

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE

DEVELOPMENT CONTROL PANEL

4 January 2023

Item: 1

Application No.:	22/01492/FULL
Location:	Land East of Horton Road Horton Slough
Proposal:	Continued use of approximately 12 hectares of land for a proposed inert waste recycling facility, including weighbridge, site offices, welfare facilities and machinery store and workshop; the retention of the raised bunds, existing planted trees and associated landscaping and the existing access; and the erection of a southern bund and associated landscaping.
Applicant:	Jayflex Aggregates Limited
Agent:	Mr Phillip Taylor
Parish/Ward:	Horton Parish/Datchet Horton And Wraysbury
If you have a question about this report, please contact: Jeffrey Ng on or at jeffrey.ng@rbwm.gov.uk	

1. SUMMARY

- 1.1. Horton Brook Quarry is subject to an extant temporary planning permission (17/03850/VAR) for the extraction of sand and gravel with ancillary waste processing. The works commenced in 2010 and the period of extraction and infilling is 15 years from the commencement of development in total. The permission also requires the site to be restored to agricultural land and all of the facilities and raised screening bunds to be removed accordingly.
- 1.2. This current application seeks permission to continue to use approximately 12 hectares of land within Horton Brook Quarry (the application site) and the ancillary waste processing facility and other supporting infrastructure including a weighbridge, site offices, welfare facilities and machinery store and workshop for a permanent inert waste recycling use. The proposal also comprises the retention of the raised bunds, existing planted trees and associated landscaping and the existing access; and the erection of a new southern bund and associated landscaping.
- 1.3. The Report sets out the Development Plan policies, other relevant Policies and Guidance, and other material planning considerations relevant to this planning application.
- 1.4. The application site is an allocated site within the newly adopted Central and Eastern Berkshire Joint Minerals & Waste Plan and the proposed development would make a significant contribution to the identified shortfall in inert recycling capacity. The proposed development would allow the materials to be recycled which is a preferred form of waste management in the waste hierarchy. Furthermore, the Minerals & Waste Plan also sets out the justification for this site allocation and it is considered that it is more sustainable to continue to use the existing facilities than relocate the development elsewhere in this case.

- 1.5. The proposed development is considered acceptable in terms of highways, heritage, ecology and biodiversity, environmental health, flood risk and sustainable drainage (subject to planning conditions and s106 obligations).
- 1.6. When cumulatively considering the weight of the benefits of the proposed development, the weight to be applied to them would more than outweigh the substantial harm to the Green Belt and other limited harm identified in this application including impact on landscape character and rights of way. Therefore, Very Special Circumstances exist in this case to justify the harm to the Green Belt as a result of the proposal.
- 1.7. The Report also sets out matters which have been identified to depart from the Development Plan and where appropriate have been justified by way of other material considerations.
- 1.8. Therefore, the Officer's recommendation is to approve subject to the matters set out below:

It is recommended the Committee authorises the Head of Planning:	
1.	<p>To grant planning permission subject to the following:</p> <p>Completion of Section 106 legal Agreement to secure:</p> <ul style="list-style-type: none"> • An HGV Routing agreement • A financial contribution of £6,000 per annum for a ten-year period from the date of this permission towards two Colne and Crane Valleys Green Infrastructure Strategy 2019 projects, namely SC207 Colnebrook, Poyle, Horton landscape enhancement and SC102 the proposed pedestrian and cycle access link between Colnebrook and Staines Moor • The conditions are listed in Section 15 of this report.
2.	<p>To refuse planning permission if a Section 106 agreement cannot be secured for reasons that the development would result in an adverse impact on the highway and not provide the requisite Green Belt compensation, resulting in harm to the Colne Valley Park and landscape character of the area.</p>

2. REASON FOR COMMITTEE DETERMINATION

- 2.1. The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Committee as this application is a major application.

3. THE SITE AND ITS SURROUNDINGS

- 3.1. Horton Brook Quarry comprises an area of land of approximately 55 hectares to the east of Horton Road. The Quarry is entirely within the Metropolitan Green Belt and the Colne Valley Regional Park and is in close proximity to Queen Mother Reservoir. The application site is approximately 12 hectares of the wider Quarry site.

- 3.2. The application site is not within any designated protected sites. However, it is approximately 0.1 kilometres from the Southwest London Waterbodies Special Protection Area (SPA) and the Wraysbury & Hythe End Gravel Pits Site of Special Scientific Interest (SSSI). The site is approximately 0.5 kilometres from the Wraysbury No.1 Gravel Pit SSSI. The site is also in close proximity to other non-statutory designated sites, including Wraysbury II Gravel Pits Local Wildlife Site (LWS), Wraysbury I Gravel Pit LWS, Colne Brook LWS and Horton and Kingsmead Lake LWS.
- 3.3. On 2 September 2008, planning permission was granted on appeal for the extraction of sand and gravel and restoration to agricultural land using inert fill. The permission also comprised the creation of a site access road onto Horton Road, the formation of settlement ponds, the erection of raised bunds and the ancillary supporting facilities including site offices. The works commenced in 2010 and the period of extraction and infilling is 15 years from the commencement of development in total (i.e., the period for extraction and infilling was originally 13 years from the commencement of development of the original planning permission. A further 2 years of the extension was permitted under the planning permission 17/03850/VAR).

4. KEY CONSTRAINTS

- Metropolitan Green Belt
- Colne Valley Regional Park
- Source Protection Zone

5. THE PROPOSAL

- 5.1. This application is seeking to continue to use approximately 12 hectares of land (the application site) of Horton Brook Quarry and the ancillary waste processing facility and other supporting infrastructure including a weighbridge, site offices, welfare facilities and machinery store and workshop for a permanent inert waste recycling use. The proposal also comprises the retention of the raised bunds, existing planted trees and associated landscaping and the existing access; and the erection of a new southern bund and associated landscaping.
- 5.2. The proposal also includes the erection of a southern bund and associated landscaping. There is no change in the number of HGV movements and the annual amount of waste handling at the site.

6. RELEVANT PLANNING HISTORY

Ref.	Description of Development	Decision and Date
06/00588/FULL	Extraction of sand and gravel and restoration to agricultural land using imported inert waste, creation of a site access road onto Horton Road, erection of a gravel processing plant, site offices and facilities and the formation of settlement ponds	Withdrawn – 20.06.2006
07/00590/FULL	Extraction of sand and gravel and restoration to agricultural land using imported inert fill,	Refused – 07.11.2007;

	creation of a site access road onto Horton Road, erection of a gravel processing plant, site offices and facilities, and formation of settlement ponds	Allowed on appeal -
09/01696/VAR	Variation of S106 Agreement completed in connection with the permission for extraction of sand and gravel so the developer provides a financial contribution to the Council to pay for improvements to Bridleway 4 rather than the developer undertaking the improvements itself	Permitted – 18.05.2011
09/02618/VAR	Variation of S106 agreement completed in connection with the permission for extraction of sand and gravel so that the Horse Margin to be constructed along the western boundary (Horton Road) is constructed of hoggin rather than grass seeded	Permitted – 18.05.2011
12/00917/CONDIT	Details required by Condition 5 (archaeological work) of appeal decision APP/T0355/A/08/2065394 for Phases 4, 5 and 6 for extraction of sand and gravel and restoration to agricultural land using imported inert fill, creation of a site access road onto Horton Road, erection of a gravel processing plant, site offices and facilities, and formation of settlement ponds.	Approve discharge of condition – 05.04.2012
16/00444/CONDIT	Details required by Condition 5 (archaeological work) Phase 10 of planning permission 07/00590 (allowed on appeal) for extraction of sand and gravel and restoration to agricultural land using imported inert fill, creation of a site access road onto Horton Road, erection of a gravel processing plant, site offices and facilities, and formation of settlement ponds.	Approve discharge of condition – 15.04.2016
16/01060/CONDIT	Details required by Condition 5 (archaeological work) Phases 7 - 9 and part Phase 10 of planning permission 07/00590 (allowed on appeal) for extraction of sand and gravel and restoration to agricultural land using imported inert fill, creation of a site access road onto Horton Road, erection of a gravel processing plant, site offices and facilities, and formation of settlement ponds.	Approve discharge of condition – 15.04.2016
17/03850/VAR	Variation of condition 40 (under Section 73) to allow for continued extraction, infilling and restoration of site for the extraction of sand and gravel and restoration to agricultural land using imported inert fill, creation of a site access road onto Horton Road, erection of a gravel processing plant, site offices and facilities, and formation of settlement ponds approved under (07/00590) (allowed on appeal).	Permitted – 27.12.2018

21/01923/EIASCR	Screening Opinion from the Council under Regulation 6 (1) of the Environmental Impact Assessment Regulations 2017 ("the EIA Regulations"), to confirm whether or not there is a requirement for an Environmental Impact Assessment ("EIA") in respect of the proposed use of land at Horton Quarry for a permanent waste and recycling facility processing only inert wastes.	Environmental Impact Assessment is not required.
22/01475/VAR	Variation (under Section 73) of conditions 12 (scheme of restoration and landscaping), 39 (mineral extraction and infilling) and 40 (linked to condition 13) of planning permission 17/03850/VAR for the variation of condition 40 (under Section 73) to allow for continued extraction, infilling and restoration of site for the extraction of sand and gravel and restoration to agricultural land using imported inert fill, creation of a site access road onto Horton Road, erection of a gravel processing plant, site offices and facilities, and formation of settlement ponds approved under (07/00590) (allowed on appeal).	Pending decision by the time of writing this report.

7. DEVELOPMENT PLAN

7.1. The main relevant policies are:

Adopted Borough Local Plan 2013-2033

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Green and Blue Infrastructure	QP2
Character and Design of New Development	QP3
Development in Rural Areas and the Green Belt	QP5
Historic Environment	HE1
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Air Pollution	EP2
Artificial Light Pollution	EP3
Noise	EP4

Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2
Rights of Way and Access to the Countryside	IF5

Adopted Central and Eastern Berkshire Joint Minerals and Waste Plan 2021-2036

Issue	Policy
Sustainable Development	DM1
Climate Change – Mitigation and Adaptation	DM2
Protection of Habitats and Species	DM3
Protection of the Countryside	DM5
Green Belt	DM6
Conserving the Historic Environment	DM7
Restoration of Minerals and Waste Developments	DM8
Protecting Health, Safety and Amenity	DM9
Flood Risk	DM10
Water Resources	DM11
Sustainable Transport Movements	DM12
High-Quality Design of Minerals and Waste Development	DM13
Site History	DM15
Supply of recycled and secondary aggregates	M5
Sustainable waste development strategy	W1
Safeguarding waste management facilities	W2
Waste capacity requirements	W3
Locations and sites for waste management	W4

Adopted Horton and Wraybury Neighbourhood Plan 2018-2033

Issue	Policy
The presumption in favour of sustainable development	NP/SUSTDEV01
Heritage Assets	NP/BE2
Landscape	NP/OE1
Ecology	NP/OE2
Public Rights of Way	NP/OE3

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development
Section 4- Decision-making
Section 6 – Building a strong, competitive economy
Section 9- Promoting Sustainable Transport
Section 11 – Making effective use of land
Section 12- Achieving well-designed places
Section 13 – Protecting Green Belt land
Section 14- Meeting the challenge of climate change, flooding and coastal change
Section 15 – Conserving and enhancing the natural environment
Section 16- Conserving and enhancing the historic environment
Section 17 – Facilitating the sustainable use of minerals

National Planning Policy for Waste (October 2014)

- 8.1. The document can be found at: <https://www.gov.uk/government/publications/national-planning-policy-for-waste>.

Supplementary Planning Documents

- Borough Wide Design Guide
- Planning Obligation and Developer Contributions SPD
- Sustainable Design and Construction SPD

Other Strategies or Publications

Other Strategies or publications material for the proposal are:

- DEFRA Waste Management Plan for England 2021
- RBWM Townscape Assessment
- RBWM Landscape Assessment
- RBWM Parking Strategy
- Interim Sustainability Position Statement
- Corporate Strategy
- Environment and Climate Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 9.1. 0 occupiers were notified directly of the application and 0 letters were received in total.
- 9.2. The planning officer posted a notice advertising the application at the site on 08.07.2022 and the application was advertised in the Local Press on 30.06.2022

Statutory Consultees

Consultees	Comments	Where in the report this is considered
RBWM Lead Local Flood Authority	No objection.	Section xii of this Report
Environment Agency	Originally raised objection related to the risks of pollution to	Section xi of this Report

	controlled water but removed the objection subject to further information provided.	
Natural England	No objection and confirms that the Likely Significant Effect on the Special Protection Area (SPA) and its designated features can be ruled out in this application.	Section x of this Report

Consultees

Consultees	Comments	Where in the report this is considered
RBWM Conservation	No objection.	Section vii of this Report
RBWM Highways	No highways concerns are raised.	Section viii of this Report
RBWM Rights of Way	Raised objection as the proposed development would have a continued detrimental impact on Horton Bridleway 4.	Section ix of this Report
RBWM Ecology	No objection to this application on ecology grounds.	Section x of this Report
RBWM Environmental Protection	No objection subject to a condition related to the submission of a dust management plan, noise level, plant, equipment and machinery maintenance.	Section xi of this Report
Historic England	No comments to make	Noted.
Slough Borough Council	No comments were received by the time of writing this Report.	Noted.
National Grid	No comments were received by the time of writing this Report.	Noted.

Others (e.g. Parish and Amenity Groups)

Groups	Comments	Where in the report this is considered
Horton Parish Council	<p>Objection with the following reasons:</p> <ul style="list-style-type: none"> • Concerns over noise pollution • Concerns over the increasing traffic • Concerns over the proposed development would have an impact to restore the site to rural status • Concerns over the proposed development would have an impact on the quality of drinking water due to its proximity to Queen Mother Reservoir • Concerns over the proposed development would conflict 	Sections 9 and 10 of this report.

	<p>with the extant temporary permission for gravel extraction.</p> <ul style="list-style-type: none"> Concerns over the proposed development are not in line with the Colne Valley policies and the East Berkshire Mineral Plan has not yet been formally approved. The neighbourhood plan must be taken into account for any planning applications. 	
Colne Valley Park Trust	<p>Objection with the following reasons:</p> <ul style="list-style-type: none"> The proposed development does not provide sufficient justification to demonstrate the very special circumstances (VSC). The proposed development would be prejudicial to the outcome of the emerging Central and Eastern Berkshire Joint Minerals & Waste Plan. The proposed development would run counter to the extant temporary permission for the ongoing sand and gravel extraction, which requires the site to be restored to agriculture. The proposed development would introduce an urban use and activity permanently, including HGV movements, the erection of raised bunds, and the industrial type of access. Concerns over the proposed development would have an adverse impact on the agricultural character of the wider area. 	Sections 9 and 10 of this report.

Officers' Clarification

- 9.3. Horton Parish Council's objection sets out that there is a concern over the proposed development not being in line with the Colne Valley policies. Both the Central and Eastern Berkshire Joint Minerals & Waste Plan and the Borough Local Plan do **not** have a specific planning policy related to Colne Valley. Notwithstanding, Appendix A of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that green belt compensation required by virtue of the development of the site must take into consideration the Colne and Crane Valleys Green Infrastructure Strategy (2019) and

its key principles. The Strategy is considered one of the material considerations and it is listed in Section 8 of this report.

- 9.4. Both Horton Parish Council's and Colne Valley Park Trust's objections set out that the proposed development would be prejudicial to the outcome of the emerging Central and Eastern Berkshire Joint Minerals & Waste Plan. The Central and Eastern Berkshire Joint Minerals & Waste Plan was adopted by the Full Council on 22 November 2022 and is now part of the Development Plan when assessing planning applications.

10. EXPLANATION OF RECOMMENDATION

- 10.1. The key issues for consideration are:

- i) Environmental Impact Assessment
- ii) Principle of Development
- iii) Green Belt
- iv) Climate Change and Sustainability
- v) Landscape and Character
- vi) Impact on Neighbouring Amenity
- vii) Heritage and Conservation
- viii) Highways
- ix) Rights of Way and Access to the Countryside
- x) Ecology and Biodiversity
- xi) Environmental Health
- xii) Flood Risk and Water Resources
- xiii) Site History
- xiv) Very Special Circumstances
- xv) Other Matters

i) Environmental Impact Assessment

- 10.2. An application for a screening opinion from the Council under Regulation 6 (1) of the Environmental Impact Assessment Regulations 2017 ("the EIA Regulations"), to confirm whether or not there is a requirement for an Environmental Impact Assessment ("EIA") in respect of the proposed use of land at Horton Quarry for a permanent waste and recycling facility processing of inert waste was submitted to the Local Planning Authority. It was concluded that an Environmental Impact Assessment is not required in this case.

ii) Principle of Development

Need for the inert recycling facility

- 10.3. Paragraph 7.50 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that recycling is a preferable form of waste management as it is higher up the waste hierarchy than recovery or landfill. Policy W3 also sets out that there is still a need for additional waste infrastructure capacity to provide a minimum of 575,000 tonnes per annum by 2036.
- 10.4. The proposed development is to continue to use the existing waste processing plant and its ancillary supporting facilities at the site, including a weighbridge, site offices, welfare facilities and machinery store and workshop with a maximum handling capacity of 200,000 tonnes per annum. It is considered that the proposed development would make a significant contribution to the shortfall in inert recycling

capacity (i.e., 34.78%) within the Plan area. The proposed development is also in line with both national and local planning policies regarding waste hierarchy.

Location of the inert recycling facility

- 10.5. Policy W4 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that the delivery of waste management infrastructure will be supported within allocated sites, provided the proposals address the relevant development considerations outlined in Appendix A (those considerations will be addressed in the following sections of this report). Paragraph 7.104 sets out that the allocation of sites does not convey that planning permission will be granted, but indicates the locations that could provide sustainable development subject to the development considerations outlined in Appendix A having been fully addressed. Paragraph 7.106 then recognises that the allocated sites are all located within the Green Belt but sets out the reasons for allocations. Paragraph 7.114 continues to set out that recycling facilities, particularly inert waste that produces recycled or secondary aggregate, are sometimes located in historic landfills or current/former quarries. In most cases, it is expected that former quarries will be restored but there may be exceptions where the benefits from continued development at some host locations are considered to be more sustainable than relocating the development elsewhere.
- 10.6. The application site is within one of the allocated sites, Horton Brook Quarry, Horton (WA2). The Central and Eastern Berkshire Joint Minerals & Waste Plan sets out the reasons for allocations. In this case, the proposed development seeks to continue using the existing waste processing plant and its ancillary supporting facilities. While the remaining part of the Horton Brook Quarry will continue to be restored accordingly to agriculture, it is considered that the sustainable location of the application site is a benefit of reusing the existing facilities instead of relocating the development elsewhere.

Summary

- 10.7. The proposed development is to continue to use the existing waste processing plant and its ancillary supporting facilities at the site with a maximum handling capacity of 200,000 tonnes per annum, which would make a significant contribution to the shortfall in inert recycling capacity identified in the Central and Eastern Berkshire Joint Minerals & Waste Plan. The proposed development would allow the materials to be recycled which is a preferred form of waste management in the waste hierarchy. Furthermore, the Central and Eastern Berkshire Joint Minerals & Waste Plan also sets out the justification for this site allocation and it is considered that it is more sustainable to continue to use the existing facilities than relocate the development elsewhere in this case.
- 10.8. Therefore, the principle of development for the use of the land for an inert waste recycling facility is established in this case. The principle of the site's Green Belt location is discussed in the following paragraphs.

iii) Green Belt

- 10.9. The application site lies within the designated Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of the Green Belt policy is to

prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- 10.10. Paragraph 149 of the National Planning Policy Framework (NPPF) sets out that the construction of new buildings is inappropriate in the Green Belt unless it falls into one of the specified exceptions. Paragraph 150 continues to set out that certain forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, including mineral extraction and the re-use of buildings provided that the buildings are of permanent and substantial construction.
- 10.11. Waste operations are not considered to be one of the specified exceptions in Paragraph 149. Furthermore, whilst the proposed development is seeking to continue to use the existing ancillary inert waste recycling facility for sand and gravel extraction, the existing buildings are not permanent as they are permitted for a certain period of time. As such, it is also not considered that the proposed development falls into any of the exceptions in Paragraph 150. Therefore, the proposal is considered to be inappropriate development.
- 10.12. Though the proposed development is to continue to use the existing ancillary waste processing facility of sand and gravel extraction, it is seeking to introduce a permanent waste operation at the site. The proposed waste development would harm the openness of the Green Belt and have a greater visual impact when compared with the site which will be restored to agriculture with no buildings. It could only be approved if there are 'Very Special Circumstances' (VSC) that outweigh the harm to the Green Belt caused by inappropriateness and any other harm. The case for Very Special Circumstances will be discussed further below.

iv) Climate Change and Sustainability

- 10.13. The Climate Change Act 2008 (CCA2008) imposes a duty to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. Paragraph 152 of the NPPF states that the planning system should support the transition to a low-carbon future in a changing climate by contributing to a radical reduction in greenhouse gas emissions, minimising vulnerability and improving resistance, and supporting renewable and low-carbon energy and associated infrastructure. The Royal Borough of Windsor and Maidenhead declared a climate emergency in June 2019, and the Council intends to implement national policy to ensure net-zero carbon emissions can be achieved by no later than 2050.
- 10.14. In December 2020, the Environment and Climate Strategy was adopted to set out how the Borough will address the climate emergency. These are material considerations in determining this application. The strategy sets a trajectory which seeks a 50% reduction in emissions by 2025.
- 10.15. While a Sustainability Supplementary Planning Document will be produced, the changes to national and local climate policy are material considerations that should be considered in the handling of planning applications and the achievement of the trajectory in the Environment and Climate Strategy will require a swift response. The Council has adopted an Interim Sustainability Position Statement (ISPS) to clarify the Council's approach to these matters. According to the ISPS, it sets out that all development except householder residential extensions and non-residential development with a floor space of below 100 square metres should be net-zero carbon.

- 10.16. Policy SP2 of the Borough Local Plan 2013-2033 requires all development to demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. Policy DM2 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that waste development proposals will be supported by a Climate Change Assessment. The Assessment should include how the development proposal encourages the wider sustainable use of resources and how the development itself makes efficient use of resources.
- 10.17. In this case, the proposed development is seeking to continue to use the onsite ancillary inert waste recycling facility for waste operation on a permanent basis and is seeking to retain all of the raised bunds for screening. The only new development in this application is the erection of a further raised bund to the site's southern boundary. The very nature of the proposal therefore contributes towards tackling Climate Changes as recycling inert waste is a preferable form of waste management as it is higher up the waste hierarchy than recovery or landfill. It is considered that the proposed development would help encourage the sustainable use of resources and has a positive contribution towards the aims of Policy DM2. In addition, sustainable drainage measures are adopted in the proposed development to minimise the impact of surface water runoff from the proposed development. The new screening bund will be designed with native plants. As such, it is also considered that the proposed development will also have a positive contribution towards the aim of Policy SP2.
- 10.18. Therefore, the proposed development complies with aims and objectives of Policy SP2 of the Borough Local Plan 2013-2033 and Policy DM2 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.

v) Landscape and Character

- 10.19. Appendix A of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out the landscape and townscape considerations of the allocated site WA2 as follows:
- Proposals should ensure adequate space is set aside for the establishment of a strong new landscape structure for this group of sites (Poyle Quarry and extensions, Berkyn Manor and Horton Brook) including large-scale native species tree belts.
 - Integrate new structures with effective screen planting, including along boundaries.
 - Restoration proposals should have reference to the Colne Valley Gravel Pits and Reservoirs BOA.
 - Green Belt compensation due to the development of the site must take into consideration the Colne and Crane Valleys Green Infrastructure Strategy (2019) and its key principles.
 - Particular consideration should be given to whether the development is not inappropriate in the Green Belt, preserves its openness and does not conflict to include land within it.
- 10.20. The Colne Valley Park Trust has raised objection to the proposal on grounds that the proposed development would introduce an urban use and activity permanently which would have an adverse impact on the agricultural character of the wider area.
- 10.21. The application site is only a small part of the wider quarry site and is well set back from the northern boundary of the wider quarry site. Furthermore, the wider site will be restored in accordance with the approved restoration scheme. The proposed development includes the retention of the existing raised screening bunds and the

erection of a new raised bund to the south of the site. While the proposed development would introduce a permanent waste operation to the site and would have some impact on the agricultural character of the area, it is considered that the screening bunds including the proposed new bund to the south of the site will help improve the screening of the operational site and minimise the impact on the agricultural character of the area.

Green Belt Compensation

- 10.22. Paragraph 145 of the NPPF sets out that local planning authorities should seek opportunities to enhance the beneficial use of the Green Belt, including looking for opportunities to provide access, retain and enhance landscapes, visual amenities and biodiversity, etc. Though there is no definition from both national and local planning policies relating to green belt compensation, moreover it is set out under the landscape and townscape section of Horton Brook Quarry WA2 of Appendix A of the Central and Eastern Berkshire Joint Minerals & Waste Plan, which requires the development of the site must take into consideration the Colne and Crane Valleys Green Infrastructure Strategy 2019 and its key principles.
- 10.23. The Colne and Crane Valleys Green Infrastructure Strategy 2019 identifies that the application site is within the SC207 project area, which is Colnebrook, Poyle, Horton landscape enhancement project. The project is to restore and improve landscape quality and condition around Berkyn Manor Farm, including revealing its historic character. The project also includes landscape enhancement and the links to connect the Horton village, Colnebrook and Poyle areas. The project is to improve the existing poor-quality landscape in the area.
- 10.24. The northern boundary of the Horton Brook Quarry site is also part of the SC102 project, which is the proposed pedestrian and cycle access link between Colnebrook and Staines Moor. The project is to create a new access link for pedestrians and cyclists between Colnebrook to Arthur Jacob Nature Reserve to link in with existing footpaths and the Colne Valley Trail.
- 10.25. A meeting was held between the Colne Valley Regional Park Trust and the applicant. A financial contribution of £6,000 per annum for a 10-year period is agreed towards these two projects. Given that the proposed development is to continue to use the existing recycling facility for the proposed waste operation, it is considered that the agreed contribution amount is reasonable and proportionate to the proposed waste development. The contribution will be secured by the Section 106 planning obligation.

Summary

- 10.26. The proposed development is seeking to retain the existing raised screening bunds and erect a new bund to the south of the site for screening purposes. While the proposed development would inevitably have some impact on the agricultural character of the area, the bunds will help improve the screening of the operational site and minimise the impact on the agricultural character of the area. Furthermore, a financial contribution is agreed upon to fund the identified projects under the Colne and Crane Valleys Green Infrastructure Strategy 2019 for landscape enhancement and the creation of a better linkage of the area. The financial contribution will help support the projects which will continue to improve and enhance the landscape and the links of the wider area. As such, it is considered that the proposed mitigation and compensation would limit the impact on the landscape character of the area as a result of the proposal. The overall harm to landscape character is therefore only attributed **limited weight**.

vi) Impact on Neighbouring Amenity

- 10.27. Policy QP3 of the Borough Local Plan sets out that new development should have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight.
- 10.28. The application site sets well back from the existing residential properties to the north of the site. With the retention of the raised bunds, they would help screen the operational area of the site and would also minimise the impacts on the properties. It is considered that the proposed development is seeking to continue to operate the existing waste facility and there is no physical change to the layout of the site (i.e., except for the erection of a new screening bund to the south of the site), the amount of waste handling and the number of HGV movements. While the proposed development would have some limited impacts on the neighbouring properties, those impacts would be mitigated and controlled by planning conditions. The Environmental Protection Officer has not raised any objection to the proposal. Therefore, it is not considered that the development would have an adverse impact on the amenities in this regard.

vii) Heritage and Conservation

- 10.29. Paragraph 199 of the NPPF sets out that great weight should be given to an asset's conservation when considering the impact of a proposed development on the significance of a designated heritage asset. Paragraph 200 continues to set out that any harm to, or loss of, the significance of a designated heritage asset from development within its setting), should require clear and convincing justification.
- 10.30. The proposed development is seeking to continue to use the waste facility including the retention of the existing screening bund. The impact on the setting of the listed buildings has been formally assessed during the determination of the planning application for the sand and gravel extraction.
- 10.31. The application site is not within any designated conservation area. The Grade II-listed Mildridge Farmhouse is located to the west of Horton Road and the Grade II-listed Horton Lodge is to the south of the application site. The Council's Conservation Officer has been consulted and has commented that the proposed development would result in little to no harm to the nearby heritage assets, including the setting of the Grade II-listed Mildridge Farmhouse.

viii) Highways

- 10.32. Policy DM12 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that waste development will be permitted where good connectivity for the movement of waste can be demonstrated. A transport assessment will be required to support the application. The application should consider the following matters:

- The acceptability of routing to the site and the impacts on the surrounding road network regarding capacity and demand, with consideration of committed developments and cumulative impact
- Road safety

- Sustainability accessibility
- Appropriate hours of working
- Mitigation as appropriate

10.33. Appendix A of the JMWP sets out that any new applications at the allocated site WA2 should be accompanied by a transport assessment or statement and an HGV routing agreement.

HGV routing and movements

10.34. This application is accompanied by a transport assessment, which is prepared by DM Mason Engineering Consultants Ltd, on behalf of the applicant. The assessment sets out that the proposed development will continue to use the routing permitted under the extant temporary permission for sand and gravel extraction, which allows for HGVs to only access to the site from the north via Horton Road and London Road to A4/M4. No HGV traffic is allowed to pass through Colnbrook or Horton Villages. The applicant is willing to enter into a routing agreement for the current proposal.

10.35. The submitted transport assessment also sets out that the proposed development is anticipated to generate an average of 126 HGV movements per day, but the figure may vary as it will have peaks and troughs of material handling. It is suggested that the daily limit on HGV movements should be the same as the permitted HGV movements under the extant temporary permission, which allows up to 200 (100 in and 100 out) HGV movements from Mondays to Fridays and up to 120 (60 in and 60 out) HGV movements on Saturdays.

10.36. It is considered that the proposed development would continue to use the permitted routing under the extant permission. According to the routing agreement under the extant temporary permission, apart from the HGV routing, it also requires the applicant to provide the following matters:

- Specific routing instruction to hauliers before their drivers visit the site for the first time;
- Random checks to be carried out by the applicant to monitor compliance with the routing agreement; and
- All complaints to be investigated and outcomes notified to the local planning authorities

10.37. It is considered that the permitted routing can prevent the HGV movements to pass through the Colnbrook area and Horton Villages. The routing agreement and its associated requirement including the driving instruction, random check and complaint procedure should be secured by an S106 planning obligation. The Council's Highways Authority has been consulted in this application and has raised no objection to the proposed development.

10.38. Horton Parish Council has raised objections to the proposed development due to the increasing traffic of the proposed development. It is considered that the proposed development would not generate additional HGV movements than the permitted HGV movements under the extant temporary permission for sand and gravel extraction. There is an approximate 40% buffer (for the weekdays' figure) and 53% (for the Saturdays' figure) between the average figure and the permitted figure.

10.39. Notwithstanding, it is considered that the 126 HGV movement is only an average figure, and it may vary due to an operational need. The buffer would allow some flexibility to have additional HGV movements, but the overall HGV movements will still be within a reasonable and acceptable limit. Furthermore, the extant temporary

permission allows the sand and gravel extraction activities to be continued until 2025. Having a different set of HGV movements limit in this application would fail the condition test sets out in Paragraph 55 of the NPPF as it would not be enforceable. Given that Council's Highways Authority has raised no highway objection to the proposed development, the proposed 200 HGV movements daily limit for weekdays and 120 HGV movements daily limit for Saturdays would be acceptable in this case and such limit would be secured by planning conditions.

- 10.40. The extant temporary permission (17/03850/VAR) requires the retention of the signs at the site exit and at the site office advising drivers of the permitted vehicle routes from the site to the A4. It is considered that those signs should be retained in this regard and should be secured by a planning condition.

Parking

- 10.41. The Council's Parking Strategy does not have a specific parking standard for waste development. The submitted transport assessment sets out that the proposed development will employ up to 10 operatives and 1 manager to visit the site daily. It will generate a maximum of 22 car movements per day. Based on the site visit and the site layout, it is considered that the application site has sufficient parking area to accommodate HGV parking, staff parking and visitor parking.
- 10.42. The Council's Interim Sustainability Position Statement sets out that at least 20% of parking spaces should be provided with active electric vehicle charging facilities and 80% of parking spaces should be provided with passive provision. Though there is no information related to the number of parking spaces, it is considered that a minimum of 11 parking spaces should be provided to accommodate the staff parking. It means that at least 3 active electric vehicle charging facilities and 9 passive outlets shall be provided. Such details can be secured by a planning condition.
- 10.43. In terms of cycle parking, there is also no specific parking standard under the Council's Parking Strategy. However, it sets out that 1 cycle parking space per 10 staff should be provided for commercial development including industrial development. Given that the proposed development will have 11 staff, at least 2 cycle parking spaces should be provided. Such details can also be secured by a planning condition.

Summary

- 10.44. There is no specific parking standard for waste development. However, it is considered that the parking arrangement is acceptable in this regard. Further details related to cycle parking, and electric charging vehicle facilities are required, it is considered that such details can be secured by planning conditions.
- 10.45. Paragraph 111 of the NPPF sets out that development should only be prevented or refused on highway grounds. Given the proposed development is not seeking to alter the permitted number of HGV movements and the routing is subject to the Section 106 planning obligation, it is unlikely that the proposed development would have an adverse impact on highway safety or the severe residual cumulative impacts on the road network.

ix) Rights of Way and Access to the Countryside

- 10.46. Policy IF25 of the Borough Local Plan 2013-2033 sets out that new developments will be supported provided that they protect and safeguard the existing rights of way

network and do not adversely affect the recreational and amenity value of the existing rights of way network.

- 10.47. The Council's Public Rights of Way Officer has been consulted on this application and has raised concerns over the proposed development. In their view, the proposed development would have a detrimental impact on Horton Bridleway 4 and the path will be at the high dust zone of the proposed development.
- 10.48. The proposed development is not seeking to alter the existing rights of way network but it is considered that Horton Bridleway 4 runs immediately along the eastern boundary of the application site. Though the visual impact has already been formally assessed when the temporary permission was granted for the sand and gravel extraction, the proposed development will now have a permanent visual impact on the Bridleway.
- 10.49. The site is well-screened by the existing mature planting and hedgerow along the boundary of the wider Horton Brook Quarry site and an existing screening bund which will be retained in this application for screening. The operation area of the site is at the centre of the application site, and it is well-separated by an existing settlement pond to the eastern boundary of the site. The proposed development comprises the erection of a raised bund to the southern part of the site, which would help further screen the operational area of the facility.
- 10.50. Furthermore, the applicant is willing to make a financial contribution to the Colne Valley Regional Park Trust for two key projects in the area, including a project for a new pedestrian and cycle access link between Colnebrook and Staines Moor. It is considered that the contribution would help financially support the project to promote the accessibility and linkages of the existing green corridors including footpaths and cycleways.

Summary

- 10.51. The proposed development will introduce a permanent waste operation to the site which will have a visual impact on the Bridleway. Notwithstanding, the site is well-screed by the bunds and the proposed development is seeking to erect a new bund to improve the screening from the southern part of the site. The operational area of the site is also well-separated from the bridleway by an existing settlement pond. A financial contribution is also agreed upon to support the identified project to promote the accessibility and linkages of the existing green corridors including footpaths and cycleways. It is therefore considered that the harm to the rights of way is limited in this case.

x) Ecology and Biodiversity

- 10.52. Policy DM3 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that development that is likely to result in a significant effect, either alone or in combination, on internationally designated sites including Special Protection Areas, Special Areas of Conservation, Ramsar sites; sites identified, or required, as compensatory measures for adverse effects on such sites; and European Protected Species, will need to satisfy the requirements of the Habitats Regulations.
- 10.53. Policy NR2 of the Borough Local Plan 2013-2033 sets out that development proposals shall be accompanied by ecological reports in accordance with BS:42020 to aid the assessment of the proposal. Neighbourhood Plan Policy NP/OE2 of the Horton and Wraybury Neighbourhood Plan 2018-2033 sets out that development proposals that

conserve and enhance biodiversity and comply with other relevant policies will be supported.

- 10.54. The application site is approximately 0.1 kilometres from the Southwest London Waterbodies Special Protection Area (SPA) and the Wraysbury & Hythe End Gravel Pits Site of Special Scientific Interest (SSSI). The site is approximately 0.5 kilometres from the Wraysbury No.1 Gravel Pit SSSI. The site is also near other non-statutory designated sites, including Wraysbury II Gravel Pits Local Wildlife Site (LWS), Wraysbury I Gravel Pit LWS, Colne Brook LWS and Horton and Kingsmead Lake LWS.
- 10.55. The Council's Ecology Officer has been consulted in this application and originally requested an appropriate assessment under the Habitat Regulations is required. Natural England has been further consulted in this regard and considers that the proposed development is unlikely to have a likely significant impact on the SPA and therefore Habitat Regulation Assessment (HRA) is not required in this instance.

Protected Species

- 10.56. This application is accompanied by the preliminary ecological appraisal, which is prepared by Golder Associates (UK) Ltd Member of WSP, on behalf of the applicant. The conclusion section of the appraisal sets out that the application site does not afford optimal or sub-optimal biodiversity opportunities.
- 10.57. The Council's Ecology Officer has been consulted in this application and considered that the proposed development is unlikely to affect protected species and no further survey or specific mitigation with regards to protected species is not required.

Biodiversity net gain

- 10.58. Policy NR2 of the Borough Local Plan 2013-2033 sets out that development proposals will demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric. Notwithstanding, Policy DM2 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that waste development will contribute to the conservation, restoration and enhancement of biodiversity through the securing of at least a 10% measurable net gain in biodiversity value.
- 10.59. This application is accompanied by a preliminary ecological appraisal, which is prepared by Golder Associates (UK) Ltd Member of WSP, on behalf of the applicant. The appraisal sets out that committed additional conservation actions set out in section 5 of the appraisal including the erection of bat boxes and bird boxes would result in a net positive impact on biodiversity.
- 10.60. The Ecology Officer originally raised a concern that the proposed development does not fully demonstrate a net gain in biodiversity. It is considered that the baseline of the submitted ecological appraisal is based on the existing temporary sand and gravel extraction use of the site. However, the extant temporary permission (17/03850/VAR) requires all of the temporary structures to be removed and the site to be restored to agriculture when the permission expires. Therefore, the baseline for assessing the net gain in biodiversity should be based on the original status of the site instead of the current status. Although several enhancement measures suggested in the submitted ecological appraisal are in place, those measures are to mitigate and compensate for the loss in biodiversity and are unlikely to provide an increase in biodiversity at the site.

- 10.61. The applicant then further provided a biodiversity net gain assessment, which is prepared by WSP, on behalf of the applicant. The assessment concludes that the proposed development is likely to result in an increase of 17.01% net gain in biodiversity, which exceeds the requirements both set out in the Central and Eastern Berkshire Joint Minerals & Waste Plan and the Borough Local Plan 2013-2033.
- 10.62. Council Ecology Officer has removed the objection and considers the proposed development can demonstrate a net gain in diversity as required by local planning policies. Additionally, a number of enhancement measures are recommended including the installation of bat boxes and bird boxes. It is considered that details of such enhancement measures should be provided to support this application. Such details can be secured by a planning condition.

xi) Environmental Health

- 10.63. Policy DM9 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that planning permission will be granted for minerals and waste development only where it can be demonstrated that it will not generate unacceptable adverse impacts on the health, safety and amenity of local communities and the environment.
- 10.64. Policy EP1 of the Borough Local Plan 2013-2033 sets out that new development will only be supported where it would not have an unacceptable effect on environmental quality both during the construction phase and when completed. Details of remedial or preventative measures and any supporting environmental assessments will be required and will be secured by planning conditions to ensure that the development will be acceptable. Policy DM9 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that waste development should not cause unacceptable noise, dust, lighting, vibration or odour.

Air Quality

- 10.65. Policy EP2 of the Borough Local Plan 2013-2033 sets out that development proposals which may increase significant increases in air pollution must contain appropriate measures thus reducing the likelihood of health problems for residents.
- 10.66. This application is accompanied by the air quality and dust assessment, which is prepared by Golder Associates (UK) Ltd Member of WSP, on behalf of the applicant. The assessment identifies that particulates would be the main sources of air pollution of the inert aggregate recycling and processing activities, as well as traffic emissions. Section 1.7 of the assessment identifies several mitigation measures at the application site, including:
- The timing of operations will be optimised
 - Overburden mounds will be grass-seeded and planted to eliminate wind-blown dust
 - The existing raised bunds will be retained
 - The existing open-grassed buffer to the north of the site will be retained to act as a buffer between the residential area and the application site
 - A new bund and planting strip will be erected at the southern boundary of the site
 - Plant and the existing compacted gravel hardstanding will be regularly maintained
 - Stockpiles will be sprayed prior to removal to minimise dust generation

- Onsite speed restrictions will be maintained
- Wheels of all vehicles exiting the site will be washed

10.67. The Environmental Protection Officer does not consider that the proposed development would have an adverse air quality impact on the neighbouring properties subject to the implementation of the mitigation measures identified in the submitted air quality and dust assessment. Further details detailing the specific mitigation measures for the control of dust emissions shall be provided to support this application. It is considered that such details can be secured by a planning condition.

Noise

10.68. Policy EP4 of the Borough Local Plan 2013-2033 sets out that development proposals should consider the noise and quality of life impact on recipients in existing nearby properties and also the intended new occupiers ensuring they will not be subject to unacceptable harm.

10.69. This application is accompanied by the noise impact assessment, which is prepared by Anderson Acoustic Ltd, on behalf of the applicant. The assessment summarises that there is no observed effect of the proposed development, subject to the existing screening will be maintained.

10.70. Horton Parish Council has raised objections over noise pollution from the proposed development. The Environmental Protection Officer has raised no objection to the proposed development subject to conditions.

10.71. It is considered that there is no change in the physical layout and the operation of the site, except for a new screening raised bund to be erected to the south of the site. The proposed development will still operate within the existing noise limit under the extant temporary permission (17/03850/VAR). Having a different set of noise limits in this application would fail the condition test sets out in Paragraph 55 of the NPPF as it would not be enforceable.

10.72. The proposed development comprises the construction of a new raised screening bund, which would result in a site-attributable noise level in excess of the noise limit of 55 dB. A separate planning condition is recommended to allow the noise level to exceed 55 dB during the construction period of the raised screening bund but within a reasonable level at any noise-sensitive property within a certain time limit to minimise the impact on the amenities.

Contaminated Land and Water

10.73. Policy EP5 of the Borough Local Plan 2013-2033 sets out that development proposals will be supported where they can demonstrate that proposals will not cause unacceptable harm to the quality of groundwater, and do not have a detrimental effect on the quality of surface water.

10.74. Policy DM11 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that a hydrological risk assessment must be provided if the proposals are in a groundwater source protection zone. The risk assessment would be able to identify any unacceptable risks and provide appropriate measures to mitigate those risks

identified. Appendix A of the Central and Eastern Berkshire Joint Minerals & Waste Plan identifies the proximity of the site to the aquifers, in addition to Source Protection Zones.

- 10.75. Horton Parish Council has raised objections as it raises concerns over whether the proposed development would have an impact on the quality of drinking water due to its proximity to Queen Mother Reservoir.
- 10.76. The Environment Agency has been consulted on this application and originally raised an objection to the proposed development as it fails to demonstrate that the risks of pollution to controlled waters are properly managed. Further information has been provided by the applicant to the Agency as required including the environmental risk assessment, hydrogeological risk assessment, environmental settling and installation design statement and the environmental monitoring and management plan. The Environment Agency, therefore, has removed its objection to this planning application as such details will be determined under the environmental permitting stage.
- 10.77. Given that there is no technical concern from the Environment Agency and such matter will be determined under the permitting stage, it is not considered the proposed development would cause unacceptable harm to the water quality.

Summary

- 10.78. The proposed development would have some environmental impacts on the neighbouring amenities. Notwithstanding, such impacts would be mitigated, and those mitigation measures would be secured by planning conditions. Therefore, it is not considered that the proposed development would have an adverse impact on the environment and the amenities.

xii) Flood Risk and Water Resources

- 10.79. Policy NR1 of the Borough Local Plan 2013-2033 sets out that development will only be supported within designated Flood Zone 1 on sites of 1 hectare or more in size, where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms. Development proposals should include an assessment of the impact of climate change using appropriate climate change allowances over the lifetime of the development so that future flood risk is taken into account. Policy DM10 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that waste developments should not result in an increased flood risk overall and the development is safe from flooding for its lifetime including an assessment of climate change impacts.
- 10.80. Appendix A of the JMWP sets out that a flood risk assessment and hydrological assessment will be required to demonstrate that the development will not increase off-site flood risk and will not impact the structural stability of the embankment of the Queen Mother Reservoir.

Flood Risk

- 10.81. This application is accompanied by a flood risk assessment, which is prepared by Golder Associates (UK) Ltd Member of WSP, on behalf of the applicant. The assessment summarises that the proposed development will not materially change the existing fluvial, groundwater and surface water flood risk of the site and the

surrounding area. The existing sediment lagoon will be contained and the current regular maintenance regime to periodically clean the lagoon will be continued.

- 10.82. The Lead Local Flood Authority (LLFA) has been consulted in this application. The LLFA considers that the additional screening bunds and landscaping will not significantly alter the existing flow routes. The existing drainage will be retained, and it is unlikely that the proposed development would increase the surface water flood risk.

Water Resources

- 10.83. This application is accompanied by a letter from WSP Golder, on behalf of the applicant. The letter confirms that the proposed development including the erection of the new raised screening bund would not change the structural stability of the site and it is unlikely that the proposed development would have an impact on the structural stability of the embankment of the Queen Mother Reservoir.
- 10.84. The proposed development is to continue to use the existing inert waste facility and its associated infrastructure, and the proposed raised screening bund would not be within the 100m restriction zone of the Queen Mother Reservoir and not change the structural stability of the site. It is not considered that the proposed development would have an adverse impact on the structural stability of the embankment of the Queen Mother Reservoir. It is also considered that such matters will be formally assessed in the permitting regime by the Environment Agency.

xiii) Site History

- 10.85. Policy DM15 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that an assessment of the environmental and amenity impacts will be made if there is a history of minerals and waste activities at the proposed site. Where issues have been raised about the environmental or amenity impacts of a site, particularly where there is evidence of any adverse environmental or amenity impacts, these issues will be taken into consideration in decision-making on any forthcoming planning applications submitted on that site.
- 10.86. This submitted planning statement sets out that no known complaints have been received by the Council to the operation over the last twelve years at the site. It is considered that the local residents have raised concerns over the unauthorised HGV movements in Horton village and there are concerns over the unauthorised minerals and waste activities in the Colnebrook area. However, there is no evidence showing that such unauthorised activities are from the operator of the Horton Brook Quarry, given that there are a number of other operational minerals and waste sites in the area.
- 10.87. Furthermore, a number of mitigation measures including routing agreement and hours of operation would help restrict and reduce the impacts of the proposed waste development on the neighbouring properties. Those measures would help minimise the impacts on the nearby amenities.

xiv) Very Special Circumstances

- 10.88. Paragraphs 147 and 148 of the NPPF set out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. "Very

Special Circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

10.89. Policy DM6 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that waste management facilities, including aggregate recycling facilities, will be permitted where the proposal does not conflict with the preservation of the openness of the Green Belt and suitable mitigation can be provided to ensure that the proposal would not harm the purposes of including land within the Green Belt. Where a proposal would be considered inappropriate development, consideration will be given to whether it can be demonstrated that:

- there are no appropriate sites outside the Green Belt that could fulfil the same role; and
- the site is the most suitable location in relation to arisings and recycle markets.

Green Belt Harm

10.90. The proposed development is seeking to retain the existing waste facility and the screening bunds and to erect a new screening raised bund at the site, which is currently subject to temporary permission for sand and gravel extraction but will be restored to agriculture. Though the proposed development is to reuse the existing facilities and the only new structure will be the new screening raised bund to the south of the site, the proposed development will introduce a permanent waste operation at the site and have a greater visual impact when compared with the site which will be restored to agriculture with no buildings. Undoubtedly, the proposed development would constitute **substantial harm** to the openness and permanence of the Green Belt in this case, in addition to the harm by inappropriateness as described above.

Other Harms

Landscape

10.91. The proposed development would introduce a permanent waste operation to the site and would have some impact on the agricultural and landscape character of the area. It is considered that the proposed development includes the retention of all of the existing screening raised bunds and a new bund will be erected to the south of the site to help improve the screening of the operational site. **Limited weight** is afforded to the harm to landscape character in this case.

Rights of Way

10.92. Horton Bridleway 4 runs immediately along the eastern boundary of the application site. It is considered that the operation area of the site is at the centre of the application site, and it is well-separated by an existing pond to the eastern boundary of the site. The site is also screened by the existing mature planting and hedgerow along the boundary of the wider Horton Brook Quarry site. However, the proposed development would have a permanent visual impact on Bridleway. **Limited harm** is afforded to the harm to rights of way in this case.

Benefits

Need for waste management facility

- 10.93. Paragraph 7.106 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that the sites outlined in Policy W4 as allocated sites (including the application site) are entirely located within the Green Belt which have special protection with respect to development. However, these sites are allocated for waste management purposes for the following reasons, in accordance with the NPPW:
- a) Consideration has been given first to locating waste management facilities within Preferred Waste Areas outlined in Policy W4, which are not located within the Green Belt.
 - b) Where there is no capacity within the Preferred Waste Areas or the locational needs of the waste management facility prevent it from being accommodated within the Preferred Waste Areas, *the lack of available sites outside of the Green Belt will need to be taken into consideration as part of the exceptional circumstances.*
- 10.94. This application is within one of the allocated sites Horton Brook Quarry, Horton (WA2). It is considered that the site allocation process of the Central and Eastern Berkshire Joint Minerals & Waste Plan has considered sites within Preferred Waste Areas set out in Appendix C of the Plan. While none of the Preferred Waste Areas is within the administrative boundary of the Royal Borough, it is considered that the Plan has identified that there is no capacity within the Preferred Waste Areas, or the locational needs of the inert waste recycling facility prevent it from being accommodated within the Preferred Waste Area and there is also a lack of available sites outside of the Green Belt. As such, in this specific case, **substantial weight** should be attributed to the need for the waste management facility of the Borough and the wider plan area.

Sustainable Waste Management

- 10.95. The proposed development will have a maximum handling capacity of 200,000 tonnes of inert waste per annum, which would have a significant contribution to the shortfall in inert recycling capacity (i.e., 34.78%) out of 574,000 tonnes per annum. The proposed development is also in line with both national and local planning policies regarding waste hierarchy. In this case, **significant weight** is attributed to the benefit of sustainable waste management of the proposed development.

Biodiversity Enhancement

- 10.96. The proposed development would result in an increase of 17.01% net gain in biodiversity by the implementation of ecological enhancement measures, which exceeds the requirements both set out in the Central and Eastern Berkshire Joint Minerals & Waste Plan and the Borough Local Plan 2013-2033. **Moderate weight** is attributed to the benefit of the biodiversity enhancement of the proposed development.

Other Benefit

- 10.97. A financial contribution is agreed to contribute to two of the Colne and Crane Valleys Green Infrastructure Strategy's projects, including SC207 Colnebrook, Poyle, Horton landscape enhancement and SC102 proposed pedestrian and cycle access link between Colnebrook and Staines Moor. The contribution would help support these two projects to improve the landscape of the wider area and to improve the pedestrian and cycle access link of the area. **Limited weight** is attributed to this benefit.

Conclusion on Very Special Circumstances

- 10.98. The weight of the benefit of the need for the waste management facility is substantial in this case. Significant weight is afforded to the benefit of sustainable inert waste recycling and moderate weight to biodiversity enhancement. Furthermore, limited weight is attributed to the contribution to the landscape and access link improvement projects. As such, when considering these matters cumulatively, the weight to be applied to them would more than outweigh the substantial harm to the Green and other harm identified in this application including landscape and rights of way. Therefore, Very Special Circumstances exist in this case to justify the harm to the Green Belt as a result of the proposal.
- 10.99. A condition to remove the permitted development rights related to Class J hard surfaces for industrial and warehouse premises and Class L development at waste management facilities of Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is recommended in this application to ensure that there is development control in assessing any new developments within the application site.

xv) Other Matters

- 10.100. The utility section of Horton Brook Quarry WA2 of Appendix A of the Central and Eastern Berkshire Joint Minerals & Waste Plan requires the proposed development to ensure that there is a statutory safety clearance of National Grid Infrastructure. National Grid has been formally consulted in this application, but no comments were received by the time of writing this report.
- 10.101. The proposed development is to continue to operate the existing inert waste facility and its associated supporting infrastructure including the retention of the existing raised screening bunds. The only new development would be the erection of the screening bund to the south of the site. It is not considered that the proposed bund would have an impact on the existing national grid infrastructure. An informative is added to advise the applicant to contact the National Grid if there are any queries related to the infrastructure, including maintenance and safety aspects.

11. PLANNING BALANCE AND CONCLUSION

- 11.1. Where the application site is within the Green Belt, Very Special Circumstances have been found to exist which justify the approval of inappropriate development. As set out above the proposed development would result in a maximum recycling handling capacity of 200,000 tonnes per annum of inert waste which will have a significant contribution to the shortfall in inert recycling capacity identified in the Central and Eastern Berkshire Joint Minerals & Waste Plan.
- 11.2. The proposed development is considered acceptable in terms of highways, ecology and biodiversity, flood risk and drainage, environmental health, and sustainability (subject to planning conditions). There are impacts on rights of way and landscape character, but it is considered that the impacts are limited, and the overall scheme is considered to be acceptable in general.
- 11.3. For the reasons set out above, the proposal is considered to be acceptable. Therefore, the Officer's recommendation is to approve subject to the resolution of the matters set out under Section 1 of this Report.

12. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout

13. REASONS RECOMMENDED FOR APPROVAL IF PERMISSION IS GRANTED

1 The development hereby permitted shall be commenced within three years from the date of this permission. The applicant shall notify the Local Planning Authority in writing within seven working days of the commencement of development.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall handle no more than 200,000 tonnes of inert waste per annum. The operator shall maintain records of the tonnage of waste delivered into and out of the site and shall make these records available to the Local Planning Authority at any time upon request.

Reason: To ensure that the amount of waste treated at the site does not exceed the level upon which the transportation impact was assessed. Relevant Policies - Policy DM9 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.

3 Except in emergencies to maintain safe site operations shall be notified the Local Planning Authorities in writing within 7 working days of those emergency operations taking place, and no operations or activities authorised or required by this planning permission be carried out except between the following times:

Mondays to Fridays: 07.00-18.00

Saturdays: 07.00-13.00

There shall be no operations or related activities carried out on Sundays, Bank Holidays, or Public and National Holidays.

Notwithstanding the above,

The importation of materials into the site shall only take place between the following hours:

Mondays to Fridays: 10.00-17.00

Saturdays: 10.00-13.00

The export of materials out of the site shall only take place between the following hours:

Mondays to Fridays: 07.00-16.00

Saturdays: 07.00-13.00

Reason: To enable the Local Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents. Relevant Policies - Policy EP1 of the Borough Local Plan 2013-2033 and Policy DM9 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.

4 Irrespective of the provisions of Classes J and L of part 7 and Class A of part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no hard surfaces, the extension or alteration of the existing buildings, the installation of replacement plant or machinery and the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure shall be carried out without planning permission having first been obtained from the Local Planning Authority.

Reason: The site is in the Green Belt and whilst the development subject to this permission complies with the Green Belt policy further development would be unlikely to do so. Relevant Policies - Policy QP5 of the Borough Local Plan 2013-2033 and Policy DM6 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.

5 Prior to the operation of the development hereby permitted, details of the soft landscaping of the raised screening bund to the southern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping shall then be implemented within the first planting season following commencement of development.

Reason: To protect the amenity of the area and prevent nuisance arising from the proposed development. Relevant Policies - Policy EP1 of the Borough Local Plan 2013-2033 and Policy DM9 of the Central and Eastern Berkshire Joint Minerals &

Waste Plan Policy.

- 6 Prior to the operation of the development hereby permitted, a Landscape Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the council. The ecological management plan is to comprise, as a minimum, the following:
 - Schedules of plants and trees, including native and wildlife-friendly species, including pollen-rich and fruit-bearing species and species likely to prove adaptable to climate change, noting species, plant sizes and proposed numbers / densities.
 - Clear long and short term aims and objectives for the site, to include the creation of neutral grassland and details of the retention and enhancement of the other habitats on site.
 - Details including the types and locations of the bird and bat boxes.
 - Implementation timetables including details of management and maintenance of the habitats for a period of at least 30 years.
 - Prescriptions to achieve the aims and objectives of the plan to include details of which organisations /persons will be responsible for implementing the prescriptions.
 - Details of how the aims, objectives and prescriptions will be monitored, and what processes will be put in place to ensure that the plan is iterative (ensuring its aims and objectives are met and that management is adjusted to ensure that this is the case).

Reason: To ensure the provision of biodiversity enhancements and a net gain for biodiversity. Relevant Policies - Policy NR2 of the Borough Local Plan 2013-2033 and Policy DM3 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.
- 7 No trees, bushes and hedgerows retained on the site shall be cut down, uprooted or destroyed, and no trees retained shall be topped or lopped other than in accordance with plans and particulars submitted to and approved in writing by the Local Planning Authority. If any retained tree is removed, uprooted, destroyed or dies within 5 years from the date of this permission, another tree of the same species shall be planted at the same place; and that tree shall be of such size and shall be planted at such time as shall be agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to prevent nuisance arising from the proposed development. Relevant Policies - Policy NR3 of the Borough Local Plan 2013-2033 and Policy DM3 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.
- 8 Except in emergencies to maintain safe site operations, which shall be notified to the County Planning Authority in writing within 7 working days of those emergency operations taking place, all authorised vehicles required by this permission must be in accordance with the following requirements: Movements of HGV vehicles into or from the site shall not exceed 200 (100 in and 100 out) in any one day from Monday to Friday. Movements of HGV vehicles exceeding 7.5t gross vehicle weight to or from the site shall not exceed 120 (60 in and 60 out) in any one Saturday. No HGVs exceeding 32t weight or having more than four axles shall be used for the export of minerals or the importation of inert materials. HGVs importing inert fill 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. A record of daily HGV movements shall be maintained at all times and shall be made available for inspection by the local planning authority within two weeks of a written request.

Reason: To ensure that the proposed development should not prejudice highway safety. Relevant Policies - Policy IF2 of the Borough Local Plan 2013-2033 and Policy DM12 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.
- 9 Signs advising drivers of the permitted vehicle routes from the site to the A4 shall be retained at the site exit and in the site office.

Reason: To ensure that the proposed development should not prejudice highway safety. Relevant Policies - Policy IF2 of the Borough Local Plan 2013-2033 and Policy DM12 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.
- 10 Prior to the operation of the development hereby permitted, a Dust Management Plan detailing the specific mitigation measures for the control of dust emissions shall be submitted to and approved in writing by the Local Planning Authority. The plan shall

- be implemented in accordance with the approved dust management plan thereafter.
Reason: To protect the amenities of the area and prevent dust nuisance. Relevant Policies - Policy EP2 of the Borough Local Plan 2013-2033 and Policy DM9 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.
- 11 Except for the period of bund construction hereby permitted, the site-attributable noise at any noise-sensitive premises shall not exceed 55 dB LAeq, 1hr (free field).
Reason: To protect the amenity of the area and prevent nuisance arising from noise. Relevant Policies - Policy EP4 of the Borough Local Plan 2013-2033 and Policy DM9 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.
- 12 During the period of bund construction, the site-attributable noise at any noise-sensitive premises shall not exceed 70 dB LAeq, 1hr (free field) between the hours of 08.00 and 17.00 Mondays and Fridays and between the hours of 08.00 and 13.00 on Saturdays.
Reason: To protect the amenity of the area and prevent nuisance arising from noise. Relevant Policies - Policy EP4 of the Borough Local Plan 2013-2033 and Policy DM9 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.
- 13 All plant, equipment and machinery shall comply with current noise emission/silencing standards and shall be maintained in good working order at all times. Any breakdown or malfunctioning of any plant, equipment and/or machinery that results in increased noise and/or dust emissions shall be dealt with promptly, with its use to be adjusted or suspended to ensure full compliance with the noise and dust controls in this permission until the breakdown or malfunctioning is made good.
Reason: To protect the amenity of the area and prevent nuisance arising from noise. Relevant Policies - Policy EP4 of the Borough Local Plan 2013-2033 and Policy DM9 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.
- 14 Within 12 months of the date of commencement, noise monitoring surveys shall be conducted quarterly or as required by the Local Planning Authority following receipt of a substantiated complaint. The result of results of the surveys shall be submitted to the Local Planning Authority within two weeks of each monitoring period.
Reason: To protect the amenity of the area and prevent nuisance arising from noise. Relevant Policies - Policy EP4 of the Borough Local Plan 2013-2033 and Policy DM9 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.
- 15 Prior to the installation of any external lighting other than that are erected or installed hereby permitted, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed and maintained in accordance with the approved details.
Reason: To protect the amenities of the area and limit light pollution. Relevant Policies - Policy EP3 of the Borough Local Plan 2013-2033 and Policy DM9 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.
- 16 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (ref. 21500996.603.A1) dated May 2022.
Reason: To protect the amenity and prevent flood risk. Relevant Policies - Policy NR1 of the Borough Local Plan 2013-2033 and Policy DM10 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.
- 17 Prior to the operation of the development hereby permitted, a complaints procedure setting out how the operator will record, address and respond to complaints relating to environmental matters including noise, dust, and HGV traffic shall be submitted to and approved in writing by the Local Planning Authority. The complaints procedure shall be implemented and maintained as approved.
Reason: To protect the amenity of the area and prevent nuisance. Relevant Policies - Policy EP1 of the Borough Local Plan 2013-2033 and Policy DM9 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.
- 18 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the

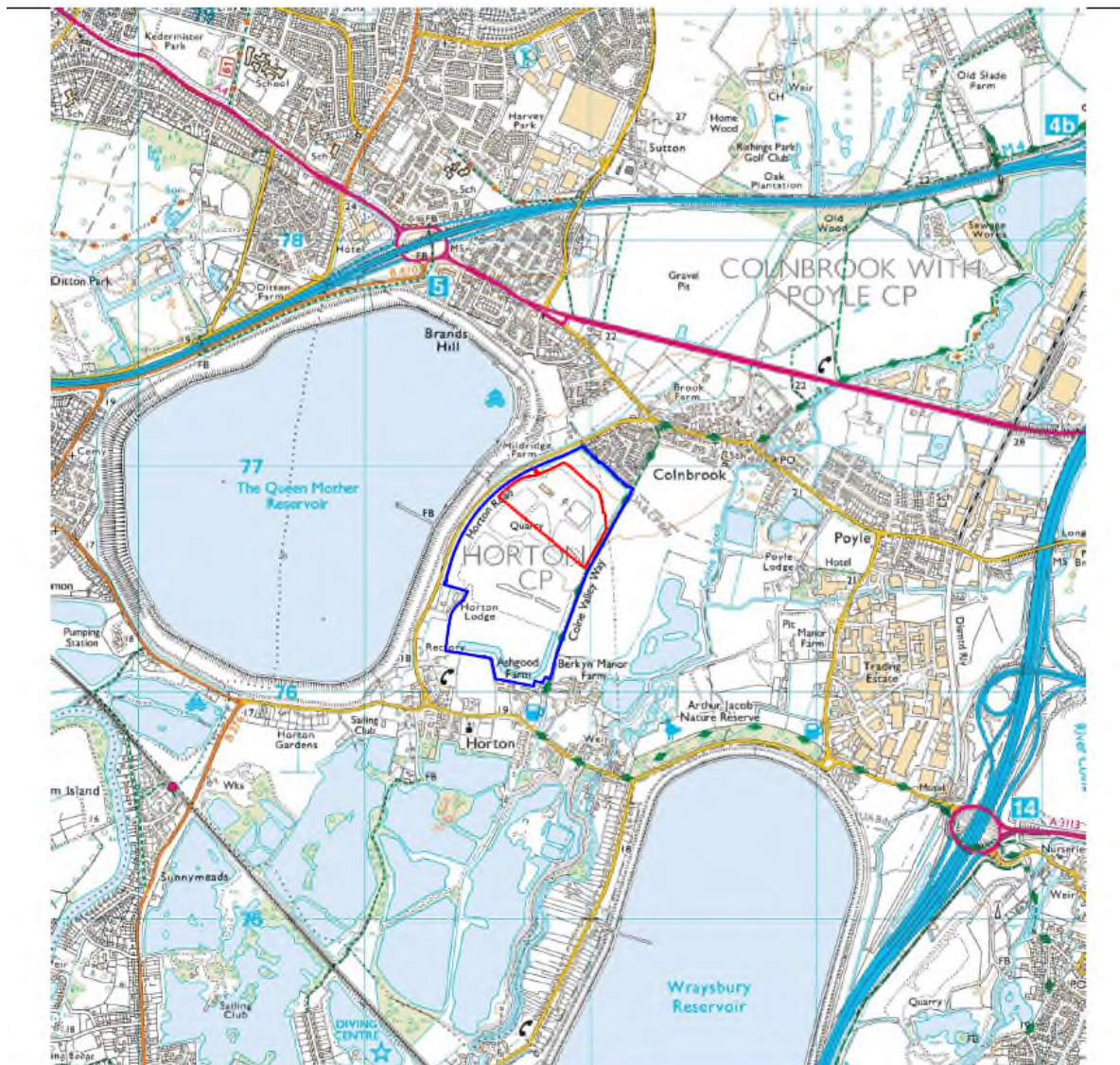
approved particulars and plans.

22/01492/FULL - Land East of Horton Road, Horton Slough

Appendices

Appendix A - Site Location Plan and Site Layout

Site Location Plan



Site Layout

