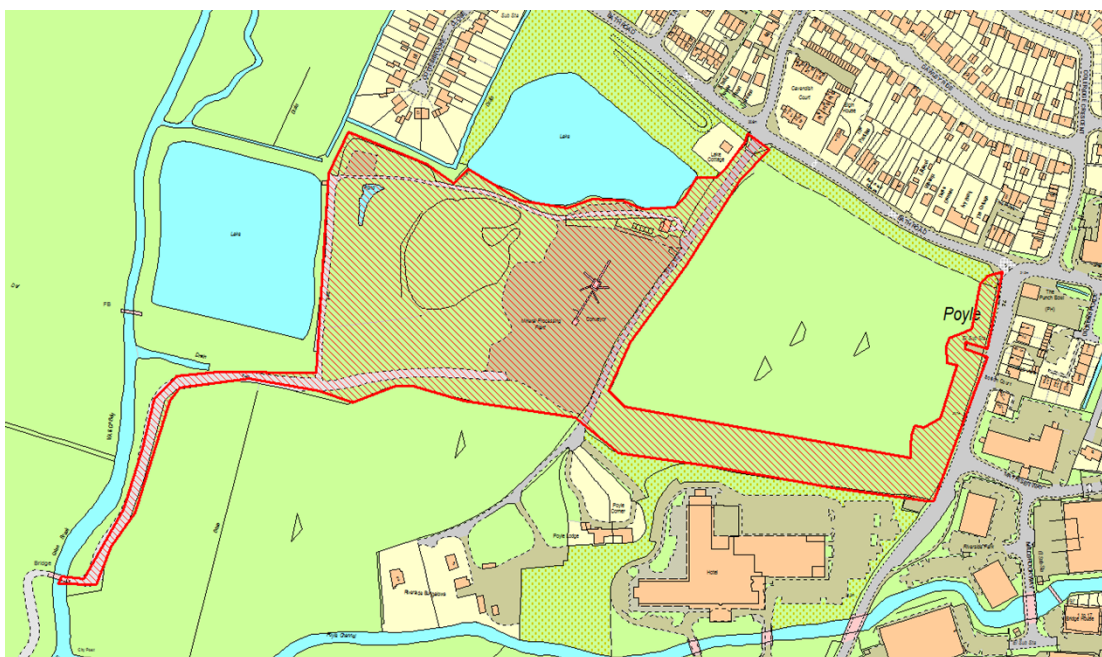


Registration Date:		Application No:	P/10012/008
Officer:	Christian Morrone	Ward:	Colnbrook with Poyle
Applicant:	Summerleaze Limited	Application Type:	Major
		13 Week Date:	01.02.2019
Agent:	QuarryPlan		
Location:	Poyle Quarry, Poyle Road, Colnbrook, Slough, Berkshire		
Proposal:	Temporary planning permission for a period of 8 years for the retention of existing plant to be used for the processing of sand and gravel extraction. Formation of new vehicular access split junction on the Poyle Road. New footpath/cycleway parallel to the Poyle Road. Landscaping and restoration of site and associated works.		

**Recommendation:** Delegate to Planning Manager for Approval



**1.0 SUMMARY OF RECOMMENDATION**

- 1.1 Having considered the relevant policies and guidance as set out in the following report, the comments from consultees as well as all other relevant material considerations, it is recommended the application be delegated to the Planning Manager for:

A. Approval subject to

- 1) the satisfactory completion of a Section 106 agreement to secure agreed lorry routing; the works required through the Section 278 agreement,
- 2) finalising conditions; and any other minor changes.

- B. Refuse the application if the completion of the Section 106 Agreement is not finalised by 6th July 2019 unless a longer period is agreed by the Planning Manager.

- 1.2 Under the current constitution, this application is being brought to Committee for decision as it is a major planning application.

**PART A: BACKGROUND**

**2.0 Application Site**

- 2.1 The application site is situated close to the settlement of Poyle, between Junction 5 of the M4 motorway and Junction 14 of the M25 motorway. It is located approximately two kilometres (km) to the west of Heathrow Airport Terminal 5 buildings.
- 2.2 The site is approximately 6.7 hectares (ha) in size. It consists of the disused processing plant equipment and vegetated silt pond with areas of open storage and mineral stockpiles, as well as an existing access road from Bath Road to the north. The processing plant and access road were previously granted through planning permission P/10012/003 in 2008 and P10012/004 in 2011.
- 2.3 The site consists of a mix of previously developed land, some of which has been restored to agricultural use, and undeveloped agricultural land. The site is located within the Green Belt and the Strategic Gap. The site and surrounding areas are located in the Colne Valley Regional Park. The site does not contain any or Tree Preservation Orders.
- 2.4 The application site does not contain any formal nature conservation designations although the site is surrounded by a number of reservoirs and lakes and interconnected watercourses. This includes the Queen Mother

Reservoir, Horton Brook, the Eric Mortimer Rayner Memorial Lakes, Colne Brook and the Wraysbury Reservoir.

- 2.5 The existing access road runs adjacent to the Colne Brook to the existing 'Bailey' Bridge. Eric Mortimer Rayner Memorial Lakes are located 600m to the south-west of the access route. The Colne Brook flows adjacent to the existing access road from north to south, where the Poyle Channel joins it, before meandering through a network of lakes to the south of the access route and outfalls into the River Thames 4km to the south. The Orlitts and Old Slade Lakes lie approximately 870m to the north-east of the access route and take water from the Colne Brook.
- 2.7 The nearest residential properties to the plant site lies to the northwest at the southern end of Cottesbrooke Close. The closest properties to the proposed access from Poyle Road lie to the east on the opposite side of Poyle Road at Ibotson Court. The eastern part of the access road along the southern boundary abuts the curtilage of the Hilton London Heathrow Terminal 5 Hotel.
- 2.8 The site forms part of the Preferred Area 12 (Area 12: North of Horton (Part-Poyle Quarry)) site allocation in the Replacement Berkshire Local Plan (2001). The remaining part of the allocation constitutes the quarry extension which is located in the administrative areas of the Royal Borough of Windsor and Maidenhead (RBWM). The site allocation was for the extraction of 800,000 tonnes of sand and gravel and it is proposed that the site would be worked at a rate of up to 150,000 tonnes per year.

### 3.0 **Site Planning History**

- 3.1 The planning history of the site is as follows:

<i>Permission</i>	<i>Application details</i>	<i>Decision and status</i>
P/10012/006	Submission of details of for details of Bunds and a Dust Management Plan pursuant to Planning Permission P/10012/004 dated - 17 March 2011.	Conditions Complied With; Informatives 15-Nov-2016
P/10012/007	Submission of details for the bailey bridge details, colour of processing plant, processing plant equipment, external lighting, and wheel wash pursuant to Planning Permission P/10012/004 - dated 17 March 2011.	Conditions Complied With; Informatives 04-May-2016
P/10012/005	Construction and operation of a solar photovoltaic farm including fencing, internal	Refused; Informatives 26-Nov-2015

	service tracks, transformer and inverter stations, cabling, CCTV, landscaping substations and ancillary cabins.	
P/10012/004	Application for an extension of time to replace planning permission P/10012/003, dated 2nd may 2008, for the erection of a new processing plant, use of land as a plant site and internal haul road, and construction of a new access road with roundabout on Poyle road for use in connection with the extraction of mineral from part of preferred area 12.	Approved with Conditions; Informatives 17-Mar-2011
P/10012/003	Erection of a new processing plant, use of land as a plant site and internal haul road, and construction of a new access road with roundabout on Poyle Road for use in connection with the extraction of mineral from part of preferred area 12.	Approved with Conditions; Informatives 02-May-2008
P/10012/002	Variation of condition no. 3 of planning permission p/10012/001 dated 08/08/00 to allow for the retention of the processing plant until 31 December 2004 with the restoration of the plant site being completed by 31st may 2005 in accordance with the approved restoration plan p1/1083/3/a	Approved with Conditions 29-Sep-2003
P/10012/001	Variation of condition 3 of planning permission P/10012/000 for processing plant & associated facilities	Approved with Conditions 08-Aug-2000
P/10012/000	Variation of condition planning permission app/b3600/a190/1600783 for the extension of time for retention of plant (county matters)	Approved with Conditions 08-Jul-1996

- 3.2 Condition 2 of planning permission P/10012/002 required the removal of the plant and machinery and restoration of the plant site area by 31 May 2005. It is recognised that subsequent permissions have followed (planning permissions P/10012/003 and P/10012/004). The removal of the plant and restoration of the land did not take place and consequently owing to a continuous period of 10 years of non-compliance with this condition it is lawful for the plant site not to be dismantled and restored and for the plant to remain. Notwithstanding the assertions within the planning application, there is no existing lawful permission for the use of the plant or the land.
- 3.3 The most recent planning permission for plant site and access (reference P/10012/004) was granted by Slough Borough Council on 17 March 2011. The permission was for 'the extension of time to replace planning permission P/10012/003 (dated 2 May 2008), for the erection of a new processing plant, use of land as a plant site, internal haul road and construction of a new access road with roundabout on Poyle Road for use in connection with the extraction of mineral from part of Preferred Area 12'. This permission was a renewal of an earlier permission (P/10012/003) for the same development. Condition 1 of the planning permission P/10012/004 set a five year commencement requirement. It was therefore necessary to implement planning permission reference P/10012/004 by 17 March 2016 otherwise it would lapse.
- 3.4 Planning permission P/10012/004 contained a number of planning conditions which required schemes to be submitted for approval by Slough Borough Council before the development could proceed. These schemes related to the following aspects:
- Condition 7 – details of the existing Bailey Bridge;
  - Condition 8 – details of the design and construction of the access road bund;
  - Condition 9 – details of surface water disposal from the new access road;
  - Condition 10 – details of the processing plant colour;
  - Condition 11 – details of buildings to be retained on site;
  - Condition 12 – dust management plan;
  - Condition 14 – details of the processing plant equipment;
  - Condition 16 – details of external lighting;
  - Condition 17 – restoration and aftercare scheme;
  - Condition 19 – details of noise monitoring scheme;
  - Condition 23 – details of the wheelwash.
- 3.5 Detailed schemes were submitted to Slough Borough Council and approved for the following conditions under applications P/10012/006 and P/10012/007:
- Conditions 8 and 12 – approved 15 November 2016; and
  - Conditions 7, 10, 16, and 23 – approved 4 May 2016.

Although some of the schemes required under planning permission

P/10012/004 were submitted and subsequently approved, the permission was not implemented within the required timescale and consequently lapsed.

#### 4.0 **Proposal**

- 4.1 The planning application is for the recommencement of the use of the former Poyle Quarry plant site for a temporary period of eight years for the transport and processing of mineral extracted from part of Preferred Area 12 which is identified as North of Horton Part- Poyle Quarry of the Saved policies of the Replacement Berkshire Minerals Plan (2001).
- 4.2 The application is made in conjunction with a planning application made to the Royal Borough of Windsor and Maidenhead (RBWM) (planning application 17/03426/FULL) for the extraction of sand and gravel, with the subsequent infilling of the extraction area with inert material and restoration of the land back to agriculture. This application site is known as part of the 'Poyle Quarry Extension'. Planning permission for sand and gravel extraction at the quarry site was previously approved in 2008 and renewed in 2011. It is proposed that the extension area development will be undertaken in the same manner as previously approved by RBWM, with no proposals to alter the method of working, depth of extraction, operational hours or permitted level of output. Extraction and restoration of this part of the site would be completed within an eight year period. There is a resolution by RBWM to grant planning permission for planning application 17/03426/FULL if permission is granted for this proposal within the Slough administrative area.
- 4.3 All extracted materials from the extension area would be processed through the existing processing plant and would use the proposed haul road. The processing plant site would be required for 8 years in line with the timescales for the mineral extraction and subsequent restoration of the entire site.
- 4.4 The applicant has indicated that the setting-up Poyle Plant Site for operation will take approximately six months, and comprise the:
- Removal of all waste material, old plant and associated off site disposal;
  - Excavation and preparation of the existing silt-processing lagoon;
  - Installation of a prefabricated 'Portakabin- type' sealed office/welfare unit, weighbridge and lorry wash facility; and
  - Re-commissioning / repair of existing plant and hard-standing.

The operation of the plant will comprise:

- Importation of sand and gravel from the extraction area to the west;
- Washing and screening of sand and gravel into different sizes which will be stock-piled on-site (number of stock-piles and duration of standing dependent upon sales);
- Silty water pumped into the silt pond and allowed to settle.
- HGVs collecting sand and gravel will visit the weighbridge before being loaded and leaving via the weighbridge; and

- The plant site will also manage the importation of inert waste to be used in the restoration of the extraction area to the west. In this capacity, HGVs delivering inert waste will cross the weighbridge and then travel to the extraction area and leave via the same route, thereby taking advantage of the weighbridge and wheel-wash.

- 4.5 The existing processing plant consists of a receiving hopper, screen deck for separating gravel into various product sizes and Linatex tower for producing grades of sand. It is not proposed to install a new processing plant. The existing plant is capable of being re-used, subject to maintenance, even though it has not been operated for a number of years. Once processed, the mineral would be stockpiled awaiting export by HGVs from the processing plant site to the local market.
- 4.6 The proposal also includes the development of an alternative access road from Poyle Road to serve the site. The proposed access would cross an agricultural field to Poyle Road in the east. Sand and gravel would be transported by Heavy Goods Vehicle (HGV) from the extraction area within Windsor, across the existing Bailey Bridge over the Colne Brook into Slough and along the existing track to the processing plant site for processing before distribution to the market. The material would be dispatched onto the public highway via the proposed new access road from the plant site onto Poyle Road. The importation of inert material for the restoration of the extraction area in RBWM would also be via the new access road from Poyle Road.
- 4.7 The new access road is located to the east of the processing site and would replace the previous access road to the processing plant site which comes from Bath Road which is located to the north of the processing site. The new access is in a similar location to the previously approved access under permission P/10012/004 although the junction with Poyle Road would include a split left in/right out priority junction rather than a roundabout as previously proposed. The new access road would be 7.3 metres in width, fully surfaced with asphalt and includes surface water drainage. As part of the new access road proposals a new, surfaced footpath/cycleway would be provided parallel with Poyle Road for a distance of approximately 200 metres between the junction of Bath Road/Poyle Road to the north of the new access and the adjacent Hilton London Hotel to the south. The details of the new footpath/cycleway are shown on the Landscape Proposals Plan.
- 4.8 The previous planning permission (P/10012/004) contained planning conditions controlling activities at the site. This included condition 6 which limited the use of the new access road to no more than 30 HGVs carrying minerals exiting the site per day and no more than 22 HGVs carrying waste entering the site per working day a total of 104 HGV movements (52 in and 52 out) per day). It is now proposed to continue to operate at no more than 75 HGV Movements in any one day.
- 4.9 The working hours contained within condition 25 of planning permission

P/10012/004 are also considered to still be appropriate and would be adhered to as part of this proposal. These hours allowed operations to be carried out between 0700 to 1700 hours on Monday to Friday and 07:30 to 13:00 hours on Saturday. No activities would take place on Sunday or Bank Holidays.

- 4.10 The proposals for the restoration of the plant site and haul road are set out on the Proposed Restoration Plan which accompanies the application. The restoration proposals are also largely the same as to the previously approved schemes. The applicant has stated that the proposals have been designed to provide an appropriate restoration of the plant site and to provide additional planting elsewhere associated with the new access road corridor in order to enhance biodiversity and to improve green infrastructure. All processing plant and associated structures and equipment would be removed from site once all the operations within the extraction/infilling area in RBWM had been completed. Following the clearing of the site (including the removal of the processing plant and stocks), the plant site would be restored as a single operation following the plant area and haul road would be restored to conservation grassland, wildflower meadow with some tree, hedgerow, shrub and aquatic planting in line with this Plan. The ground would be ripped and prepared for the re-spreading of subsoil and topsoil from the on-site soil storage bunds. There are no proposals to import soils for use in restoration. The existing soils stored on site would be utilised.
- 4.11 Initially it was proposed not to include the plant site in the restoration plans and it was the intention to retain the area of hardstanding. However, following discussions with the applicant about the suitability of this approach, a revised scheme was submitted as part of this application which included the restoration of the plant site as well as the other areas subject to this application following cessation of mineral extraction operations. The area identified for biodiversity enhancement consists of the silt pond to the west of the processing plant. The silt pond would be retained and the vegetation that has established will be allowed to continue to develop naturally and be supplemented by additional planting for nature conservation enhancement. It is proposed to retain the new access road between the processing plant and Poyle Road for future agricultural operations on the restored site but the width of the access road would be reduced from 7.5m to 3m. The haul road would be removed and would be land reinstated to agricultural use in conjunction with the existing agricultural fields. A suitable agricultural gate would be installed at the eastern end of the access road following its reduction in width as part of the site restoration. In addition, the access track between the plant site and the Bailey Bridge over the Colne Brook would be retained for agricultural access. Although the existing access from Bath Road is not being used as part of this proposal, it is intended that this access would be retained during the life of the development and following the restoration of the site for agricultural use and for residential access to the properties at Poyle Lodge and Riverside Bungalows to the south and southwest of the site.
- 4.12 The application does not fall within Schedule 1 or Schedule 2 of The Town



and Country Planning (Environmental Impact Assessment) Regulations 2017, and therefore no Environmental Impact Assessment is required.

## 5.0

### **Neighbour Notification**

In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), a site notice was displayed outside the site on 05/01/2018. The application was advertised as a major application in the 05/01/2018 edition of The Slough Express. Neighbour letters were sent out on 22/11/2017 to the following addresses:

Riverside bungalows Old Bath Road, Slough, Berks, The Pantiles, Old Bath Road, Colnbrook, The Punchbowl Public House, Bath Road, Colnbrook, Slough, Berks, 1, Ibotson Close, Poyle, Slough, Berks, 10, Ibotson Close, Poyle, Slough, Berks, 2, Ibotson Close, Poyle, Slough, Berks, 3, Ibotson Close, Poyle, Slough, Berks, 4, Ibotson Close, Poyle, Slough, Berks, 5, Ibotson Close, Poyle, Slough, Berks, 6, Ibotson Close, Poyle, Slough, Berks, 7, Ibotson Close, Poyle, Slough, Berks, 8, Ibotson Close, Poyle, Slough, Berks, 9, Ibotson Close, Poyle, Slough, Berks, 7, Poyle Road, Colnbrook, Slough, SL3 0EZ, The Cottage, Old Bath Road, Colnbrook, Slough, SL3 0HZ, 7, Heathacre, Colnbrook, Slough, SL3 0HX, 20, Tall Trees, Colnbrook, Slough, SL3 0JS, 3, Poyle Road, Colnbrook, Slough, SL3 0EZ, 4, Poyle Road, Colnbrook, Slough, SL3 0EZ, 2, Poyle Road, Colnbrook, Slough, SL3 0EZ, 3, Tall Trees, Colnbrook, Slough, SL3 0JS, 15, Tall Trees, Colnbrook, Slough, SL3 0JS, 7, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 26, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 28, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 2 Riverside Bungalow, Old Bath Road, Colnbrook, Slough, SL3 0JD, 14, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 5 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 6 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 7 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 8 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 2 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 3 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 4 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 13 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 14 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 15 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 9 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 10 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 11 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 12 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 3 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, 13, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 21, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 1, Poyle Road, Colnbrook, Slough, SL3 0EZ, 1, Coleridge Crescent, Colnbrook, Slough, SL3 0PJ, 6, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Sakura, Poyle Road, Colnbrook, Slough, SL3

0EZ, 4, Heathacre, Colnbrook, Slough, SL3 0HX, 19, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Littlecot, Old Bath Road, Colnbrook, Slough, SL3 0HZ, 12, Tall Trees, Colnbrook, Slough, SL3 0JS, 1, Heathacre, Colnbrook, Slough, SL3 0HX, 5, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 6, Tall Trees, Colnbrook, Slough, SL3 0JS, 7 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, 5, Tall Trees, Colnbrook, Slough, SL3 0JS, 11 Ibbotson Court, Poyle Road, Colnbrook, Slough, SL3 0HP, 12 Ibbotson Court, Poyle Road, Colnbrook, Slough, SL3 0HP, 16, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Poyle Lodge, Old Bath Road, Colnbrook, Slough, SL3 0JB, 8, Heathacre, Colnbrook, Slough, SL3 0HX, 12, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 20, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 7, Tall Trees, Colnbrook, Slough, SL3 0JS, 11, Tall Trees, Colnbrook, Slough, SL3 0JS, 4 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, Flat 4, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Flat 1, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Flat 2, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Flat 3, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, 8, Poyle Road, Colnbrook, Slough, SL3 0EZ, 11, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 14, Tall Trees, Colnbrook, Slough, SL3 0JS, 2, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 13, Tall Trees, Colnbrook, Slough, SL3 0JS, 9, Heathacre, Colnbrook, Slough, SL3 0HX, 4, Tall Trees, Colnbrook, Slough, SL3 0JS, 1, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 8 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, 3, Heathacre, Colnbrook, Slough, SL3 0HX, 5, Poyle Road, Colnbrook, Slough, SL3 0EZ, 6, Poyle Road, Colnbrook, Slough, SL3 0EZ, 16, Tall Trees, Colnbrook, Slough, SL3 0JS, 1 Riverside Bungalow, Old Bath Road, Colnbrook, Slough, SL3 0JD, 24, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Flat 8, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Flat 5, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Flat 6, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Flat 7, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, 1 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 10, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 9, Tall Trees, Colnbrook, Slough, SL3 0JS, 5 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, 2, Tall Trees, Colnbrook, Slough, SL3 0JS, 4, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 22, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 17, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Poyle Corner, Old Bath Road, Colnbrook, Slough, SL3 0JB, 6, Heathacre, Colnbrook, Slough, SL3 0HX, 3, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Wisteria, Old Bath Road, Colnbrook, Slough, SL3 0HZ, 9, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, R A C Motor Sports Association, Motor Sports House, Poyle Road, Colnbrook, Slough, SL3 0HG, 8, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 1 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, 18, Tall Trees, Colnbrook, Slough, SL3 0JS, The Pantiles, Wexham Park Lane, Wexham, Slough, SL3 6LX, 3 Riverside Bungalow, Old Bath Road, Colnbrook, Slough, SL3 0JD, 23, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 18, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 10, Tall Trees, Colnbrook, Slough, SL3 0JS, 6 Bath Road

Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, 4 Claremont, Park Street, Colnbrook, Slough, SL3 0JF, 5 Claremont, Park Street, Colnbrook, Slough, SL3 0JF, 6 Claremont, Park Street, Colnbrook, Slough, SL3 0JF, 1 Claremont, Park Street, Colnbrook, Slough, SL3 0JF, 2 Claremont, Park Street, Colnbrook, Slough, SL3 0JF, 3 Claremont, Park Street, Colnbrook, Slough, SL3 0JF, 15, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 2, Heathacre, Colnbrook, Slough, SL3 0HX, 1, Tall Trees, Colnbrook, Slough, SL3 0JS, Lake Cottage, Old Bath Road, Colnbrook, Slough, SL3 0JB, 2 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, Windsor House, Millbrook Way, Poyle, Colnbrook, Berkshire, SL3 0HG, Bantech Ltd, Windsor House, Millbrook Way, Colnbrook, Slough, SL3 0HN, Khalid House, Old Bath Road, Colnbrook, Slough, Berkshire, SL3 0HY, Hilton Hotel, Poyle Road, Colnbrook, Slough, SL3 0FF, 1 The Pulse, Old Bath Road, Colnbrook, Slough, SL3 0FB, 2 The Pulse, Old Bath Road, Colnbrook, Slough, SL3 0FB, 3 The Pulse, Old Bath Road, Colnbrook, Slough, SL3 0FB, 4 The Pulse, Old Bath Road, Colnbrook, Slough, SL3 0FB, 6 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 5 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 4 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 1 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 2 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 3 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 10 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 9 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 7 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 8 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, Dulce Domum, Bath Road, Poyle, Slough, Berkshire, SL3 0HZ, 8, Cavendish Court, Coleridge Crescent, Slough, SL3 0QQ, The Flat, The Punchbowl, Bath Road, Colnbrook, Slough, SL3 00PH, Sawdon Instruments Limited, Poyle Road, Poyle, Slough, SL3 0AJ, Ivybank, Bath Road, Colnbrook, Slough, SL3 0HZ, Therdons, Bath Road, Colnbrook, Slough, SL3 0HY, Raron, Bath Road, Colnbrook, Slough, SL3 0HY, Hazelhome, Park Street, Colnbrook, Slough, SL3 0JF

5.1 The public consultation period has since expired. Two representations were received from members of the public in relation to the application. These raise concerns regarding the following:

- Impact on air quality as a result of Heavy Goods Vehicle (HGV) movements.
- Impact on residential amenity as a result of noise associated with the development.
- Potential for subsidence damage to nearby properties arising as a result of groundwater drawdown associated with the development.
- Potential for pedestrian injury associated with HGVs crossing the private road access to residential properties to the south.

The above issues are addressed within the Planning Assessment in Part B of this report.

6.0      **Consultations**

6.1      Colnbrook-With-Poyle Parish Council:

No comments received

6.2      Royal Borough of Windsor and Maidenhead:

No objections subject to conditions relating to HGV routing through Pyle Road and M25 only along signage to remind drivers of such routing.

6.3      Highways England:

No objection.

6.4      Natural England:

No comment.

6.5      Environment Agency:

No objection.

6.6      Local Highway Authority:

No objection, subject to the conditions on the application P/10012/004 including the requirement for a detailed design of the proposed access junction and entering into a S278 Agreement to facilitate its construction, as well as conditions relating to operating hours, vehicle movements, construction of the new access prior to the commencement of development elsewhere within the construction site and wheel wash facilities.

6.7      Environmental Quality:

As Brands Hill to the North of the Site is an AQMA (and experience breaches at 150% of the national air quality objectives) and the M25, Heathrow Airport and entire London Boroughs to the east are also declared AQMA, the site is defined as lying in a sensitive location. The issue is whether HGV movements exiting onto Poyle Road will lead to a material air quality impact on residential receptors.

The answer relates to the routing if HGVs move left (north) out of the site onto Poyle Road toward Bath Road where there are a significant number of residential receptors there is potential for movements to give rise to an air quality impact and an air quality assessment is required. If the HGVs move right (south) out of the site onto Poyle Road and east onto Horton Road towards junction 14 of M25, the impact is significantly less. The traveller's site

located on Horton Road is set back from the highway and the road is heavily used by HGVs therefore the impact is likely to be negligible or slight and unlikely to be significant.

6.8 Lead Local Flood Authority:

Comments provided relating to the FRA for the access route only. The supporting information for the application did not provide enough information on the site topography, surface water runoff rate and direction. No drainage strategy was provided.

Case Officer Note: The drainage strategy is included as a condition.

6.9 Aircraft Safeguarding, Heathrow Airport:

No objection and no conditions required. Informative relating to cranes and lighting.

6.10 Ecology Specialist:

No objections based on the revised restoration scheme and Ecological Management Plan (Version 3)

Include conditions relating to ecological mitigation, enhancement, and monitoring (including annual review and reporting), detailed restoration plans and dust management measures.

6.11 Tree Officer:

No comments received.

6.12 Berkshire Archaeology:

No objection and no conditions required.

6.13 Canal and River Trust:

No comments received.

6.14 Colne Valley Park Team Leader:

No comments received.

**PART B: PLANNING APPRAISAL**

7.0 **Policy Background**

7.1 The following plans and policies and guidance are considered to be relevant to this application:

National Planning Policy Framework (2018)

- Chapter 2: Achieving sustainable development
- Chapter 4: Decision making
- Chapter 6: Building a strong, competitive economy
- Chapter 8: Promoting healthy and safe communities
- Chapter 9: Promoting sustainable transport
- Chapter 13: Protecting Green Belt Land;
- Chapter 15: Conserving and enhancing the natural environment
- Chapter 17: Facilitating the sustainable use of minerals

Replacement Berkshire Minerals Plan (2001) (Saved Policies (2007))

- Policy 8 – Preferred Areas;
- Policy 18 - Appropriate and timely restoration;
- Policy 28 – Ancillary structures; and
- Policy 29 - Importing aggregates to plant sites.

Slough Local Development Framework Core Strategy 2006-2026  
Development Plan Document (DPD) (2008) policies:

- Core Policy 2 – Green Belt and Open Spaces;
- Core Policy 7 – Transport;
- Core Policy 8 – Sustainability and the Environment;
- Core Policy 9 – Natural and Built Environment; and
- Core Policy 10 – Infrastructure.

Local Plan for Slough (2004) (Saved Policies):

- Policy EN1 – Standard of Design;
- Policy EN3 – Landscaping requirements;
- Policy T8 - Cycling Network and Facilities;
- Policy CG1 - Colne Valley Park;
- Policy CG9 - Strategic Gap; and
- Policy CG10 - Heathrow Airport Safeguarded Area.

Supplementary Planning Documents and Guidance:

- Department for Transport (DfT) Circular 01/2010 – Control of development in airport Public Safety Zones;
- Slough Borough Council Flood risk and surface water drainage Planning guidance (January 2016)
- National Planning Practice Guidance (Live)

- 7.2 Slough Borough Council is the Minerals and Waste Planning Authority for the Borough. This work was previously undertaken by the Joint Strategic Planning Unit for Berkshire (which ceased to exist in September 2011). The 'Saved Policies' in the Minerals & Waste Local Plans continue to apply where they do not conflict with the policies contained within the National Planning Policy Framework (NPPF) (2018).

Slough Local Development Plan and the NPPF - PAS Self Assessment Checklist, February 2013

The revised version of the National Planning Policy Framework (NPPF) was published upon 24th July 2018.

Planning Officers have considered the proposed development against the revised NPPF which has been used together with other material planning considerations to assess this planning application.

The NPPF states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.3 The planning considerations for this proposal are:

- Principle of development.
- Impact on the character and appearance of the area.
- Development in Public Safety Zone.
- Economic Impact.
- Impact on the amenity of neighbouring property by way of noise and dust (including air quality).
- Traffic and Highways impacts.
- Biodiversity.
- Ground stability.
- Drainage and Flooding.
- Cumulative impacts.
- Pollution control.
- Restoration, aftercare and long term management.

8.0 **Principle of development**

8.1 Paragraph 203 of the NPPF (2018) states that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation. Paragraph 205 of the NPPF (2018) advises that, when determining planning applications, Local Planning Authorities should give great weight to the benefits of mineral extraction, including to the economy.

8.2 The wider quarry site was identified for future quarrying through Saved Policy 8 of the Replacement Berkshire Minerals Plan (2001) as part of the 'Preferred Area 12 'Poyle Quarry Extension'. This proposal would facilitate the extension of a quarry which would contribute to Berkshire's and the wider areas aggregate supply. The proposal also meets part 1 of Saved Policy 28 of the

Replacement Minerals Local Plan for Berkshire (2001) which states that permission would normally be granted where 'the plant is required to process material extracted from the pit at which it is located'. The processing plant is also solely connected to the extension area (part 3) and the proposal includes plans for the restoration of the site once the use has ended (part 5). The proposal will be used solely for the purposes of processing mineral from the quarry extension proposal, thereby meeting Saved Policy 29 of the Replacement Minerals Local Plan for Berkshire (2001).

- 8.3 Extraction in this area has traditionally supplied sand and gravel to the Berkshire, Hampshire, Wiltshire and Oxfordshire markets. The demand for aggregate and supply in an area should be calculated in a Local Aggregate Assessment (LAA) to meet the requirements of paragraph 207 of the NPPF (2018). The Slough Borough Council area does not currently have an up to date LAA. However, the Central and Eastern Berkshire Authorities (Bracknell Forest, Reading, Royal Borough of Windsor and Maidenhead, and Wokingham) have produced an LAA (2017) and some of the data references the Slough area, reflecting patterns of aggregate supply and demand of the wider area. The LAA also directly relates to the Royal Borough of Windsor and Maidenhead where the main extraction area for the wider site is located. The LAA shows that there is a pattern of declining sales in the area. It also shows that 61% of mineral currently extracted in the market area is used within Berkshire. The LAA documents projects and proposals which may influence the need for minerals in the area. This includes demand for housing and transportation projects (Heathrow runway, M25, M3, M4 improvements). This would lead to an increase in demand. This proposal, alongside the wider quarry extension proposal, would provide an important contribution to meeting the demand for aggregates in the local market area, as well as contributing to meeting the areas apportionment, demonstrating the need for this proposal. The proposed development also enhances capacity for minerals supply. The proposal also meets the requirements of Saved Policies 28 and 29 of the Replacement Berkshire Minerals Plan (2001) as well as paragraph 203 of the NPPF (2018).
- 8.4 The site is located in the Green Belt as well as the Strategic Gap. The site is also located within an open area designated as Colne Valley Park. Paragraph 146 of the NPPF (2018) states that mineral extraction is not an inappropriate form of development within the Green Belt, provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
- 8.5 Part 9 of Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001) permits the erection of mineral processing plant or structures ancillary to a minerals use at mineral extraction sites in the Green Belt and Strategic Gap where the development is genuinely required in associated with mineral extraction, where there are no alternative locations outside of the Green Belt and where all buildings and structure are located and designed to minimise their impact upon the openness of the Green Belt.



Core Policy 2 of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008) states that development will only be permitted in the Strategic Gap between Slough and Greater London and the open areas of the Colne Valley Park if it is essential to be in that location. In addition, saved Policy CG9 of the Local Plan for Slough (2004) states that any proposal which threatens the clear separation or the role of open land within the Strategic Gap and Green Belt will not be permitted.

- 8.6 The principle of the development has previously been found to be justified to facilitate the wider quarry. Due to the limited amount of built form on the site together with a robust restoration plan, the proposal would have an acceptable impact on the openness of the Green Belt. The proposal is therefore considered to be appropriate development within the Green Belt in accordance with paragraph 146 of the NPPF. The proposal is not considered to significantly affect the integrity of the Strategic Gap or the physical and visual separation of settlements and would be of a temporary nature resulting, following restoration, in enhancement to the landscape of the Colne Valley Park. The size and nature of the proposal is considered to be appropriate. The proposal is therefore considered to be in accordance with paragraph 146 of the NPPF (2018), part 9 of Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001), Core Policy of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008) and Saved Policies CG1 and CG9 of the Local Plan for Slough (2004).

- 8.7 Based on the above, the proposal is considered acceptable in principle.

9.0 **Impact on the character and appearance of the area**

- 9.1 The site is located in the Green Belt as well as the Strategic Gap. The site is also located within an open area designated as Colne Valley Park, Green Belt, and Strategic Gap. Paragraph 170 of the NPPF (2018) states that planning decisions should contribute to and enhance the natural and local environment by (amongst other considerations) protecting and enhancing valued landscapes. This is reflected in the Replacement Berkshire Minerals Plan (2001), Core Policy 8 of the Core Strategy and Policies CG1 & EN1 of the Local Plan for Slough (2004).
- 9.2 The processing site is already in situ and has been since planning permission was previously granted. Therefore, consideration of the proposals visual impact on the Green Belt, Strategic Gap and wider landscape has to some extent already being considered under previous permissions.
- 9.8 The application site does not contain any formal landscape designations. The application was accompanied by a Landscape & Visual Impact Assessment (LVIA) and Arboricultural Impact Assessment which identified relevant public/private view points and tree coverage. The LVIA concludes that overall the proposal can be accommodated within the landscape with

only modest localised landscape and visual effects that would not be significant. This will help to screen the proposal. The application is also accompanied by a Landscape Proposals Plan.

- 9.9 The removal of planting to accommodate the new access road junction with Poyle Road would result in some adverse effects. However, in the context of the setting of Poyle Road these would be of a low magnitude. During the operational phase the creation of the new access road and movement of HGVs across the site would result in some adverse effect on local landscape character. However, visibility of the site is limited due to the predominantly flat landform across the site and visual barrier of surrounding planting and built development. The eastern part of the haul road is screened from the Hilton Hotel by an existing tree belt. The processing plant is partially screened from the closest residential properties at Cottesbrooke Close by intervening tree cover. Measures for the creation of a soil storage mound in the plant site area also accompany the application. There are views of open operational areas in the western part of the plant site, however these are historic and providing advance planting in this location in order to assist with screening of the development from these properties on the basis of the short time frame for the development would not be reasonable.
- 9.10 The proposal includes the use of previously installed plant. There are no plans to replace or change this plant, meaning that the landscape and visual impact of the plant to a certain extent is already known. The layout will also be largely the same. Therefore, in considering the landscape impacts of the proposal it is important to acknowledge the existing landscape character impacts arising from the remaining plant and equipment that is immune from enforcement action. Upon completion of the operation and removal of plant, the area would be restored to conservation grassland which would have a beneficial effect on landscape character. The application documents demonstrate that the restoration of the site would be of a high standard and would provide beneficial use of the land.
- 9.11 Conditions are recommended for details to be submitted of the Bailey Bridge over the Colne Brook, design and construction of the access road bund, processing plant colour and external lighting.
- 9.12 Based on the above and subject to conditions, the proposal would have an acceptable impact on the character and visual amenity of the area and therefore comply with Policies EN1 and EN3, of the Local Plan for Slough March 2004 (Saved Policies), Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, Policy 28 of the Replacement Berkshire Minerals Plan (2001), and the requirements of the National Planning Policy Framework 2018
- 10.0 **Development in Public Safety Zone - Heathrow Safeguarding**
- 10.1 The site is partly located within the Heathrow Public Safety Zone (PSZ).

Saved Policy CG10 of the Local Plan for Slough (2004) states that in the interests of public safety, planning permission will not be granted if a proposal would result in a significant increase in the number of people working, living, or congregating within the Public Safety Zone or would result in a development that would prejudice other safeguarding aims around Heathrow.

10.2 The Department for Transport (DfT) Circular 01/2010 (Control of development in airport Public Safety Zones) requires Local Planning Authorities to consider the specific guidance contained in paragraphs 10 to 12 of said document to indicate whether or not particular types of development are acceptable in the PSZ. Paragraph 12 of DfT Circular 01/2010 states that certain forms of development which involve very low density of people coming and going may be acceptable within the PSZ. The application form accompanying the application states that the proposal will create five jobs on the site. Based on a site area of 6.7 hectares this is considered to constitute a very low density of people.

10.3 No objection has been raised to the development by Heathrow Safeguarding and the proposal is not considered to result in a significant increase in the number of people working, living or congregating within the PSZ. The proposal is therefore considered to be in accordance with DfT Circular 01/2010 and as well as Saved Policy CG10 of the Local Plan for Slough (2004).

## 11.0 **Economy**

11.1 Paragraph 80 of the NPPF (2018) states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity. Paragraph 81 states that planning should positively and proactively encourage sustainable economic growth and be flexible enough to accommodate needs not anticipated in the plan. Paragraph 82 states that planning decisions should recognise and address the specific locational requirements of different sectors. In addition, paragraph 205 (Economic impact, criteria for proposals) states that when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy.

11.2 The applicant states that the development represents an initial investment of well over £1 million with subsequent annual expenditure of over £1 million per year during the eight year life of the site on transport, plant hire, fuel, repair and maintenance, wages and business rates. The proposal would create an additional five jobs on the site benefitting the local economy and therefore weighing in favour of the development.

11.3 The proposal is considered to have an economic benefit for the area and is therefore considered to be in accordance with paragraphs 80 - 82 and 205 of the NPPF (2018).

## 12.0 **Air Quality and dust**

- 12.1 There is an Air Quality Management Area (AQMA) located to the north-west of the site at Brands Hill. Core Policy 8 of the Core Strategy seeks development to be located away from areas affected by air pollution unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors. Proposal should not result in unacceptable levels of air pollution. This is reflected in Paragraph 181 of the National Planning Policy Framework which also goes on to require any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.
- 12.2 Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001) states that the plant or other development shall be sited, designed, constructed and landscape so as to minimise adverse impact on the amenities of the area and not give rise to any overriding environmental objections.
- 12.3 The Environmental Health Officer reports that the AQMA has experienced breaches of national air quality objectives previously. The M25, Heathrow Airport and all of the London Boroughs located to the east of the site are also declared as AQMAs.
- 12.4 The application was accompanied by an Air Quality Assessment (AQA) which assessed the potential for air quality impacts arising as a result of the development. The AQA assessed impacts arising from visible nuisance dust and respirable PM10 and PM2.5 (Particulate Matter less than 10 µm (micrometres) and 2.5 µm in diameter respectively). The AQA concludes that following the implementation of dust mitigation measures it is unlikely that any significant decrease in local air quality will occur due to the proposed development. Air Quality Objectives for PM10 and PM2.5 will not be exceeded and any dust that occurs will be limited and of short duration and be minimised by implementation of the dust mitigation measures set out in Appendix 3 of the AQA. The impact on air quality as a result of the development is consequently not considered to be significant.
- 12.5 The concerns raised in representations about impact on air quality as a result of HGV movements are noted. The AQA did not include an assessment of the impact arising from vehicle emissions generated as a result of HGV movements to and from the site. The issue is whether HGV movements exiting onto Poyle Road will lead to a material air quality impact on residential receptors. If HGVs travel north out of the site onto Poyle Road towards Bath Road, where there are a significant number of residential receptors, there is potential for daily movements to give rise to an air quality impact and an air quality assessment would be required. If the HGVs move south out of the site onto Poyle Road and east onto Horton Road towards junction 14 of M25, the impact is considered to be significantly less. The Environmental Health Officer (EHO) was consulted and has advised that, subject to all HGVs

accessing and egressing the site from the south and travelling onto Horton Road towards the M25, such an assessment is not considered to be necessary in the circumstances. This is due to any impact being unlikely to be significant when compared to the existing number of HGV movements in the vicinity of the site along Poyle Road. On this basis a Section 106 Agreement for lorry routing using the Poyle Road and M25 would be required to ensure all HGVs enter and leave the site from the south via Poyle Road.

12.6 Dust control measures are proposed and include the following:

Minerals Handling:

- Avoid soil handling during adverse weather;
- Temporary cessation of activities in the event of unacceptable dust emissions in the vicinity of receptor properties;
- Minimise drop heights for loading and tipping.

Mineral Processing:

- Mineral processing to be undertaken in a wet state;
- Conveyor transfer points to be enclosed;
- Stockpiles to be located in sheltered areas.

Haul roads and access roads:

- All HGVs leaving site to be securely sheeted;
- Controlled use of fixed haul routes;
- Haul routes to be regularly maintained by grading to minimise dust generation;
- Optimise separation distances to receptors;
- Speed controls to be enforced;
- Wheel wash to be used as required;
- Vehicle exhausts to be angled upwards;
- Regular maintenance of plant and equipment; and
- Regular sweeping of access road and surfaced areas.

12.7 The AQA was reviewed by the Environmental Health Officer who subsequently raises no objection in relation to air quality impacts. A condition is recommended to require the submission of a Dust Management Plan. Additional conditions relating to wheel washing and the sheeting of vehicles are also included.

12.8 Based on the proposed conditions and the satisfactory negotiation of the Section 106 Agreement, the development is subsequently considered to be in accordance with paragraph 181 of the NPPF (2018), Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001) and Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008). The requirement for Section 106 and 278 agreements also meets the tests set out in paragraph 56 of the NPPF (2018).

13.0 **Noise**

13.1 The concerns raised in representations about the potential impact on

residential amenity as a result of noise associated with the development are noted. The processing site is already in situ and has been since planning permission was previously granted (2008 and 2011). The consideration of the potential impact of noise will need to take into account that activities have previously taken place on site of the same nature.

- 13.2 Paragraph 205 of the NPPF (2018) states that when determining planning applications for mineral extraction, minerals planning authorities should (amongst other considerations) ensure that any unavoidable noise are controlled, mitigated or removed at source and establish appropriate noise limits for extraction in proximity to noise sensitive properties. This is further expanded by additional guidance in the NPPG. This sets out guidance for the determination of planning applications for mineral development and identifies noise limits for such developments. Paragraph 021 sets out noise limits for normal day to day operations following completion of such short-term works. Paragraph 022 recognises that activities in the early stages of such developments may give rise to particularly noisy short-term operations such soil stripping, the construction of bunds and aspects of site road construction and maintenance.
- 13.3 Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001) states that the plant or other development shall be sited, designed, constructed and landscape so as to minimise adverse impact on the amenities of the area and not give rise to any overriding environmental objections.
- 13.4 Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008) states that development in the Borough shall not give rise to unacceptable levels of noise pollution.
- 13.5 The application was accompanied by a Noise Assessment (NA) which assessed the potential for noise impacts arising as a result of the development. The NA assessed impacts arising from a combination of all routine on-site activities including:
- construction of haul road;
  - transport of minerals across the site;
  - processing of extracted mineral at the plant site;
  - export of minerals from the site onto the highway network; and the
  - import and transportation of waste across the site.
- 13.6 In accordance with NPPG, the NA also assessed impacts arising from the construction phase associated with the construction of the new access road. Impacts were assessed at nine locations corresponding to the nearest noise sensitive properties (residential properties). The NA also included an assessment of cumulative noise impacts arising from a combination of the processing plant site in Slough Borough Council administrative area and the extraction/infilling operations in the RBWM administrative area. The NA identified that background/ ambient noise levels at the nearest properties were generally controlled by road traffic noise, aircraft noise related to

Heathrow Airport, birdsong, local activity and vehicle movements. The NA concludes that noise levels from the development will remain within the noise limits required by paragraphs 021 and 022 of the NPPG at nearby residential properties for both short-term and long-term operations.

- 13.7 Any adverse impacts to residential amenities will also be mitigated through conditions. Conditions similar to those attached to the previous planning permission (P/10012/004) are recommended to be attached to require both that the operations do not exceed those limits and that a scheme for monitoring of noise is submitted to the Council for approval. Further conditions are recommended to require white-noise type reversing beepers are used on site as well as operating hours.
- 13.8 Based on the inclusion of conditions, the proposal is therefore considered to be in accordance with Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001), Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008) as well as paragraphs 021-022 of the NPPG.
- 14.0 **Highway Safety and Capacity**
- 14.1 The development will generate traffic as a result of Heavy Goods Vehicles (HGV) movements associated with the export of sand and gravel and the import of restoration materials as well as staff journeys in private vehicles. The concerns raised in representations about the potential impact on residential amenity as a result of noise associated with the development are noted. The application was accompanied by a Transport Statement.
- 14.2 Paragraph 102 of the NPPF (2018) states that transport issues should be considered from the earliest stages of development proposals, so that the potential impacts of development on transport networks can be addressed, opportunities to promote walking, cycling and public transport use are identified and pursued and that the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account.
- 14.3 Part 7 of Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001) states that in all cases, traffic generated by the development shall not give rise to overriding environmental or other objections.
- 14.4 Core Policy 7 of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008) states that all new development should be sustainable and make appropriate provisions for improving road safety and improving air quality. In addition, Core Policy 10 of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008) states that development will only be allowed where there is sufficient existing, planned or committed transport infrastructure.

- 14.5 Saved Policy EN1 of the Local Plan for Slough (2004) states that development is required to reflect a high standard of design and must be compatible with its surroundings in terms of access points. Saved Policy T8 of the Local Plan for Slough (2004) states that proposals should include suitable cycle access to and through the site.
- 14.6 As already set out the processing plant as well as the wider Poyle Quarry Extension was the subject to similar proposed schemes approved in 2008 and 2011. In highway terms the previous submissions proposed the introduction of a new junction on Poyle Road to be constructed in the form of a roundabout with Mathisen Way, all within Slough Borough. The new application alters the access arrangement by providing accesses off Poyle Road, negating the need for the roundabout. The proposed new access will move HGV movements away from residential areas located in Poyle. The Highway Authority considers that providing direct access to Poyle Road rather than Bath Road is preferable in respect of highway safety, capacity and amenity. The new access road would be in a similar location to the previously approved access under permission P/10012/004 although the new junction with Poyle Road would include a split left in/right out priority junction rather than a roundabout. It would be located on existing agricultural land. The details will be secured by a Section 278 Agreement between the developer/landowner and Slough Borough Council. There will also be clear signage at the entrance informing drivers. The TS found that the proposed access would avoid vehicles emerging directly opposite existing buildings whilst providing appropriate visibility splays in each direction based on current design guidance. The access with Poyle Road has been designed to prevent HGVs turning left out the entrance or from turning right into the entrance.
- 14.7 The existing access road from Bath Road to the north of the plant site would not longer be used for access to the plant site. However, the access would continue to be used for agricultural and residential access to the existing properties.
- 14.8 The capacity of the access arrangements was assessed and demonstrated to operate efficiently in the AM and PM peaks for the lifespan of the site in the TA. Vehicle swept path tracking demonstrates that an articulated vehicle (16.48m length) manoeuvring at the site access and egress can operate sufficiently.
- 14.9 The concerns raised in representations about the potential for pedestrian injury associated with HGVs crossing the private road access to residential properties to the south are noted. The access road is not adopted highway and no Public Rights of Way are present. It's the Borough Councils understanding that there will be no change to the residents existing right of access as a result of the proposal. The proposal does not include any provision of additional gates so access will still be available. Access will need to be managed between operator and residents/landowner so as not to breach any private access agreement. This is a private issues therefore



between the landowner and the residents and a not a matter for the potential planning decision.

- 14.10 The Highway Authority has raised no objections to the proposal. Given the proposed Section 106 agreement (see section on air quality and dust) to secure agreed lorry routing to the south of the site, as well as the close proximity of the M25 to the site access in Slough, it is not considered that the traffic movements associated with the proposal will significantly adversely affect the highway network.
- 14.11 As with the previous permissions a condition will be attached to any permission that restricts the number of HGV movement which in this case would be less than previously approved, and to no more than 75 to-way movements per day.
- 14.12 Paragraph 98 of the NPPF (2018) states that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users'. As part of the new access road proposals a new, a surfaced footpath/cycleway would be provided parallel with Poyle Road for a distance of approximately 200 metres between the junction of Bath Road/Poyle Road to the north of the new access and the adjacent hotel property to the south. The details of the new footpath/cycleway are shown on the Landscape Proposals Plan. This will be secured by condition and secured within the Section 278 Agreement.
- 14.14 The Council's Transport Department are currently proposing to implement measures to prevent HGVs travelling into the Bath Road to the north. Various proposals have been mooted but an agreed scheme has not been secured. The developer has been working with the Planning Department and the Local Highway Authority to ensure their proposed access would not wholly prejudice these aspirations. Following ongoing negotiations, the developer has agreed to dedicate some land within their site which can be used by the Local Highway Authority to design an option for preventing HGVs travelling into the Bath Road to the north
- 14.13 Subject to the completion of a Section 106 agreement as well as planning conditions relating to detailed design, number of HGV movements, completion of access prior to commencement of the use of the site and the prevention of mud and debris being carried onto the highway the proposed access arrangements are considered to be acceptable in terms of highway safety and amenity. On this basis, the development is therefore considered to be in accordance with paragraphs 98 and 102 of the NPPF (2018), part 7 of Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001), Core Policy 7 of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008) and Saved Policies T8 and EN1 of the Local Plan for Slough (2004).

15.0 **Biodiversity**

- 15.1 The NPPF (2018) requires local planning authorities to aim to conserve and enhance biodiversity when determining planning applications. Paragraph 170 of the NPPF (2018) states that: “The planning system should contribute to and enhance the natural and local environment by [...] minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”.
- 15.2 Core Policy 9 of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008) states that development will not be permitted unless it protects and enhances the water environment and its margins and enhances and preserves natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.
- 15.3 Article 10 of the Habitats Directive stresses the importance of natural networks of linked habitat corridors to allow the movement of species between suitable habitats, and promote the expansion of biodiversity. River corridors are particularly effective in this way. Such networks and corridors may also help wildlife adapt to climate change.
- 15.4 Circular 06/2005 states ‘It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.
- 15.5 The application is supported by a Preliminary Ecological Appraisal as well as an Ecological Management Plan (EMP) (as revised). The site has potential to support nesting birds, common reptile species, and potentially species such as otter and roosting bats in the future. Two non-native and invasive species of plant have been identified on the site.
- 15.6 In addition, Section 40 of the Natural Environment and Rural Communities Act 2006 states that “Every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”. Although some low potential for bat roosting within 4 buildings/containers on site has been identified, ecological consultees are satisfied considering the nature of the site and features, and the inspectability of those features, that there is no reasonable likelihood of bat roosts being present and impacted. It is not considered that the proposals are likely to affect any European protected species. The EMP provides a comprehensive assessment of potential species impacts and details measures which will need to be implemented pre-operation, operationally, and during restoration. These measures take into account the potential for the species use of the site to change over the life of the proposals, which is welcomed.
- 15.7 Natural England has been consulted on this application with regards to the

impact on the features of these designated sites and raised no comment. The most recent consultation from Ecology raised concerns that the EMP was still lacking a suitable assessment of the proposals impact on air quality and designated sites and these are noted. It is recognised that the AQA which accompanies the application refers to ecological receptors having been assessed, and it concludes negligible effect, it appears that the assessment may only relate to one ecological receptor in the vicinity of the site at Wraysbury Reservoir. Furthermore, the ecological information provided describes the designated sites within 2 km of the proposal site but does not provide any assessment of potential impacts to these sites, resulting from the proposal, for example through dust, disturbance, or hydrological connectivity. Natural England did not provide any objection to the proposal and it is considered to be unreasonable to seek further information these issues when this was not explored in this depth for the quarry application which lies closer to the majority of the designations. In addition, the recommendation to impose the HGV routing from the south via Poyle Road through a Section 106 agreement will ensure vehicles will not travel as close to the designated sites, reducing potential air quality impacts.

- 15.8 Revisions to the submitted Restoration Proposals Plan as part of the planning application process now seek to restore the entire application site and provide biodiversity habitats and this is supported from an ecological perspective.

The revised Plan now sets out the management measures during restoration establishment, and lists long-term (after 5 years) management recommendations. The ecologist recommended that the EMP should be revised (or an addendum provided) which also sets out the proposals for the longer term (post aftercare) management commitment for the site. If this is set out then the long term management can be secured alongside the mitigation, through a planning condition of any future consent. To address this, a condition is included for the restoration and aftercare of the site which includes the requirement to provide more information on the long term management of the site, post aftercare.

- 15.9 On the basis of the proposed conditions, the proposal is considered to be in accordance with Core Policy 9 of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008) as well as paragraph 170 of the NPPF (2018).

16.0 **Lighting**

- 16.1 Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008) states that all development should also not give rise to unacceptable levels of pollution including artificial lighting. In addition, Core Policy 9 also states that development will not be permitted unless it respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations.

- 16.2 The NPPG provides guidance on the assessment of whether a development

proposal might have implications for light pollution (Paragraph: 002 Reference ID: 31-002-20140306). The proposal is not considered to have implications of light pollution as it will not materially alter light levels outside the development and/or have the potential to adversely affect the use or enjoyment of nearby buildings or open spaces.

- 16.3 A condition is recommended related to further details on external lighting. On this basis, the proposal is considered to be in accordance with Core Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008).

17.0 **Flooding, Drainage and ground stability**

- 17.1 Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008) states that all development [...] be of a high quality design that is practical, attractive, safe, accessible and Adaptable, respect its location and surroundings, shall not cause contamination or a deterioration in land, soil or water quality and receptors, will only be permitted where it is safe and it can be demonstrated that there is minimal risk of flooding to the property and it will not impede the flow of floodwaters, increase the risk of flooding elsewhere or reduce the capacity of a floodplain. It also states that development must manage surface water arising from the site in a sustainable manner which will also reduce the risk of flooding and improve water quality. Core Policy 9 also states that development will not be permitted unless it protects and enhances the water environment and its margins. The Slough Borough Council Flood risk and surface water drainage Planning guidance (January 2016) provides additional guidance on the consideration of flooding issues.

- 17.2 The location of the site in the Thames Basin means that the proximity and connectivity to the nearby waterbodies and interconnected watercourses is an important consideration. A Flood Risk Assessment (FRA) was submitted as part of the application. In accordance with the latest Environment Agency (EA) site specific data, the access route lies within Flood Zone 1 'Low Risk' of fluvial flooding. The site and surrounding areas are shown to be at risk of reservoir flooding. However, flooding from a reservoir breach is considered to be highly unlikely. The site does not appear to be at risk of groundwater, canal, or sewer flooding. The FRA concludes the potential risk of flooding from tidal, surface water, ground water, sewers, reservoirs, and artificial sources are low. The applicant sought pre-application advice sought the EA for the wider application covering the Quarry Western Extension site and complete access from Poyle Road to the main site and the recommendations of this advice were included in the submitted FRA. The FRA concludes the development is considered safe and appropriate within the context of the NPPF (2018), the NPPG and Local Plan policies and has no detrimental impact on others. The EA raised no objection to the proposal.

- 17.3 Any surface water associated with the development would be disposed of via a soakaway as part of the proposal. The FRA concludes the proposed new access track will have no significant impact on the surface water run-off regime in the area. The EA "Surface Water Flooding Risk" information indicates the access route is at "very low" risk of surface water flooding.
- 17.4 Concerns were raised in representations about the potential for subsidence damage to nearby properties arising as a result of groundwater drawdown associated with the development and these are noted. Potential for subsidence damage to nearby properties arising as a result of groundwater drawdown associated with the development is an important consideration.
- 17.5 Paragraph 121 of the NPPF (2018) states that planning decisions should ensure that the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation. The FRA confirms that the development is safe and does not detrimentally affect third parties, in accordance with the objectives.
- 17.6 The FRA concludes that surface water from the proposed access route will discharge towards the existing ditch and drainage systems of the capped landfill and there will be no significant change to the existing run-off characteristics. The applicant has indicated that water would be pumped along a pipeline from the existing silt pond to the processing plant washer barrel/scrubber. Silty water would be returned along another pipe to the silt pond from the washer barrel/scrubber and from drainage around the Linatex sand tower. This process is what previously occurred when the site was previously operational. Conditions are proposed requiring the submission of details on the methods of disposal of surface water as well as a water cycle statement to set out the measures which will take place in more detail. The LLFA raised concerns about the lack of a drainage strategy submitted as part of the application. A condition has been included requesting information on a number of areas prior to the commencement of the development.
- 17.7 On the basis of the inclusion of the proposed conditions, the proposal is considered to be in accordance with the provisions of the NPPF (2018) as well as Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 DPD (2008).
- 18.0 **Cumulative impacts**
- 18.1 Potential cumulative impacts of minerals development are particularly relevant in areas which are already under significant development pressure, or have concentrations of existing and potential future minerals development. Paragraph 205 of the NPPF (2018) states that when determining planning applications, for mineral extraction, minerals planning authorities should take

into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality. It is recognised that there has been a history of mineral extraction in the wider area which has now ceased. Therefore, the proposal and the associated proposal for mineral extraction, is not considered to have significant cumulative impacts.

- 18.2 It is also important that any potential impacts on planned development nearby are considered as well as the impacts on existing surrounding uses. The mitigation measures proposed as part of the development, as well as the proposed conditions and legal agreement will help to ensure that the development will not have any significant impacts on existing and planned development nearby.

19.0 **Pollution control**

- 19.1 The waste disposal element of the development (restoration of the wider quarry extension site) will require an Environmental Permit (EP) from the Environment Agency (EA). The role of the EP is set out in more detail in paragraph 051 of the NPPG. The scope of an EP is defined by the activities set out in the Environmental Permitting Regulations (EPR). The aim of the EPR regime is to protect the environment from potential impacts associated with certain liable facilities or installations. An application for an EP will include an assessment of the environmental risk of the proposals including the risk under both normal and abnormal operating conditions. The EA will assess the application and the adequacy of the impact assessment including whether the control measures proposed by the operator are appropriate for mitigating the risks and their potential impact.

- 19.2 The NPPG states that Planning Authorities should assume that other regulatory regimes will operate effectively rather than seek to control any processes, health and safety issues or emissions themselves where these are subject to approval under other regimes (Paragraph 050 Reference ID: 28-050-20141016). The need for an EP is separate to the need for planning permission. Planning permission determines if a development is an acceptable use of the land. Permitting determines if an operation can be managed on an ongoing basis to prevent or minimise pollution. The granting of planning permission does not necessarily lead to the granting of an EP.

- 19.3 The Local Planning Authority strongly recommends that any operator enter in to pre-application discussions with the Environment Agency regarding their EP application if these have not already taken place.

- 19.4 Should a permit be granted for the operation, it will be monitored and enforced in the same manner as any other regulated site by the Environment Agency. A number of mechanisms are put in place to monitor to ensure compliance such as audits, site visits, data analysis and compliance checks are carried out by the regulator.

20.0      **Restoration and aftercare**

20.1      Saved Policy 18 of the Replacement Berkshire Minerals Plan (2001) states that before permission is granted, Local Planning Authorities will require 'to be satisfied that the land will be satisfactorily restored within a reasonable timescale to an appropriate standard and an acceptable landform, landscape character and ecological character which are appropriate to its location and its intended after-use'. In addition, Saved Policy 19 states that Local Planning Authorities will seek to secure environmental and other public benefits.

20.2      Part 5 of Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001) states that in all cases, plant or other development should be 'removed and the site satisfactorily restored as soon as continues production of minerals from the site ceases'. In addition, Saved Policy 18 of the Replacement Berkshire Minerals Plan (2001) states that when considering other applications relating to the restoration of present or former mineral working, local planning authorities will be guided by the aim of ensuring the completion without undue delay of the site restoration to an appropriate standard and an acceptable landform, landscape character which are appropriate to its location and its intended after uses. The policy also goes on to say that local planning authorities will impose conditions to secure this. Saved Policy 20 states that proposals for restoration, after-care and after-use of the Preferred Areas must conform to and not prejudice the broad aims and strategies' set out in Appendix 3 of the Plan. Those relevant to this proposal are as follows:

- the highest standards of restoration and after-care of this Green Belt site, and will seek to secure appropriate long term management of it;
- High standard of restoration to agriculture with a strong structure of new woodlands, copses and hedgerows, is therefore the ideal and would accord with the prevailing policies for the Colne Valley; and
- Policies would seek to increase opportunities for countryside recreation including organised forms of countryside recreation.

20.3      Saved Policy 29 of the Replacement Berkshire Minerals Plan (2001) states that permission would normally be refused for the import of mineral to a processing or manufacturing plant.

20.4      Paragraph 40 of the NPPG sets out how much detail should be provided on restoration and aftercare within a planning application. The application was accompanied by a Restoration Proposals Plan and Restoration Sections Plan which seeks to restore the site to conservation grassland, wildflower meadow with some tree, hedgerow, shrub and aquatic planting. The applicant has stated that the proposals have been designed to provide an appropriate restoration of the plant site and to provide additional planting elsewhere associated with the new access road corridor in order to enhance biodiversity and to improve green infrastructure. There is no potential for phasing the restoration works due to the nature of the site operations. The new access road between the processing plant and Poyle Road as well as access track between the plant site and the Bailey Bridge over the Colne Brook would be

retained for future agricultural operations. The silt pond to the immediate west of the processing plant would be retained and enhanced as part of the restoration scheme.

20.5 The Thames River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. The site is located within this defined river basin. The restored area would include the existing water body (pond) which would be allowed to develop for nature conservation enhancement. A condition is included requesting further information on restoration, building on the plans that have already been included in the application. This condition also helps to address issues such as avoidance of bird strike and biodiversity enhancement measures.

20.6 The ecological consultee recommended that consideration should be given to the securing of long-term management (and monitoring) of this site following restoration and aftercare. The Restoration Proposals Plan includes the following long term management recommendations for post aftercare (after 5 years)

- All hedgerows cut once a year in winter avoiding the bird nesting season;
- Wildflower meadow and conservation grassland cut on an annual basis in late summer to allow plants to seed. All arisings to be removed once dry; and
- Scrub planting monitored every 3 years and thinned if required (in winter) on a selective basis to maximise growth.

The applicant has indicated that the long-term management would be undertaken by the landowners and would be integrated within their wider agricultural operations. To build on this, a further condition has been included relating to the submission of an aftercare scheme which includes providing information on measures relating to how the long term management of the site will take place following the completion of the aftercare period. This condition includes the preparation of an Annual Aftercare Report as well as the requirement for a joint annual inspection of all restored areas with the Local Planning Authority.

20.7 Conditions are recommended to ensure compliance with this aspect of the scheme and to ensure it is in accordance with Saved Policies 18, 28 and 29 of the Replacement Berkshire Minerals Plan (2001). On this basis, the proposal is considered to be in accordance with Policies 18, 28 and 29 of the Plan.

## 22.0 **PART C: RECOMMENDATION**

22.1 Having considered the relevant policies and guidance as set out in the following report, the comments from consultees as well as all other relevant



material considerations, it is recommended the application be delegated to the Planning Manager for:

A. Approval subject to

- 1) the satisfactory completion of a Section 106 agreement to secure agreed lorry routing; the works required through the Section 278 agreement,
- 2) finalising conditions; and any other minor changes.

B. Refuse the application if the completion of the Section 106 Agreement is not finalised by 6th July 2019 unless a longer period is agreed by the Planning Manager.

23.0

**PART D: LIST CONDITIONS AND INFORMATIVES**

1. The development hereby permitted shall be commenced within three years from the date of this permission.

REASON: To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. Written notification of the intention to commence development on the site shall be submitted, in writing, to the Local Planning Authority 7 days prior to the commencement of the development.

REASON: In the interests of monitoring and enforcement of the development.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

- a) Drawing No. M16.163.D.104; Dated August 2017; Rec'd 02/09/2017
- b) Drawing No. M16.163.D.105; Dated August 2017; Rec'd 02/09/2017
- c) Drawing No. M16.163.D.107; Dated August 2017; Rec'd 02/09/2017
- d) Drawing No. M16.163.D.108; Dated August 2017; Rec'd 02/09/2017
- e) Drawing No. M16.163.D.109; Dated July 2018; Rec'd 08/08/2018
- f) Drawing No. M16.163.D.110; Dated July 2018; Rec'd 08/08/2018
- g) Drawing No. M16.163.D.112; Dated July 2018; Rec'd 08/08/2018
- h) Drawing No. M16.163.D.113; Dated Sept 2018; Rec'd 12/09/2018
- i) Drawing No. PYL/003; Dated 02/07/2018; Rec'd 08/08/2018
- j) Drawing No. PYL/004; Dated 03/07/2018; Rec'd 08/08/2018
- k) Drawing No. A057855: SD1[A].cdr; Dated Dec 2009; Rec'd 08/08/2018
- l) Drawing No. A057855: SD9[A].cdr; Dated Dec 2009; Rec'd 08/08/2018

REASON: To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the Policies in the Development Plan.

**Pre-commencement conditions**

4. The use of processing plant site shall not commence until the developer has dedicated to the land required to access/egress the site to the Highway Authority as agreed via a Section 38 or Section 278 Agreement.

REASON: In the interests of highway safety in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008

5. Prior to the commencement of development, a detailed design scheme of the proposed access junction shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved in line with the Section 278 agreement.

REASON: In the interests of highway safety in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

6. The new access haul road will not be used until the visibility splays have been provided on both sides of the access in line with the agreed scheme under the Section 278 agreement.

REASON: In the interests of highway safety in accordance with Core Policy 7 of The Slough Local development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

7. Prior to the use of the new access haul road, a sign stating the all Heavy Goods Vehicles shall turn right out of the site shall be displayed in a location visible to drivers within the site and near to the highway access. The sign shall be maintained for the duration of the development.

REASON: In the interests of highway safety and protecting local health, safety and amenity in accordance with Core Policy 7 of The Slough Local development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

8. Prior to the commencement of development, details of the existing Bailey Bridge and abutments shall be submitted to and approved in writing by the Local Planning Authority. Any required amendments to the bridge or abutments under the approved scheme shall be implemented prior to the

use of the Bailey Bridge. The Bailey Bridge shall be kept clear of mud and detritus at all times.

REASON: To protect the Colne Brook from pollution in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

9. Prior to the construction of the bund, details of the design and construction of the bund and its treatment shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development of the processing plant commences and be retained for the life of the development. The bund shall be retained in place the completion of the development. The bund materials shall then be used in the restoration of the land in line with restoration scheme approved under condition 40 of this permission.

REASON: In the interests of amenity and the satisfactory restoration of the site in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008 and Saved Policy 18 of the Replacement Minerals Local Plan for Berkshire (2001).

10. Prior to the commencement development, a Drainage and SuDS Strategy details and methods of disposal of surface water from the access road and processing site shall be submitted for the approval in writing of the Local Planning Authority. This should include the following:
  - i. information relating to the acceptable intrusive investigation and soakage tests to BRE365 Digest, along with agreement from Thames Water for mains connection.
  - ii. Evidence that the applicant understands the sensitivity of discharge points relating to the receiving water body;
  - iii. Information evidencing that the correct level of water treatment exists in the system in accordance with the Ciria SuDS Manual C753;
  - iv. Existing and proposed run-off rate calculations completed according to a suitable method such as IH124 or FEH;
  - v. Existing and proposed run-off volume calculations completed according to a suitable method such as IH124 or FEH.
  - vi. Maintenance regimes of the entire surface water drainage system including individual SuDS features, including the organisation responsible for each element;
  - vii. Evidence that enough storage/attenuation has been provided without increasing the runoff rate or volume. This must be shown for a 1 in 100 year plus climate change event; and
  - viii. A Maintenance Plan;

The approved scheme shall be implemented as approved.

REASON: To minimise the impact on the natural and built environment in line with paragraphs 121 and 178 of the National Planning Policy Framework, as well as Core Policies 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

11. Prior to the commencement development, a Water Cycle Statement should be submitted for the approval in writing of the Local Planning Authority. This should set out in detail how the operator will manage the use of water within the plant site. The approved scheme shall be implemented as approved.

REASON: To minimise the impact on the natural and built environment in line with paragraph 178 of the National Planning Policy Framework, as well as Core Policies 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

12. Prior to the operation of the processing plant, details of the buildings to be retained on site and their location shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of amenity in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

13. Prior to the operation of the processing plant, a comprehensive and site specific Dust Management Scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The Scheme should set out measures to mitigate the impact of dust deriving from the operations and measures to ensure that the site is kept damp and free from dust using bowsers and / or water sprays sufficient for this purpose during periods of dry weather. The Scheme should also include measures for monitoring dust and measures to be taken in the event of complaints received by the Local Planning Authority. The Dust Management Plan shall be produced in accordance with the Institute of Air Quality Management (IAQM) 'Guidance on the Assessment of Minerals Dust Impacts of Planning (2016)'. The approved Dust Management Plan shall be implemented as approved for the duration of the development. The approved Dust Management Plan shall be reviewed annually following the commencement of the development to ensure the effectiveness of the development.

REASON: In the interests of amenity in accordance with Core Policy 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

14. Prior to the operation of the processing plant, details of the proposed type, size and model of all plant and machinery within the processing plant area shall be submitted to and approved by the Local Planning Authority. All equipment used shall be in accordance with the approved details.

REASON: In the interests of local amenity in accordance with Core Policies 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

15. Prior to the commencement of development, details of all external lighting associated with mobile plant shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of amenity and the safety of air traffic using Heathrow Airport in accordance with Core Policies 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

16. Prior to commencement of development, details of the wheel wash facility, including its location, shall be submitted to and approved in writing by the Local Planning Authority. The facility shall be installed as approved prior to commencement of the development and maintained in good working order throughout the life of the development.

REASON: In the interests of road safety and local amenity in accordance with Core Policies 7, 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

17. Prior to commencement of development, details of the location of fencing shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be installed as approved and maintained in good working order throughout the life of the development.

REASON: In the interests of local amenity in accordance with Core Policies 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

### **Operations and hours of working**

18. The development hereby permitted shall cease and the site be restored in accordance with scheme approved under conditions 41 no later than 8 years from the date of the implementation of the permission (as notified under condition 2 of this permission).

REASON: To ensure the development is completed in line with the permission and to ensure that the land is satisfactorily restored in accordance with Saved Policies 18 and 28 of the Replacement Minerals Local Plan for Berkshire (2001), Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008 as well as paragraph 170 of the National Planning Policy Framework (2018).

19. For the duration of the development, contact information for the operator of the site (in relation to operational impacts and emergency contact information) shall be displayed at the entrance to the site.

REASON: To ensure the development is completed in line with the permission in the interests of public health, safety and amenity in accordance with Policies 8 and 9 The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

20. During the life of the development, a copy of this permission, including all documents hereby permitted and any documents subsequently approved in accordance with this permission, shall be available on the site during working hours in a position which is readily accessible to any person undertaking the development.

REASON: To ensure that the development hereby approved is operated in accordance with the approved plans and conditions attached to the permission.

21. The processing plant used as part of this development shall be of grey or green tone to blend in to the background and minimise the visual impact of the works. The processing plant shall be maintained in accordance with the approved details. There should be no change to the approved processing plant without approval from the Local Planning Authority

REASON: To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policies 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008

22. The processing plant hereby permitted shall be used solely for the processing of sand and gravel raised from Poyle Quarry Extension, in

accordance with planning permission 17/03426/FULL as granted by the Royal Borough of Windsor and Maidenhead (or any subsequent extension to the quarry permitted).

REASON: To ensure the development is in accordance with Saved Policies 28 and 29 of the Replacement Berkshire Minerals Plan (2001).

23. No operations or activities shall be carried out on site, and no Heavy Goods Vehicles shall enter, depart or manoeuvre within the site outside of the hours of 7:00 to 17:00 Mondays to Fridays and 7:30 to 13:00 on Saturdays. There shall be no operations on Sundays or recognised Public Holidays.

REASON: In the interests of the amenity of the area and in accordance with Core Policies 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

24. No operations for the construction of the access road and screening bunds shall be carried out except between 7:30 and 17:00 hours, Monday to Friday, and 8:30 to 12:00 on Saturdays. There shall be no operations on Sundays or recognised Public Holidays.

REASON: In the interests of the amenity of the area and in accordance with Core Policies 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

### **Highways**

25. Unless otherwise approved in writing by the Local Planning Authority, the number of Heavy Goods Vehicles transporting minerals exiting the site and importing inert waste entering the site shall not exceed 75 in any one day.

REASON: In the interests of highway safety in accordance with Core Policy 7 and 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

26. Records of daily Heavy Goods Vehicle movements for shall be maintained at all times and shall be made available for inspection by the Local Planning Authority within 7 days of a written request.

REASON: To allow monitoring of the number of Heavy Goods Vehicles entering and exiting the site in accordance with Core Policy 7 and 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

27. All Heavy Goods Vehicles leaving the site shall pass through the wheel wash facility. No vehicle shall leave the site unless it has been cleaned sufficiently to prevent mud and spoil being carried on to the public highway. In the event that mud and spoil from vehicles leaving the site is deposited on the public highway, measures shall be taken to clean the highway. At the end of each working day any mud and/or spoil brought on to the public highway as a result of the development hereby approved shall be removed to the satisfaction of the Local Planning Authority.

REASON: In the interests of highway safety and local amenity in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

28. All Heavy Goods Vehicles importing inert waste to Preferred Area 12 (as permitted under planning permission 17/03426/FULL by the Royal Borough of Windsor and Maidenhead) shall remain sheeted at all times (except when inspection is required) within the application site.

REASON: In the interests of amenity and road safety in accordance with Core Policies 7, 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

29. No loaded Heavy Goods Vehicles shall leave the site unless sheeted.

REASON: In the interests of amenity and road safety in accordance with Core Policies 7, 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

### **Noise**

30. All plant and machinery operated within the site shall be maintained in accordance with the manufacturers' specification at all times and shall be fitted with and use white-noise type reversing alarms to the satisfaction of the Local Planning Authority.

REASON: In the interests of amenity and no minimise noise disturbance in accordance with Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001) and Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

REASON: In the interests of amenity and no minimise noise disturbance in accordance with Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001) and Core Policy 8 of The Slough Local



Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

31. The level of noise emitted from the site shall not exceed 10dB LAeq 1 hour (free field) above background noise level, subject to a maximum of 55dB(A)LAEQ1h (free field) as measured at the Noise Measurement Locations 4, 5, 6, and 7 identified in section 4.2 of the Noise Assessment Report (dated 22 August 2017).

REASON: In the interests of amenity and in accordance with Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001) and Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

32. Within six months of the date of this permission, a Noise Monitoring Scheme shall be submitted to the Local Planning Authority for approval. The scheme shall be in accordance BS4142. The scheme shall include:

- (a) noise monitoring locations;
- (b) frequency of measurements (to be at least quarterly);
- (c) results of noise monitoring to be submitted to Local Planning Authority for each quarter;
- (d) remedial measures to be adopted for the operation of the processing plant if noise levels exceed those specified in the conditions of this planning permission; and
- (e) procedures for dealing with complaints from local residents.

REASON In the interests of amenity and in accordance with Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001) and Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

33. During haul road construction (including the bund) the level of noise arising from any operation, plant or machinery on the site, when measured or recalculated as at a height of 1.2 m above ground level and 3.6 m from the façade of Poyle Lodge and Poyle Corner shall not exceed 70dB(A)Leq, during any 30 minute period.

REASON In the interests of amenity and in accordance with Saved Policy 28 of the Replacement Berkshire Minerals Plan (2001) and Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

### **Stockpiles**

34. The stockpiles of minerals within the processing area shall not exceed 5

metres in height.

REASON: In the interests of visual amenity and in accordance Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

### **Protection of watercourses and soils**

35. Any oil, fuel lubricant and other potential pollutants shall be handled on the site in such a manner as to prevent pollution of any watercourse or soil. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so as to contain 110% of the total contents of all containers and associated pipe work. The floor and walls of the bunded areas shall be impervious to both water and oil. The pipes shall vent downwards into the bund.

REASON: To minimise the risk of pollution of the water environment and soils, in accordance with Core Policies 8 and 9 of The Slough Local Development Strategy, Core Strategy 2006-2026, Development Plan Document, December 2008.

### **Biodiversity**

36. The silt pond shall be managed during the development to ensure that it is not available to hazardous bird species, including waterfowl, waders and gulls.

REASON: In the interests of aircraft safety in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

### **Landscaping**

37. Tree protection measures as set out in the Landscape and Visual Appraisal (Arboricultural Impact Assessment) - Tree Survey (September 2017) shall be implemented in full.

REASON: In the interests of aircraft safety in accordance with Core Policies 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

38. Any trees, shrub or hedgerow removal or maintenance shall not take place during the period of the nesting season (between 1 March to 31 July) unless warranted by exceptional circumstances which are to be agreed in advance in writing by the Local Planning Authority.

REASON: To prevent the loss of nesting habitats to preserve biodiversity in accordance with Core Policies 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

### **Restoration, Aftercare and Long-term management**

39. The use of the processing plant hereby approved shall cease once extraction of Poyle Quarry Extension (as permitted by planning permission 17/03426/FULL by the Royal Borough of Windsor and Maidenhead) has been completed and in line with the timescales set out in condition 41 and the remaining stockpiles have been processed and removed from site. The processing plant and related machinery shall be removed from the site within 6 months of the completion of mineral extraction at Poyle Quarry Extension.

REASON: In the interests of amenity and to ensure the satisfactory restoration of the site in accordance with Saved Policies 18 and 28 of the Replacement Berkshire Minerals Plan (2001) and Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

40. The remaining buildings, plant and machinery hereby approved shall be removed no later than 8 years from the date of commencement of the development (as set out under condition 2). Upon its removal, the land shall be restored in accordance with the restoration scheme approved under Condition 41 of this permission.

REASON: To ensure the satisfactory restoration of the site and in the interests of amenity and in accordance with Saved Policies 18 and 28 of the Replacement Minerals Local Plan for Berkshire (2001) and Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

41. Within 2 years of the date of this permission, a detailed restoration and aftercare scheme for the site shall be submitted for the approval in writing to the Local Planning Authority. The Scheme shall include the following:

- a) restoration of the site to agriculture to be completed no later than 2 years following the removal of all plant and machinery and by no later than 8 years from the date of commencement of the development (as set out under condition 2 of this permission)
- b) details of all earthworks, preparation of the land before soiling, re-grading and replacement soils, drainage measures, final contours, finalised tree and shrub planting and seeding specifications using indigenous species, timing and phasing of restoration operations;

- the tree planting shall include replacement trees for any protected trees which are lost due to the construction of the road; and
- c) details of finalised biodiversity measures to be implemented in order to enhance the value of the restored site for wildlife
  - d) details of how the silt pond will be managed to ensure it is not available to hazardous bird species, including waterfowl, waders and gulls
  - e) aftercare and maintenance of all restored areas for a period of five years following completion of restoration including provision for the replacement of any dead, dying or damaged trees or failed seeding areas in the first planting season following identification of their failure and any remedial works and the management of drainage maintenance;
  - f) proposals for the longer term (post aftercare) to detail how the silt pond will be managed to ensure it is not available to hazardous bird species, including waterfowl, waders and gulls.
  - g) provision for a joint annual inspection of all restored areas with the Local Planning Authority to identify failed restoration and appropriate remedial treatment; and a
  - h) commitment (once the site is in aftercare) to produce an Annual Report in advance of the joint annual inspection identified in (c) detailing the works carried out during the previous 12 months and those proposed for the forthcoming 12 months.

Following approval, the Scheme shall be implemented in all respects in accordance with the agreed timescales.

**REASON:** To ensure that the land is satisfactorily restored and effective aftercare and long term management of the site takes place in accordance with Saved Policies 18, 20 and 28 of the Replacement Minerals Local Plan for Berkshire (2001), Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008 as well as paragraph 170 of the National Planning Policy Framework (2018).

#### **Other**

42. Details of the composition of a liaison group with representatives from the operator, Colnbrook with Poyle Parish Council, and Slough Borough Council and frequency of meetings shall be submitted to and approved in writing by the Local Planning Authority. The liaison group shall be operated in accordance with the approved details for the life of the development.

**REASON:** To ensure good communication between the operator and local community.

43. No wastes other than inert waste including excavated materials and builders' waste of a non-putrescible nature shall be imported to the site.

REASON: To maintain transport safety and ensure satisfactory restoration in accordance with Core Policies 7, 8, 9 and 10 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

44. There shall be no burning of waste or materials on site

REASON: In the interests of amenity and in accordance with Core Policies 7 and 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

**INFORMATIVES:**

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework (2018).
2. The applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 / Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs.
3. The applicant will need to enter into a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended for lorry routing).
4. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
5. For the purposes of matters relating to this decision, Heavy Goods Vehicles (HGVs) are defined as vehicles over 3.5 tonnes un-laden.
6. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts.
7. The Borough Council supports the establishment of a community liaison panel to ensure engagement between the community, interested parties and the operator. Details of the composition of a liaison group with

representatives from the operator, Colnbrook with Poyle Parish Council, and Slough Borough Council and frequency of meetings shall be submitted to and approved in writing by the Local Planning Authority. The liaison group shall be operated in accordance with the approved details for the life of the development.