the provision of facilities to encourage various transport modes, as well as the need for a suitable level of on site parking in line with the Councils maximum standards.
- 7.25 In terms of impact on the highway, the primary burden will be during the construction of the lagoon. The construction period is expected to last for one and a half months with several days of both HGVs and LGVs visiting the site. Construction contractors are expected to provide for 6 car movements per day. All turning will take place within the site. Once constructed, the proposal will not generate a significant level of traffic and should reduce movements through the village.

- 7.26 The Council's Highway Officer has raised no objection to the proposal and has not suggested the imposition of any conditions. Given that the main highway impact will be limited to the construction phase of the development and that the ongoing operation of the site following this will have a very limited impact, it is considered that the proposal is acceptable in highway terms and accords with policies CS13 of the Core Strategy and TRANS.1 of the Local Plan.
- 7.27 With regard to the PROW, namely Footpath Yattendon 1/1, the existing track crosses this footpath. The Council's PROW officer has provided a consultation response in which no objection is raised and standard informatives are suggested. With this being the case the proposal is not considered to harm the PROW.

#### Archaeological Impact

- 7.28 Policy regarding the historic environment is primarily contained within the NPPF and policy CS19 of the Core Strategy. The application site is located within an area of archaeological potential. Various Roman artefacts have been discovered within the vicinity of the site (see the Archaeology Officer's consultation) and thus it is considered that, the size and depth of the lagoon could have a significant impact on any remaining archaeological remains. As such a watching brief condition has been recommended to be imposed. It is considered that the imposition of such a condition would mitigate any impact the proposal would have on the historic environment and thus this approach is consistent with the provisions of the NPPF and policy CS19 of the Core Strategy.

#### Need for Sustainable Development

- 7.29 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development, whereas the policies of the NPPF constitute the Government view of what sustainable development means in practice. The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental. These roles should not be undertaken in isolation, because they are mutually dependent. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 7.30 The economic impact of the proposal is considered limited. The social impacts on the proposal relate to the impacts on living conditions. As these have been found to be acceptable the development is not considered to have a negative effect on social considerations. The environmental impacts relate to the impact on the AONB and on surface and ground water sources. These have been deemed acceptable and thus there is no environmental harm. As such the proposed development is considered to constitute sustainable development.

### **8. Conclusion**

- 8.1 Having taken account of all the relevant policy considerations and the other material considerations referred to above, it is considered that, having regard to the clear reasons to support the proposal the development proposed is acceptable and a conditional approval is justifiable for the following reasons.
- 8.2 The proposed slurry lagoon is not considered to give rise to any impacts that would result in demonstrable harm. Although within the AONB, it is considered that the development is necessary and has been sensitively located in order to reduce its visual harm, and potential impacts (particularly through odour emissions) on the living conditions of nearby residential properties. The development does not give rise to any adverse highway impacts and is considered to constitute sustainable development.

## **9. Full Recommendation**

That the Head of Planning and Countryside be authorised to **APPROVE** planning permission subject to the following conditions:-

### **Standard Time Limit**

1. The development hereby permitted shall be commenced 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).

### **Standard list of approved plans**

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

- (i) Location Plan reference RAC/5960/1 received on 13 May 2014;
- (ii) Existing and Proposed Site Plan and Cross-Sections reference RAC/5960/2 received on 13 May 2014;
- (iii) Landscaping Plan reference RAC/5960/3 received on 13 May 2014;
- (iv) Supporting Statement/Policy Appraisal received on 13 May 2014;
- (v) Flood Risk Assessment received on 13 May 2014.

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

### **Archaeological Watching Brief**

3. No development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), and Policy CS19 of the West Berkshire Core Strategy (2006-2026).

### **Construction method statement**

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

- (a) The parking and turning of vehicles of site operatives and visitors;
- (b) Loading and unloading of plant and materials;
- (c) Storage of plant and materials used in constructing the development;
- (d) Wheel washing/cleaning facilities;
- (e) Measures to control the emission of dust and dirt during construction;

Thereafter the construction works shall incorporate, and be undertaken in accordance with, the approved statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

### **Boundary treatment**

5. Notwithstanding the details already submitted, no development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected around the completed lagoon has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the slurry lagoon hereby permitted is first brought into use. The approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

### **No importation or exportation of material (soils)**

6. No excavation material shall be removed from the application site. All excavation material shall be used within the site either for the creation of bunds or as an infill material. Furthermore, no soil making material or other waste material shall be imported to the site for the construction of the lagoon or for any other purpose.

Reason: To ensure that the development is carried out in accordance with the details submitted and in the interests of amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

### **Construction of the Lagoon (soils)**

7. No development shall take place until a method statement detailing the works / operations to be carried out to complete the construction of the slurry lagoon hereby approved has been submitted to and approved in writing by the Local Planning Authority. This method statement scheme shall detail:

- (a) The methodology to be used in the excavation and placement of the on-site materials to be used in the construction of the slurry lagoon hereby permitted
- (b) The location of any temporary top soil / sub soil / overburden storage areas
- (c) The methodology to be employed in the replacement of soil / sub soil / overburden over the completed bunds that will form the outer walls of the slurry lagoon
- (d) Details of the plant/machinery to be used in the construction operations

Thereafter the construction works shall incorporate, and be undertaken in accordance with, the approved statement.

Reason: To ensure that the development is visually acceptable within the landscape. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **Landscaping (scheme submitted)**

8. All landscape works shall be carried out in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including drawing number RAC/5960/3 received on 13 May 2014 and the Supporting Statement/ Policy Appraisal

received on 13 May 2014. The approved landscape works shall be implemented within the first planting season following completion of development or in accordance with a programme submitted to and approved in writing by the Local Planning Authority. Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of 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: To ensure the implementation of a satisfactory scheme of landscaping. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

**Tree Protection (scheme submitted)**

9. Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing number RAC/5960/3 received on 13 May 2014 and the Supporting Statement/ Policy Appraisal received on 13 May 2014. Within the fenced areas, there shall be no excavations, no storage/mixing of lime based products or fuels, no storage of materials, or machinery, no parking of vehicles, no fires.

Reason: To ensure the protection of trees identified for retention at the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

DC