



TOWN AND COUNTRY PLANNING ACT 1990

Ms Alexis Norman
Defence Estates
Blandford House
Farnborough Road
Aldershot
Hants
GU11 2HA

Applicant:
MOD

PART I - DETAILS OF APPLICATION

Date of Application

17th December 2008

Application No.

08/02287/COMIND

THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

Construction of main process facility (MPF) and support building with 16 lightning protector towers, associated plant building, gate houses, vehicles inspection bays, sub-station buildings, security fence, access roads, hardstanding and sustainable drainage system (SuDS) infrastructure.

AWE, Burghfield, Reading, Berkshire

PART II - DECISION

In pursuance of its powers under the Town and Country Planning Act 1990, West Berkshire District Council GRANTS planning permission for the development referred to in Part I in accordance with the submitted application form and plans, subject to the following condition(s):-

1. The development shall be started within three years from the date of this permission.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policies DP1, DP6 and DP8 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and OVS2, ENV18 and ECON2A of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007 should it not be started within a reasonable time.

2. No development shall commence until samples of the materials to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic, mortar materials and details of the colour and finish to be used in construction of the external

surfaces. The development shall be constructed in the materials approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

3. No development shall commence until a detailed scheme of landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

a) The carrying out of any earth moving operations concurrently with the carrying out of the building and other works;

b) Completion of the scheme during the planting season next following completion of the buildings or such other date as may be agreed in writing by the Local Planning Authority;

c) The maintenance of the landscaped areas for a period of five years or until established, whichever may be longer. Any trees, shrubs or plants removed, or which in the opinion of the Local Planning Authority, are dying, being severely damaged or becoming diseased within five years of planting shall be replaced in the following year by plants of the same size and species to those originally required to be planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of Policy EN1 of the Berkshire Structure Plan 2001 - 2016 Saved Policies 2008 and Policies OVS2 (a & b) and OVS 3 (b) of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

4. Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawings numbered JSL/1669/701RevA, JSL/1669/702RevA, and JSL/1669/703RevA all dated 17th December 2008. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy OVS 2 (b) of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

5. No development shall commence until a full BREEAM or equivalent assessment demonstrating that the development will attain BREEAM EXCELLENT has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved assessment. Prior to the first occupation of the buildings hereby approved, a post construction review, carried out by a licensed assessor, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In accordance with Policy OVS10 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and the guidance contained within the Council's adopted Supplementary Planning Document: Quality Design - West Berkshire, Part 4 "Sustainable Design Techniques".

6. No development shall commence until details of floor levels in relation to existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed buildings and the adjacent land in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

7. The AWE Code of Construction Practice (Annex H of the Planning Supporting Statement) shall be implemented in full for the full duration of the construction activity relating to this permission at the site.

Reason: In the interests of the amenities of neighbours of this site in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

8. No development shall commence until details of the external lighting to be used in the areas around the proposed buildings (including building-mounted lighting and lighting in the vicinity of the access road) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the buildings shall not be occupied until the external lighting has been installed in accordance with the approved details and thereafter no material changes to the lighting scheme shall be made unless details have been submitted to and approved in writing by the Local Planning Authority. Additionally no construction development shall commence until details of temporary lighting in and around the construction enclave has been submitted to and approved in writing by the Local Planning Authority. The temporary lighting shall be implemented in accordance with these approved details for the period of construction unless otherwise agreed in writing by the Local Planning Authority.

Reason: The Local Planning Authority wish to be satisfied that light spill from any external lighting is minimised in accordance with Policies EN5 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and OVS5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

9. No development (other than investigative work) shall commence until two copies of a contaminated land assessment and associated remedial strategy, together with a timetable of works, have been submitted to and approved in writing by the Local Planning Authority. The contaminated land assessment shall include; a desk study, details of investigative works and sampling, risk assessment and remediation strategy.

(a) The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study.

(b) A suitably qualified Consultant shall be appointed to investigate the nature and extent of any contamination, if any, in, on or under all parts of the land to which this permission refers. All investigative works and sampling on site, together with the results of analysis must be submitted to the Local Planning Authority (and the Environment Agency as appropriate).

(c) If a hazard or hazards are identified from such investigations, a site specific risk assessment shall be undertaken to consider risks to the following: wildlife, livestock and ecosystems, building materials, water resources, the future users of the site, surrounding land and any other persons.

Reason: In order to protect the amenities of existing or proposed occupant/users of the application site or adjacent land in accordance with Policy OVS5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

10. Approved remediation works shall be carried out in full on site prior to that specific phase of development. If during any works any significant underground structures or contamination is discovered which has not previously been identified then the additional contamination shall be fully assessed. No further remediation works shall take place until a report detailing the nature and extent of the previously unidentified structures and contamination and the proposed remedial action plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, all further remediation works shall be undertaken in accordance with the most recent approved remediation action plan prior to that specific phase of development.

Reason: In order to protect the amenities of existing or proposed occupant/users of the application site or adjacent land in accordance with Policy OVS5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

11. On completion of all remediation works this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The report shall make reference to all published information associated with the development and shall demonstrate compliance with the remediation strategy. It shall include the following: details of quality assurance certificates to show that all works have been carried out in full and according to best practice; consignment notes demonstrating the removal of contaminated materials; certification to show that new material brought to the site is uncontaminated; and details of any on-going post remediation monitoring and sampling, including a reporting procedure to the Local Planning Authority and Environment Agency.

Reason: In order to protect the amenities of existing or proposed occupant/users of the application site or adjacent land in accordance with Policy OVS5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

12. No development shall commence until details of the programme for the phased demolition and clearance of the existing buildings, towers and structures within the NSPA have been submitted to and approved in writing by the Local Planning Authority. These buildings shall then be demolished and cleared in accordance with the approved details.

Reason: To ensure that the existing assembly/disassembly and associated buildings are removed which has been an important material consideration of this application in accordance with Policies OVS2, ENV18 and ECON2A of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

13. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include;

- Detailed plans in accordance with the principles outlined within the Flood Risk Assessment ref. 5057498 DG06 i6 dated 23 December 2008 and the SUDS detailed design report EDMS1/801457EC/B/ES/6005 Issue 1;

- Confirmation that there will be no infiltration of surface water drainage into the ground, other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters;
- Detailed plans to show a variation of water depths, variation in the width of the marginal shelves/aquatic bench to prevent uniformity and the use of native species of local provenance in all planting and seeding mixes around the ponds, planted in the appropriate locations relative to wetness/water level for each species. Cross sections shall be included to illustrate these points;
- A management plan to ensure the function of the balancing ponds to manage surface water runoff and landscaping is maintained in the long term.

The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity of the surface water drainage system in accordance with Planning Policy Statement 25 'Development and Flood Risk'.

14. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) 5057498 DG06 i6 dated 23 December 2008 and the following mitigation measures detailed within the FRA:

1. Finished Floor Levels to be set at 45.7m AOD as specified in section 6.3;
2. Flood risk mitigation during construction as outlined in section 6.7.3;
3. Reduction in surface water runoff from the development as outlined in section 6.8.

Reason: To manage flood risk and to reduce the future risk and impact of flooding by ensuring that storage of flood water is provided on site and the satisfactory storage of/disposal of surface water from the site in accordance with Planning Policy Statement 25 'Development and Flood Risk'.

15. No development shall commence until the following components of a scheme to deal with the risks associated with contamination of the site has each been submitted to and approved, in writing, by the Local Planning Authority:

1) A preliminary risk assessment which has identified:
all previous uses

- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors;
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

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

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

Any changes to these components require the written agreement of the Local Planning Authority. The scheme shall be implemented as approved prior to that specific phase of development.

Reason: The site is located within an Inner Source Protection Zone for a potable water supply and the Environmental Appraisal has identified a potential risk of groundwater contamination of the deep aquifer that requires further assessment in line with PPS23 'Planning and Pollution Control'. This is necessary to determine the source of the identified pesticides and to quantify the risk to identified receptors.

16. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater quality in line with PPS23 'Planning and Pollution Control'.

17. No development shall commence until a scheme for the provision of the mitigation measures set out in Table 15.6 of the Environmental Appraisal Volume 1 with regard to bats and birds has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in full and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To protect the wildlife at this site in accordance with Policy ENV9 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

18. No development shall commence until details of the following are submitted to and approved in writing by the Local Planning Authority:

a) Improvements to signage and road markings along Goring Lane and within the vicinity of Lockram Lane, Hollybush Lane and Reading Road.

b) The provision of a rural footway / tarmac footway along Burghfield Road from Church Lane to the Kennet & Avon Canal.

c) Associated works to accommodate items a) and b).

The construction work shall not commence until these works have been undertaken in accordance with the approved scheme and have been approved in writing by the Local Planning in conjunction with the Highway Authority and Reading Borough Council.

Reason: To accommodate additional traffic flows to and from the site during the construction process and in the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists in accordance with Policies DP5 and T4 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

19. No development shall commence until a plan showing the phasing of development has been submitted to and approved in writing by the Local Planning Authority. The overall

development shall thereafter proceed in accordance with the approved phasing plan unless otherwise agreed in writing by the Local Planning Authority. In relation to other conditions seeking approval of details prior to the commencement of development, such approval may relate to the commencement of individual phases in accordance with the provisions of the approved phasing plan.

Reason: To ensure that the overall development proceeds in a coordinated manner assessed against Policies DP1, DP6 and DP8 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and OVS2, ENV18 and ECON2A of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

20. No development shall commence on site until the vehicle parking and/or turning space has been provided in accordance with the approved plan(s) for construction workers. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided for adequate parking facilities in order to reduce the likelihood of roadside parking which would be a danger to other road users in accordance with Policies DP5 and T4 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

The decision to grant Planning Permission has been taken having regard to the policies and proposals in the Regional Planning Guidance for the South East (RPG9), West Berkshire District Local Plan 1991-2006 (WBDLP) Saved Policies 2007, the Berkshire Structure Plan 2001-2016 (BSP), the Waste Local Plan for Berkshire, adopted 1998, the Replacement Minerals Local Plan for Berkshire 1991-2006 (incorporating the alterations adopted in December 1997 and May 2001) and to all other relevant material considerations, including Government guidance, supplementary planning guidance notes; and in particular guidance notes and policies:

**PPG4 PPS1 PPS7 PPS23 PPS25 SPDP1 SPDP6 SPDP8 OVS2 OVS3 ENV18
ECON2A**

The reasoning above is only intended as a summary. If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.

INFORMATIVE:

1. The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.
2. The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "*Prior to commencement of development written details of the means of enclosure will be submitted to and*

approved in writing by the Local Planning Authority". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met.

- 3 The development hereby approved shall be carried out in accordance with drawing title numbers B-MENSA-ATK-00-XX-DRW-AR-900-012-005006-P4, DRW-AR-200-012-005014-P3, DRW-AR-200-012-005015-P3, DRW-AR-200-012-005016-P3, DRW-AR-200-012-005001-P5, DRW-AR-200-012-005002-P5, DRW-AR-200-012-005003-P7, DRW-AR-200-012-005017-P4, DRW-AR-200-012-005004-P4, DRW-AR-200-012-005005-P4, JWR1136-MENSA-100, JWR1136-SUB-101, BS271165_01-P8, BS271165_02-P5, BS271165_04-P3 and BS271165_06-P3 all received 17th December 2008 unless otherwise agreed in writing by the Local Planning Authority.
- 4 The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.
- 5 The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 6 The Highway Authority has the power, under Section 69 of the Road Traffic Regulation Act, 1984 and amended by the New Roads and Street Works Act, 1991, to enter land and remove any device giving guidance or direction to persons on the highway if, at any time, it should be considered detrimental to road safety.
- 7 Any temporary signing required as part of this development is to be agreed in writing with the Highway Authority, West Berkshire Council, Highways and Engineering, Council Offices, Faraday Road, Newbury, RG14 2AF.
- 8 The applicant is advised that this planning permission does not in any way allow the Public Rights of Way to be obstructed at any time during the course of the development.
- 9 Nothing connected with either the development or the construction must adversely affect or encroach upon the Public Rights of Way which must remain available for public use at all times.
- 10 The Applicant is advised to seek prior consent (section 61, Control of Pollution Act 1974) to ascertain the extent of additional construction noise conditions that may be imposed. For further information contact the Head of Environmental Health.

- 11 In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care. Further information can be found at <http://www.netregs-swmp.co.uk>
- 12 Due to the proximity of the site to Burghfield Brook and Sustainable Drainage Systems all works carried out in connection with this development should comply with Environment Agency pollution prevention guidelines (PPG5): 'Works and maintenance in or near water'. Copies and further information are available from your local Agency office or from www.environment-agency.gov.uk/ppg
- 13 The Control of Pollution (Oil Storage) (England) Regulations 2001 apply to all above ground commercial oil storage in tanks over 200 litres in volume. This means that tanks should be fit for purpose and have a secondary containment (or bund) sufficient to contain 110% of the tanks contents. The secondary containment must be impermeable to oil and water and not have any drainage valve. All the tanks ancillary equipment (valves, delivery hose, gauges, vent) must be within the curtilage of the secondary containment or bund. The regulations have other stipulations and full information can be found at www.environment-agency.gov.uk/osr or from Pollution Prevention Guidance Note 2 for Above Ground Tanks or PPG26 for Drums and Intermediate Bulk Containers.
- 14 The Water Resources Act 1991, s85 makes it an offence to cause or knowingly permit poisonous, noxious or polluting matter to enter controlled waters unless you are in possession of a discharge consent or other relevant permit. Controlled waters include all water below the surface of the ground. This legislation is not restricted to any listed substances.
- 15 Discharge consents issued under the WRA1991 constitute authorisations for the purposes of the Groundwater Regulations provided the relevant conditions have been applied.
- 16 Erection of flow control structures or any culverting of a watercourse requires the prior written approval of the Environment Agency under s.23 of the Land Drainage Act 1991 or s.109 of the Water Resources Act 1991. The Environment Agency resists culverting on nature conservation and other grounds and consent for such works will not normally be granted except for access crossings.

- 17 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters' pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 18 The Highways Agency should be notified of any timings and movements of abnormal loads during the construction period, particularly those requiring escorts, route planning etc. The Agency should also be kept informed on any construction logistics issues/developments in due course.
- 19 The decision to grant planning permission has been taken because the development is considered to comply with Development Plan Policy. Additionally issues relating to the visual impact, highways issues during construction and flooding have been assessed and have found to be acceptable with the imposition of conditions. Finally it is considered that the buildings as a whole represent a well designed proposal that would be highly sustainable and would provide a more attractive and efficient environment in which to work than the existing buildings. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.
- 20 The Highway Authorities at Reading Borough Council and West Berkshire Council shall be notified of any timings and movements of abnormal loads and times of very large HGV movements during the construction phase, particularly those requiring escorts and route planning to ensure that the management of the highway can be maintained.

Decision Date :- 4th March 2009



Gary Lugg
Head of Planning & Trading Standards