



Appeal Decision

Inquiry held on 28 & 29 July 2009

Site visit made on 30 July 2009

by **Stephen Roscoe** BEng MSc CEng MICE

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
21 September 2009

Appeal Ref: APP/J0350/A/09/2096331

Poyle Manor Farm, Poyle Road, Poyle, Berkshire SL3 0BL

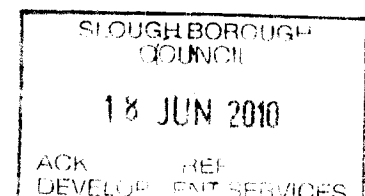
- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Wiggins Transport Limited against the decision of Slough Borough Council.
- ~~The application Ref P/10076/006, dated 24 July 2007, was~~ refused by notice dated 31 July 2008.
- The appeal development is the use of land for concrete crushing and screening, and inert waste recycling (B2 use), including: the retention and remodelling of existing stockpiles (limited by height and volume); the creation of a new access; the provision of new vehicle and lorry parking, and wheel washing facilities; a new plant workshop; a lorry workshop; the retention of an existing fuel store and the provision of a new fuel store; a weighbridge and office accommodation; an aggregates yard; the provision of a toilet block, a restroom and a canteen; and boundary treatment.

Decision

1. For the reasons given below, I allow the appeal and grant planning permission for the use of land for concrete crushing and screening, and inert waste recycling (B2 use), including: the retention and remodelling of existing stockpiles (limited by height and volume); the creation of a new access; the provision of new vehicle and lorry parking, and wheel washing facilities; a new plant workshop; a lorry workshop; the retention of an existing fuel store and the provision of a new fuel store; a weighbridge and office accommodation; an aggregates yard; the provision of a toilet block, a restroom and a canteen; and boundary treatment at Poyle Manor Farm, Poyle Road, Poyle, Berkshire SL3 0BL in accordance with the terms of the application Ref P/10076/006 dated 24 July 2007 and the plans listed at the end of this decision, subject to the conditions listed at the end of the decision.

Procedural Matters

2. Prior to the Inquiry, the Council withdrew its reasons for refusal 1 and 5 relating to flood risk and traffic effects. The Council also withdrew its reason 4 in respect of noise. During the Inquiry however, it introduced some evidence relating to noise, and I have therefore included the consideration of this matter in my decision.
3. At the Inquiry, the Council confirmed that, following the adoption of its Core Strategy, the development plan still included the local plan policies referred to in the remaining reasons for refusal. The Council also confirmed that concerns had been raised regarding the emerging minerals and waste core



strategy¹ by the Inspector carrying out the examination of soundness. As a result, the Council anticipated that the strategy submission would be withdrawn in the near future.

4. Various operational elements of the appeal development already exist. I also understand that the stockpiles immediately to the west of the appeal site are to be removed. I have considered the appeal on the basis of both of these points.
5. Part of the appeal site has the benefit of various planning permissions. These include permissions for washing and grading plant, dating from 1952, and filter media plant, including media piles with a maximum height of 7.6m, dating from 1972 and 1973. An enforcement appeal decision in 2000 also deemed workshop, office, stores and electric transformer buildings, together with a toilet block, hardstanding and a 3m wide access road, to be lawful development. There are discrepancies between a location plan attached to a 1998 enforcement notice, to which the appeal relates, and the buildings which exist on the site. Aerial photographs however show that the current buildings existed between 1998 and 2003, and these correlate with other Ordnance Survey based plans and the condition of the buildings on the site today. I am therefore satisfied that the current buildings are those considered by the enforcement Inspector in 2000. A lorry workshop is also the subject of an application for a certificate of lawful use. I recognise however that the remainder of the site represents unlawful, and not just unregulated, development.
6. Although I understand that the filter media plant was constructed to make use of power station residue, I have not seen any limitation on the permission to this effect. Stockpiles of granular material on the appeal site include material from power station residue and crushed concrete. They both appear to be a similar product, and I understand that both materials are used for soakaways and as drainage filter material. A site at nearby Rosary Farm, which does not have permission for concrete crushing, processes similar concrete material. As a consequence of all of these factors, together with the change in policy emphasis to increase the recycling of materials, there is a reasonable prospect that operations on part of the site could resume under the previous permissions. This could include the use of the lawful development that exists. Such a resumption is therefore a reasonable fallback position which I have taken into account in coming to my decision.
7. Following the Council's refusal, various additional plans have been prepared. The main parties have agreed that these plans should be taken into account within this appeal. They are identified in the statement of common ground, and I have considered the appeal on this basis.

Main Issues

8. I consider the main issues in this case to be:
 - (i) whether the appeal development would constitute inappropriate development in the Green Belt for the purposes of PPG2²;
 - (ii) the effect of the appeal development on the openness of the Green Belt;

¹ Joint Minerals and Waste Development Framework Core Strategy Submission Draft – September 2008
² Planning Policy Guidance 2: Green Belts

- (iii) whether the appeal development would have a harmful effect on the character and appearance of the surrounding area;
- (iv) the effect of the appeal development on the living conditions of the occupiers of nearby residential properties in relation to noise, disturbance and whether there would be any visual intrusion;
- (v) whether there are other considerations which would weigh in favour of an inappropriate development; and
- (vi) whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Inappropriate Development

9. The appeal site is situated within the Metropolitan Green Belt. The appeal development would not fulfil any of the objectives for the Green Belt as set out in PPG2. It would therefore represent inappropriate development, and I give this factor substantial weight in my decision. The inappropriateness of the development is not a matter of dispute between the main parties in the appeal. The appeal development also would not lie within the exceptions identified in Waste Local Plan Policy WLP29.
10. I therefore conclude that the appeal development would represent inappropriate development. I further conclude that it would thus conflict with PPG2 which records that inappropriate development is, by definition, harmful to the Green Belt and also Waste Local Plan Policy WLP29.

Openness

11. The weighbridge equipment and the associated office, together with the restroom on the appeal site, do not benefit from any permission or certificate of lawful use. They do however have a limited impact in terms of openness. The stockpiles in that the part of the site which benefits from planning permissions could be present in any event, apart from their upper levels. A similar situation could exist with the grading equipment, the acoustic barrier and part of the proposed security fence and sleeper wall.
12. The stockpiles on the remainder of the site therefore have development on three sides, when development outside the site is taken into account. The appeal development stockpiles on this part of the site thus would not result in unrestricted sprawl or contribute to the merging of towns, in conflict with Local Plan Policy CG9 or Waste Local Plan Policy WLP30. Moreover, the creation of any precedent in this regard would be unlikely. These appeal development stockpiles, together with the security fence and sleeper wall to the west and part of the north of the site, would therefore have a limited effect in terms of loss of openness.
13. Traffic between the main part of the appeal site and Poyle Road would be present in any event, and any increase would not be sufficient to be materially different to the circumstances that could currently exist. The proposed additional route would therefore have little impact on openness, as would the limited additional hard surfacing over that already deemed to be lawful.

14. I therefore conclude that the appeal development would have a harmful effect on the openness of the Green Belt, but that this effect would be limited. I further conclude that it would thus conflict with Local Plan Policy CG9 and Waste Local Plan Policy WLP30.

Character and Appearance

15. I will firstly consider landscape impact. To the east of Poyle Road, the area is characterised by the presence of light industrial and commercial development. Looking westwards from this area, Poyle Road is already crossed in terms of development by the lawful buildings on the appeal site, together with the opportunity for development under the previous planning permissions. The appeal site is situated in the extreme south west corner of a designated strategic gap. It is however somewhat remote from Slough, and indeed the South East Plan has suggested a review of designations such as this. Residential properties are situated to the north of the site, and these extend into the gap. In the south of the site are the lawful buildings to which I have already referred, together with others to the south of the site. The site is therefore not prominent in this part of the gap, and the appeal development would serve to fill in and regularise the boundary of the gap, without threatening the open area to the west of the site.
16. The site is generally contained by development on three sides. It is therefore of little use in terms of the objectives of the Colne Valley Park which are to prevent urbanisation, maintain the landscape, and promote countryside recreation and the rural economy. The site also does not appear to have any biodiversity worthy of conservation. The appeal development therefore would not conflict with Local Plan Policy GC1. Moreover, the appeal development would only result in a limited change to the surrounding area. This change would be of such a small extent as to result in no material landscape harm or conflict with Core Strategy Core Policy 9 or Waste Local Plan Policy WLP30.
17. I now turn to consider visual impact. From Poyle Road, to the north of the existing site access, the stockpiles on that part of the site covered by previous permissions screen the stockpiles on the remainder of the site. A similar situation would occur as a consequence of the fallback position. To the south of the access, the lawful buildings would screen the majority of the stockpiles outside that part of the site covered by previous permissions.
18. Within the Poyle Poplar Community Woodland, there are various footpaths identified for public use. The north boundary of the woodland is delineated by a hedge which has substantial growth above eye level. Gaps are very few, and the hedge effectively screens the appeal site. If the hedge were to be lowered or removed however, the majority of the stockpiles outside of that part of the site covered by previous permissions would be screened by the buildings to the south of the site.
19. A bridleway is situated some distance to the west of the site. This would afford distant views of the appeal site following the removal of the stockpiles to the west of the site. These views however would be very similar to views of the stockpiles on that part of the site covered by previous permissions that would be available under the fallback position.

20. The views from the bridleway would also be framed and broken by the woodland belts in the area. Furthermore, and in time, the proposed landscaping would screen the site and would reduce the impact of any stockpiles on that part of the site covered by previous permissions. This adds weight to my opinion on the acceptability of the appeal development in this regard. The surrounding woodland belts also generally restrict the visual envelope of the site and would generally screen views of the appeal development from other public viewpoints.
21. At the time of the enforcement appeal in 2000, a permission for a golf course on raised land near to the appeal site was still extant. This permission has now lapsed, and the potential for harm to views from the golf course has been eliminated. This again adds weight to my opinions. In view of all of the above points, I consider that there would be no material harm in terms of visual impact.
22. I therefore conclude that the appeal development would not have a harmful effect on the character and appearance of the surrounding area. I further conclude that it thus would not conflict with Local Plan Policy GC1, Core Strategy Core Policy 9 or Waste Local Plan Policy WLP30.

Living Conditions

23. I will firstly consider visual intrusion. Residential properties are situated to the north of the appeal site. The site is however effectively screened from them by a belt of mature trees. If indeed any views of the site are available, they are very restricted, and I am satisfied that the appeal development would not be visually intrusive to the occupiers of the properties.
24. From Manor Farm, the stockpiles on that part of the site covered by previous permissions and the lawful buildings elsewhere on the site are readily visible. The stockpiles under the fallback position would be similarly visible. Stockpiles on other parts of the site would be partially screened by the stockpiles on the fallback area and the lawful buildings. They would thus respect and be compatible with their surroundings in terms of their relationship to nearby properties in accordance with Core Strategy Core Policy 8 and Local Plan Policy EN1. Furthermore, they would not be visually intrusive in conflict with Waste Local Plan Policy WLP30. A similar situation would exist in respect of views from Poyle Farm.
25. I now turn to consider noise and disturbance. The tree belt to the north of the site and the stockpiles within the north part of the site would both provide an acoustic barrier between operations on the site and the residential properties to the north of the site. Occupiers of these properties would therefore not be subject to any unacceptable noise or disturbance. In a similar manner, other properties in the area around the site would be protected by the lawful buildings and stockpiles on that part of the site covered by previous permissions.
26. I therefore conclude that the appeal development would not have a harmful effect on the living conditions of the occupiers of nearby residential properties in relation to noise, disturbance or visual intrusion. I further conclude that it thus would not conflict with Core Strategy Core Policy 8, Local Plan Policy EN1 or Waste Local Plan Policy WLP30.

Other Considerations

27. The recently adopted South East Plan suggests that a resource management approach to waste is required to reflect the waste hierarchy and that there is an urgent need for waste management facilities. This is necessary to achieve the ambitious targets for the diversion of waste from landfill. It also provides relevant policy guidance on the location of waste management sites and suggests that, to meet environmental sustainability objectives, such sites should not be precluded from the Green Belt. The plan is more recent and relevant than the Waste Local Plan and, in particular, that part of Policy WLP29 of the waste plan which refers to the location of waste management sites.
28. The emerging minerals and waste core strategy followed the lead taken by the South East Plan in suggesting that the Green Belt should not be excluded from consideration as locations for waste management facilities. Indeed, the appeal site lay within the designated waste primary area of search, and the strategy acknowledged that the search for sites would be a challenging process. Furthermore, one of the clear thrusts of recent and emerging policy is that waste recycling facilities are required near to urban areas, and that this would result in a requirement for locations that are within the Green Belt. These points add weight to my view on the limited applicability of the Waste Local Plan in respect of site locations.
29. At the time of this Inquiry, the examination into the soundness of the minerals and waste core strategy was in progress. I acknowledge the concerns of the Inspector considering the soundness of the plan in relation to the accuracy of the ERM model data on existing waste management facilities. The appellant's construction and demolition waste capacity data is however site specific. Furthermore, it appears that local information has been used, which responds to the concerns raised by the Inspector over the sources of the figures in the emerging strategy. The appellant's evidence also deals with cross boundary flows, a concern raised by the Inspector. This element of the appellant's evidence, which shows a shortfall in construction and demolition waste facilities in the area around the appeal site, has not been contested. Having regard to the above points, I can see no reason to doubt it.
30. I also recognise that the use of a population apportionment basis for secondary aggregate requirements is open to criticism, but it would need a significant shift in the appellant's figures to suggest overcapacity. Furthermore, neither the emerging core strategy, the examination nor the South East Plan have suggested that there is overcapacity in terms of construction and demolition waste recycling facilities. I have thus not seen anything of sufficient substance to update and contradict the position put forward in the South East Plan on the urgent need for further waste management facilities.
31. There therefore seems to me to be a clear shortfall in construction and demolition waste recycling capacity in Berkshire, when compared with the targets for this capacity and for the use of secondary aggregates. Furthermore, the Waste Local Plan targets have not been met, unlike the prospects at the time of the 2000 appeal, and policy emphasis has changed since 2000. The shortfall appears to be particularly acute in the central and eastern parts of Berkshire, around the appeal site. The appeal development would go some way towards addressing this shortfall, and would accord with

the South East Plan. I give all of the above matters significant weight in my decision.

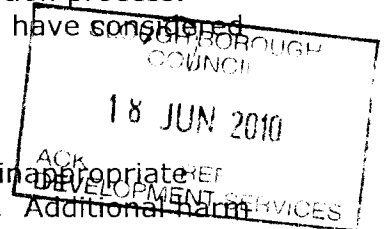
32. The appeal development would make more efficient use of a facility which could, whatever the outcome of the appeal, provide substitute materials to replace land won aggregates. The appeal development would therefore be beneficial in relation to sustainable development. The appeal site has excellent access to the primary highway network and lies in close proximity to west London and adjoining counties, within which I have been referred to many shortfalls. It is therefore well located. I give each of these matters significant weight in my decision.
33. The appeal development would include a landscape screening buffer beyond the western edge of the site. The buffer would also serve to screen any stockpiles present under the fallback position, and thus would result in some landscape improvement. I consider this to be an unusual circumstance for a development such as this in the Green Belt, and I also give this matter significant weight in my decision.
34. I understand that the appeal site was previously put forward by Berkshire County Council as a preferred area for an aggregate recycling site in an emerging waste local plan. It was however rejected by the Inspector considering the draft plan. This however occurred some time ago, and the changes in policy emphasis and need which have taken place over recent years lead me to give this matter little weight in my decision. I recognise that the appellant did not involve himself in the core strategy consultation process. This is not however a significant material consideration, and I have considered the case on its individual merits.

Green Belt Balance

35. The harm to the Green Belt and policy conflict caused by the inappropriate nature of the appeal development attracts substantial weight. Additional harm to the openness of the Green Belt and conflict with policy would be limited and adds little weight to my findings of harm due to inappropriateness. I have not found any harm in relation to character and appearance or living conditions.
36. The shortfall in construction and demolition waste recycling capacity, the need to use sites located in the Green Belt and the ability of the appeal development to address some of this shortfall are all matters to which I give significant weight. There are other matters which are particular to the history and circumstances of the appeal site, these are: the more efficient use of an existing facility; accessibility; and landscape improvement in the Colne Valley Park. I give these matters, in combination, significant weight.
37. In view of all of these points, I conclude that harm by reason of inappropriateness and impact on the openness of the Green Belt would be clearly outweighed by the above considerations, so as to amount to the very special circumstances sufficient to justify the development.

Conditions

38. I consider that conditions would be necessary in relation to the quantities of material kept on and deposited at the site, stockpile heights, external



building materials, vehicle control arrangements, the protection of existing trees, landscaping, the restoration of the existing access, site layout and cessation of operations arrangements to protect the character and appearance of the surrounding area. Conditions in respect of potential pollution, a surface water drainage strategy and ground contamination would be required to protect the natural environment. Conditions would be necessary in respect of HGV sheeting and movements, wheel washing facilities, the access onto Poyle Road and vehicular areas in the interests of highway safety. Conditions in relation to noise and dust monitoring and mitigation, HGV records, hours of operations and external lighting would be necessary to protect living conditions. Conditions would be required in respect of a Bird Hazard Management Plan in the interests of air safety.

39. Some of the suggested conditions would require the submission of a programme to secure their implementation at an appropriate time. The informal modification of a condition in writing by the Council would circumvent the statutory process for such an action, and I would amend the relevant conditions accordingly. The regulation of reversing alarms would not duplicate statutory controls. The regulation of stockpile heights should be from a datum point agreed by the Council. In terms of external materials, only those on the plant workshop building would require regulation by condition. It was agreed between the parties prior to the Inquiry that the tree protection would only be necessary to protect trees from the installation of boundary treatment, and I would amend the suggested condition accordingly.
40. Wheel washing facilities for vehicles entering the site would not be necessary. It would be unreasonable to require a contamination strategy to be agreed by the Council prior to the continuation of operations should I allow the appeal. Reference to plans would be covered in any permission, and a condition to this effect would therefore be unnecessary. The control of surface water infiltration into the ground would be regulated by the proposed surface water drainage strategy. I would also amend the conditions agreed between the Council and the appellant in the interests of precision and enforceability.

Conclusion

41. I have taken into account all other matters raised, but none carry sufficient weight to alter my opinions. I therefore conclude that the appeal should be allowed.

Stephen Roscoe

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

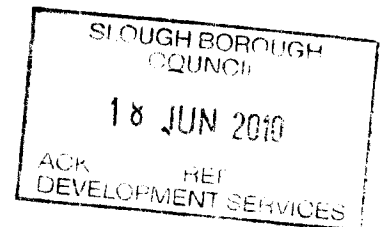
Mr P Cooper	Of Counsel, instructed by the Head of Development Control, Slough Borough Council
He called	
Mr P Taylor	Principal Planner, Slough Borough Council

FOR THE APPELLANT:

Mr S Pickles	Of Counsel, instructed by Blake Lapthorn, Solicitors, Seacourt Tower, West Way, Oxford OX2 0FB
He called	
Mr G Floyd BSc BLD ChLA MRICS CMLI	Director, Floyd Matcham (Hampshire) Ltd, Landscape Architects
Mr A Ward BA MCRP MRTPI	Director, Setplan Ltd, Planning Consultants

DOCUMENTS

Doc 1	Drg No L1304/15 Rev G
Doc 2	Statement of Common Ground
Doc 3	Drg No Appendix 7 Rev A
Doc 4	Summary Proof of Evidence of Mr A Ward
Doc 5	Summary Proof of Evidence of Mr G Floyd
Doc 6	Drg No Appendix 4A
Doc 7	Appellant's Supporting Material
Doc 8	Addendum to Proof of Evidence of Mr A Ward
Doc 9	Aerial photographs AVW7 – 9
Doc 10	Oak Leaf Farm Spelthorne Borough Council Planning and Regulatory Committee Report
Doc 11	Berkshire Minerals and Waste Core Strategy soundness examination Inspector's note dated 16 June 2009
Doc 12	Appeal notification letter and distribution list
Doc 13	Slough Local Plan Map
Doc 14	Extract from Slough Local Development Framework Core Strategy
Doc 15	Rosary Farm Waste Management Licence and Planning Permissions
Doc 16	Berkshire Landscape Character Assessment – Fig 11 – Indicative Landscape Character Areas
Doc 17	Berkshire Unitary Authorities – Joint Minerals and Waste Development Framework – Core Strategy Submission Draft
Doc 18	Draft Conditions

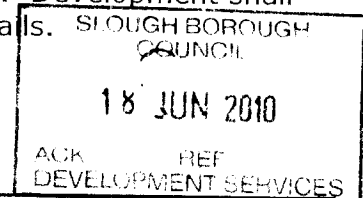


PLANS

Plan A Drg No L1304/15 Rev G
Plan B Drg No L1304/20 Rev J
Plan C Drg No L1304/21 Rev C
Plan D Drg No L1304/22
Plan E Drg No L1304/32
Plan F Drg No Appendix 7 Rev A
Plan G Drg No SK001 Rev C

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) All plant and machinery employed on the site shall be fitted with silencers and baffles. All plant, machinery and vehicles on the site and under the control of the operating company shall be equipped with efficient silencers, with any reversing alarms being of a non tonal type and maintained to the manufacturer's specification.
- 3) The site attributable noise at any noise sensitive premises shall not exceed 55 dBL_{Aeq(1hr free field)}.
- 4) A record of daily HGV movements and waste transfer notes shall be maintained at all times and shall be made available for inspection by the local planning authority within two working days of a written request.
- 5) HGVs importing material to the site shall remain sheeted at all times, except during the inspection and discharge of loads. No load shall leave the site unless sheeted.
- 6) The operations hereby permitted, including HGV movements into and out of the site, shall not take place outside 07.00 to 18.00 hours Mondays to Fridays and 07.30 to 13.00 hours on Saturdays. No such operations shall take place on Sundays or Bank or Public Holidays.
- 7) No more than 84,000m³ of material shall be kept on the site at any time.
- 8) No more than 85,000t of waste material shall be deposited at the site per year.
- 9) The number of HGV movements using the access onto Poyle Road shall not exceed 120 two way movements in any one day.
- 10) No stockpiles of material shall exceed 7.6m in height from a datum point at natural ground level which has been agreed in writing by the local planning authority.
- 11) Any oil, fuel, lubricant and any 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 pipework. The floors and walls of the bunded areas shall be impervious to both water and oil. Pipes shall vent downwards into the bund.
- 12) No further work shall be carried out to the plant workshop building until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved details.



- 13) No vehicle access gates, other vehicle entry barriers or control systems shall be installed without permission in writing from the local planning authority.
- 14) Within three months of the date of this decision, a scheme and programme for the protection of the existing trees to be retained shall be submitted to the local planning authority for approval in writing. The scheme shall include a plan defining root protection areas, associated buffer zones and protective fencing, the details of which shall accord with BS5837: 2005. Notwithstanding the details shown on the drawing labelled "Tree Survey & Report", dated August 2007, the proposed recycling centre shall be confined strictly to land beyond those root protection areas, and associated buffer zones. The scheme shall be implemented in accordance with the approved programme and prior to the erection of any boundary treatment hereby permitted.
- 15) Within three months of the date of this decision, details of a surface water drainage strategy and programme shall be submitted to the local planning authority for approval in writing. The strategy shall be carried out in accordance with the approved details and programme.
- 16) Within three months of the date of this decision, details of wheel washing facilities for vehicles at the exit from the site and a programme for installation shall be submitted to the local planning authority for approval in writing. Once approved, development shall be carried out in accordance with the approved details and programme.
- 17) Within three months of the date of this decision, a noise monitoring scheme shall be submitted to the local planning authority for approval in writing. The scheme shall include:
- (i) the identification of noise sensitive premises monitoring locations including Riverside Bungalow and Poyle Lodge;
 - (ii) the frequency of monitoring campaigns;
 - (iii) the submission of results of the noise monitoring to the local planning authority within two weeks of each monitoring campaign;
 - (iv) remedial measures to be adopted for the operations hereby permitted if site attributable noise levels exceed those specified in the conditions of this planning permission; and
 - (v) procedures for dealing with any complaints from local residents.
- Once approved, development shall be carried out in accordance with the approved scheme.
- 18) Within three months of the date of this decision, a scheme for the monitoring and mitigation of dust shall be submitted to the local planning authority for approval in writing. The scheme shall include:
- (i) details of water suppression facilities or equipment for use on all material processing facilities;
 - (ii) mobile water bowsers;
 - (iii) water sprays within the area of the sand and gravel stockpiles;
 - (iv) dust filters on all fixed plant and machinery; and

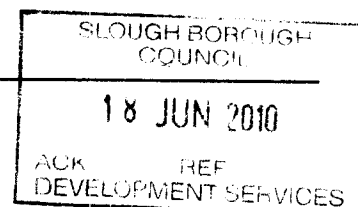
- (v) a signed 20mph speed limit on all internal haul roads.

Once approved, development shall be carried out in accordance with the approved scheme for the duration of the operations hereby permitted.

- 19) Within three months of the date of this decision, a Bird Hazard Management Plan shall be submitted to the local planning authority for approval in writing. The plan shall:
 - (i) include the management of any flat or shallow pitched or green roofs of buildings within the site which may be attractive to nesting, roosting or loafing birds; and
 - (ii) comply with Advice Note 8 "Potential Bird Hazards from Building Design".

Once approved, development shall be carried out in accordance with the approved plan.

- 20) Within three months of the date of this decision, a scheme for external lighting on the site, outside of the permitted working hours, shall be submitted to the local planning authority for approval in writing. Once approved, development shall be carried out in accordance with the approved scheme.
- 21) Within six months of the date of this decision, a landscape management plan and programme, relating to the landscaping scheme hereby permitted and including long-term design objectives, management responsibilities and maintenance schedules for the landscape areas, shall be submitted to the local planning authority for approval in writing. The landscape management plan and programme shall be implemented as approved in the first available planting season.
- 22) Within six months of the date of this decision, a scheme for the stopping up and restoration of the existing access to the site shall be submitted to the local planning authority for approval in writing. The restoration shall be implemented in accordance with the agreed scheme and completed within six months of the new access becoming operational.
- 23) Within six months of the date of this decision, or such other date or stage in development as may be agreed in writing by the local planning authority, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to the local planning authority for approval in writing:
 - (i) a preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources together with pathways and receptors, and potentially unacceptable risks arising from contamination at the site;
 - (ii) a site investigation scheme, based on the preliminary risk assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
 - (iii) the site investigation results, the detailed risk assessment and, based on these, an options appraisal and remediation strategy



giving full details of the remediation measures required and how they are to be undertaken;

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

Any changes to these components shall require the agreement in writing of the local planning authority. The scheme shall be implemented as approved.

- 24) If, during development, contamination not previously identified is found to be present at the site, then no further development, unless otherwise agreed in writing with the local planning authority, shall be carried out until the developer has submitted, and obtained written approval from, the local planning authority for an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. Once approved, development shall be carried out in accordance with the amended strategy.
- 25) Within six months of the date of this decision, the areas for parking, manoeuvring and the loading and unloading of vehicles shown on the submitted plans shall be laid out, and these areas shall not thereafter be used for any other purpose.
- 26) Within nine months of the date of this decision, details of the access and egress onto Poyle Road and a programme for its implementation shall be submitted to the local planning authority for approval in writing. Development shall be carried out in accordance with the approved details and programme, and the access and egress shall be retained for use for the duration of the operations hereby permitted.
- 27) Within 12 months of the date of this decision, the layout on Drg No Appendix 7 Rev A shall be implemented.
- 28) Written notification of the date of cessation of the permitted use on the site shall be submitted to the local planning authority not less than 28 days after the use ceases.
- 29) Within 6 months of the permitted use ceasing, the buildings and structures on the site shall be removed and the site reinstated to agriculture in accordance with a scheme submitted to, and approved in writing by, the local planning authority. The submitted scheme shall include maintenance arrangements, and the site shall thereafter be maintained in accordance with the scheme for a period of five years.