



By Appointment to
Her Majesty The Queen
Waste Management
Grundon Waste Management Ltd
Coinbrook

GRUNDON

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ESTATES OFFICE

Planning Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Condition 7 of planning permissions ref. 340429 [Wokingham Borough Council] and 426466 [The Royal Borough of Windsor and Maidenhead] (granted on appeal on 5th September 1994) in order to extend the time for the deposit of non-inert waste from 17 years from the date upon which the deposit operations commenced to 20 years, to extend the time for the deposit of engineering/restoration materials (inert waste) from 17 years from the date upon which the deposit operations commenced to 21 years, and to extend the time for the completion of the site's restoration from 19 years from the date upon which the deposit operations commenced to 22 years.

Planning Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Condition 3 of planning permission ref. 344446 (dated 29th May 1997) to retain the security compound, store and landfill weighbridge for the duration of the landfill operation.

Land at Star Works Landfill, Star Lane, Knowl Hill, Reading.

Planning Applications' Supporting Statement

1. Introduction

- 1.1 Star Works landfill site, Star Lane, in Knowl Hill, operates under planning consent no. 340429 [Wokingham Borough Council] and 426466 [The Royal Borough of Windsor and Maidenhead] dated 5th September 1994 for "*the remedial filling and restoration of former landfill site, extension of landfill and restoration of quarry, site roads, weighbridge and office on land west of Star Works, Star Lane, Knowl Hill*". This development was granted planning permission on appeal, subject to 64 conditions controlling the operations. The reason there is two consents arises from the fact that a small part of the Site (small woodland area by Star Lane) extends from the administrative area of Wokingham Borough Council (WBC) into that of The Royal Borough of Windsor and Maidenhead (RBWM).
- 1.2 This planning application is made by Grundon Waste Management Ltd and seeks to vary Condition 7 of planning permission ref. 340429 (WBC)/426466 (RBWM) in order to extend by 3 years the period of time for the deposit of non-inert waste, from January 2016 to January 2019, extend the time for the deposit of engineering/restoration materials (inert waste) from January 2016 to January 2020, and extend the time for the completion of the site's restoration from January 2018 to January 2021.
- 1.3 The site operates under various constraints imposed by planning conditions, meaning that there are restrictions on the quantity of waste that can be disposed at the site each year, as well as on the number of vehicle movements associated with the landfill. In addition, there are numerous policy drivers which aim to push waste up the hierarchy, thereby reducing the amount of waste going to landfill. As a result, and whilst infilling of waste and phased restoration of the site have progressed well over the last few years, the completion of the site cannot be achieved within the currently permitted timeframe.

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- 1.4 As part of the infrastructure to support the landfill operation, a secure storage compound was required for equipment together with a weighbridge and office. This was applied for and granted on 29th May 1997 (planning consent no. 344446). Condition 3 of this consent limits the duration of the permission to 17 years to coincide with the main landfill permission. This permission also requires extending to match the landfill amended condition.

2. The Site

- 2.1 The Application Site is an active landfill site located in Knowl Hill, at the Star Works site, within the administrative area of Wokingham Borough Council. Access to the site is gained via Star Lane off the A4 Bath Road, which is part of the strategic road network.
- 2.2 The landfill site is situated in the northern part of the Star Works site. The access road to the landfill from Star Lane runs close to the southern boundary and then follows the western boundary of the Star Works site; the weighbridge and landfill offices are located close to the western boundary of the Star Works site, just south of the landfill.
- 2.3 The landfill site is bounded to the north by Restricted Byway Wargrave 16. Star Lane, which is also Restricted Byway Hurley 41 and features a number of residential properties, runs north-westwards and within about 20m to the east of the site. Restricted Byway 17 skirts the western boundary of the site. Footpath 41 Wargrave, which used to cross the site linking Restricted Byway Wargrave 16 in the north and Restricted Byway 40 at the point where the haul road enters the site, has been temporarily diverted (until 2021) to run within the southern boundary of the site to link up with Restricted Byway 17.
- 2.4 In addition to residential properties along Star Lane to the east of the site, there are also other properties to the south of the site, off Canhurst Lane and Sandhills, between the site and the A4 Bath Road.
- 2.5 The Site lies within the Metropolitan Green Belt as designated in the adopted Wokingham Borough Managing Development Delivery Document (Local Plan). The northwestern part of the landfill site also falls within a local wildlife site that extends westward to include Lindenhill Wood and land to the west. The weighbridge and landfill offices as well as the majority of the access road are located within the defined development envelope of the Star Brick and Tile Works 'Major Existing Developed Site in the Green Belt'.

3. Planning History

- 3.1 Star Works at Knowl Hill benefits from an extensive planning history dating back from 1947, when an Interim Development Order (IDO, ref. 184/47) was granted for the extraction of minerals from 32 hectares of land. Since then, the site was partially extracted for clay and sand to serve the brick and tile factory, which closed down in 1994.
- 3.2 Over the years, there have been a number of planning applications relating to mineral extraction or landfilling and ancillary operations at the site, with the ones more particularly relevant to this application being outlined below.
- 3.3 In 1994, planning permission ref. 340429 (WBC)/ 426466 (RBWM) (dated 5th September 1994) was granted on appeal for the landfilling of part of the IDO area. The deposit of waste subsequently commenced in January 1999. Under this extant planning consent, landfilling is to cease by January 2016 with the site fully restored by January 2018. To date, large parts of the landfill area have been infilled and restored.

- 3.4 The permission contained several conditions that restricted the duration, vehicle numbers and the amount of waste that could be imported. Condition 7 required waste operations to cease after 17 years and for restoration to be completed within 19 years. Condition 9 limited the amount of imports to 70,000 tonnes per year. Condition 11 limited vehicle movements to 90 per day of which 48 were for the landfill.
- 3.5 The restriction in landfill vehicles numbers meant that it was not possible to achieve the 70,000 tonne annual amount that was envisaged and it was agreed with the Council that a temporary relaxation in numbers within the overall limit could be undertaken on a trial basis and if satisfactory may be extended for the duration. This resulted in the 2008 and 2010 applications.
- 3.6 Temporary permission for one year was granted in September 2008 (VAR/2008/0334) to vary Condition 11 of planning consent no. 340429 (WBC)/ 426466 (RBWM) to remove the restriction on the number of HGV movements related to the importation of waste and soil materials but remaining within the overall cap of 90 heavy goods vehicle movements per day (or an average of 70 per day on a monthly basis). During this trial period it became clear that due to the earlier restriction this would impact upon the end date unless the tonnage limit was increased. During discussions with the Council there was reluctance to vary the tonnage limit and therefore an extension in time was requested as part of the 2010 application.
- 3.7 In 2010, a planning application was submitted to make the amendment to Condition 11 (vehicle movements) permanent, and also to seek a time extension to the landfill operations (Condition 7) similar to that requested as part of this planning application (ie. time extension of non-inert waste deposit from January 2016 to January 2019, of engineering/restoration materials (inert waste) deposit from January 2016 to January 2020, and of completion of site restoration from January 2018 to January 2021). At the time, the request for time extension was effectively deemed premature by the Local Planning Authority and was dropped for subsequent review nearer the end date. Planning permission ref. VAR/2010/1795 to amend Condition 11 (vehicle movements) only was subsequently granted in December 2011.
- 3.8 As part of the infrastructure to support the landfill operation a secure storage compound was required for equipment together with a weighbridge and office. This was applied for and granted on 29th May 1997 (planning consent no. 344446). Condition 3 of this consent limits the duration of the permission to 17 years to coincide with the main landfill permission. This permission will also require extending to match the landfill amended condition.

4. The Proposal

Context

- 4.1 Grundon Waste Management Ltd is seeking to vary Condition 7 of planning permission ref. 340429 (WBC)/ 426466 (RBWM) which relates to the life of the landfill site and is worded in relation to the start date of the deposit of waste. It states:
"The deposit of waste shall cease not later than 17 years from the date upon which the deposit operations commence. All restoration operations, excluding aftercare, shall be completed within 19 years of the date of the start of waste disposal operations."
- 4.2 Waste disposal commenced at the site in January 1999 and as such, the relevant date for the cessation of waste disposal is January 2016, with restoration to be completed by January 2018.

- 4.3 Five years on from the 2010 planning application (see para. 3.7 above), and despite significant progress in the infilling of waste and phased restoration of the site, it is quite clear that the site is unlikely to be completed and restored within the currently permitted timeframe as set out in planning permission ref. 340429 (WBC)/ 426466 (RBWM) and Condition 7.
- 4.4 This is due to several factors. Firstly, there are numerous policy drivers which aim to push waste up the hierarchy, combined with the fact that there is less waste being produced and subsequently disposed of via landfill. This follows a national trend in waste generation (*Waste Management Plan for England*, DEFRA 2013) which has been influenced by the reduction of the amount of waste generated since the recession, the rising landfill tax to incentivise alternative methods of disposal, and the success of waste minimisation, re-use and recycling measures. As a consequence, there is less waste being generated, with a greater proportion of waste being treated and disposed of by alternative waste management methods to landfill.
- 4.5 In addition to this, the extant planning consents and associated planning conditions which govern the operation of the site impose limits on the quantity of waste that can be brought to the site each year (70,000 tonnes per annum) and the number of vehicles movements associated with the landfill activities (up to 90 heavy goods vehicle movements per day with an average of 70 per day on a monthly basis). These restrictions constrain the pace at which the site can be progressed (even if more waste, than is accepted at the site, is potential available), but this is order to ensure that the operation of the landfill does not cause any undue impacts, in particular, impacts to the amenity of the local area and the local road network. As such it is not proposed to vary the condition that limits the deposit rate of waste and soils to 70,000 tonnes per annum (Condition 9 of consent no. 340429 (WBC)/ 426466 (RBWM)) or that relates to the number of vehicle movements (consent no. VAR/2010/1795).
- 4.6 It is therefore proposed that the life of the site is extended by three years and that a distinction be made between non-inert waste imported for disposal within the cells and the inert waste used as engineering/restoration materials so as to allow the continuation of the importation of the inert material for a further year. Thus a variation of Condition 7 is sought such that disposal of non-inert waste materials into the cells up to pre-settlement level ceases within 20 years of the start of disposal operations, the importation of inert engineering/restoration materials ceases within 21 years and the site be restored within 22 years of that date: ie. cessation of non-inert waste disposal by January 2019, cessation of the importation of engineering/restoration materials (inert waste) by January 2020, with restoration of the site to be completed by January 2021.
- 4.7 The variation of this condition is being sought to enable sufficient non-inert waste and engineering/restoration materials to be imported in order to fill the remaining void space and restore the site in accordance with the approved restoration scheme under the extant planning consent no. 340429 (WBC)/ 426466 (RBWM) for the site.
- 4.8 It should be emphasized that the alternative to these proposals and to achieving full restoration of the quarry void, in accordance with the approved restoration scheme, would lead to significant detrimental environmental and visual impact. Even with a significant proportion of the site already restored, the curtailed restoration of the landfill prior to the approved levels being reached across the site would result in a landform which potentially would not blend into the surrounding landscape in the way that the approved restoration and aftercare schemes have specifically been designed to achieve.

Voidspace and Waste Deposit

- 4.9 As previously mentioned, significant progress in the infilling of waste and phased restoration of the site have been made over the last few years, although it is quite clear that more material is still required in order for the site to be completed and restored according to the approved levels.
- 4.10 The rationale for extending the life of the site stems from an up-to-date analysis of the non-inert waste and engineering/restoration requirements for the filling and restoration of the landfill.
- 4.11 The latest survey of the site and landfill area indicates that, as of the 1st October 2015, the remaining voidspace was 89,730m³ or 107,676 tonnes (a conversion rate of 1.2 has been applied).
- 4.12 With respect to materials required for engineering and restoration purposes (inert waste), it had always been known that there was a major deficit of materials available on site for restoration purposes due to the fact that the top soils and sub soils had not been stored on site for future use by the previous owners of the site (mineral extraction was largely completed in the area when Grundon purchased the site in the 1990s). As such, in order to achieve the approved restoration of the site, 83,997m³ or 134,395 tonnes of inert material is required (a conversion rate of 1.6 has been applied).
- 4.13 An infill scheme has been compiled, based on recent input rates and on the amount of non-inert and engineering/restoration materials that is required in order to achieve the approved final landfill contours and restoration scheme. This is shown in the table below:

Year	Non-inert Waste Inputs (tonnes)	Engineering/Restoration Inputs (tonnes)	Total Inputs (tonnes)
To End of 2015 ⁽¹⁾	11,250	5,000	16,250
2016	45,000	25,000	70,000
2017	45,000	25,000	70,000
2018	8,750	50,000	58,750
2019	0	30,000	30,000
2020	0	0	0
TOTAL	110,000 ⁽²⁾	135,000 ⁽²⁾	245,000

⁽¹⁾ from the site last survey (dated 01/10/2015) to 31/12/2015.

⁽²⁾ rounded from figures provided in paras. 4.9 (non-inert waste) and 4.10 (engineering/restoration materials).

- 4.14 As indicated in the above table, infilling would need to continue until 2018 (possibly mid-2018) for non-inert material and until 2019 (possibly mid-2019) for engineering/restoration materials (inert waste) in order to achieve the required levels and complete the site restoration, as per the approved scheme.

Request

- 4.15 In view of the above, Grundon Waste Management requests that the wording of Condition 7 is amended as follows:
"The deposit of non-inert waste shall cease no later than January 2019 (20 years from the date upon which the deposit operations commence) and the deposit of engineering/restoration materials (inert waste) shall cease no later than January 2020 (21 years from the date upon which the deposit operations commence). All restoration operations, excluding aftercare, shall be completed by January 2021 (22 years of the date of the start of waste disposal operations)."
- 4.16 The requested amendment will have the effect of enabling the site to be landfilled to the approved levels, and restored in full accordance with the extant planning permission.
- 4.17 It is also requested that Condition 3 of planning permission ref. 344446 be amended as follows:
"The use of the site as a security compound, skip container store, aggregate store and vehicle park shall cease on completion of the Knowl Hill landfill site (permitted by planning permission 340429 and 426466) or not later than 21 years from the date upon which deposit operations commence, whichever is the sooner."
- 4.18 It should be emphasised that there will be no change to the footprint of the landfill, or change in the site area, and no additional built development associated with this planning application. The application solely relates to the amount of time required to finish the landfill operation at the site, and the amount of time required to restore the site in accordance with the approved restoration scheme.
- 4.19 The site will, for the additional period, continue to provide a resource for the disposal of residual waste (which cannot be treated higher up the waste hierarchy) by landfill, whilst continuing to produce renewable energy through the on-site utilisation of landfill gas.

5. Environmental Considerations

The EIA Regulations

- 5.1 Waste management facilities are deemed to fall under para. 11(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the EIA Regulations). This identifies that facilities associated with waste disposal that are greater than 0.5 hectares in area are Schedule 2 development. Para. 13(b) of Schedule 2 also considers *"any change to or extension of development of a description listed in paragraphs 1 to 12 of column 1 of this table, where that development is already authorised, executed or in the process of being executed"*. As such, para. 13(b) is relevant to this planning application and the proposals need to be considered against the selection criteria identified in Schedule 3 of the EIA Regulations:

Characteristics of the development:

- (a) The size of the development: Planning permission ref. 340429 (WBC)/ 426466 (RBWM) relates to an area of 17.3 hectares (Areas A, B and C), with the landfill site (Area C) covering an area of 6.7 hectares. The operations are now limited to the northern half of Area C, which remains to be completed.
- (b) The cumulation with other development: The proposals must be considered in terms of the interrelationships with the overall operations, final restoration of the site and any subsequent implications which may affect the operator's ability to carry out the development in accordance with the planning permission. In order to allow sufficient time for the land to be infilled and restored, it is proposed to

extend the time for the deposit of waste and defer the current completion date, as conditioned by consent no. 340429 (WBC)/ 426466 (RBWM), for a further three years. In terms of the proposal's interrelationship with the overall operations and final restoration, the site would continue to operate within the existing constraints and conditions inferred by the extant planning permission, which include such controls as the hours of operation, limitation upon daily lorry movements, and approved restoration and aftercare schemes. Therefore, other than that to be varied by the proposed development (ie. the permitted end date for the consented development), the existing conditions attached to this consent would not be affected by the proposal and would continue to apply over the proposed additional 3 year period.

- (c) The use of natural resources: The proposed extension of time would not lead to the site being worked other than in line with current operations, and therefore would involve the same use of natural resources. This would include the use of fuel to power plant and machinery.
- (d) The production of waste: The site is an existing waste site and uses waste to restore a former quarry. The remaining void within the site would continue to be infilled using non-inert waste and restored using inert materials. The site has an established Environmental Permit from the Environment Agency in which infilling is strictly controlled. The development would not result in any significant amount of waste being produced from its own operations.
- (e) Pollution and nuisances: as an already operational landfill site, there are existing mitigation measures in place, which seek to prevent or control the risk of pollution or nuisances, including dust, noise, odour, litter and visual intrusion.
- (f) The risk of accidents, having regard in particular to substances or technologies used: the proposed extension of time would see the continuation of the permitted landfill development at the site for a further three years. As such, the existing standard risks associated with such operations will remain over the additional time period. The technology or techniques use are not considered to provide any particular risk and no toxic substances are proposed to be used. As such, it is considered that the proposed extension of time is not expected to cause any additional potential hazardous incidents.

Location of the development:

- (a) The existing land use: the existing land use is waste disposal and the landfill activity is ultimately to return the land to woodland and amenity use.
- (b) The relative abundance, quality and regenerative capacity of natural resources in the area: under the approved restoration and after use proposals, the landfill will be returned to woodland and amenity use which is relatively abundant in the local area.
- (c) The absorption capacity of the natural environment: the development will not affect wetlands, coastal zones, mountain and forest areas, nature reserves and parks, or areas protected under Member States' legislation. Although there are a number of residential properties in the vicinity of the site (along Star Lane to the east, or off Canhurst Lane and Sandhills to the south), the site does not lie within a densely populated area. The extension of time for the completion of the landfill would inherently delay the restoration of a site within the Metropolitan Green Belt, although the site would still be restored.

Characteristics of the potential impact:

- (a) The extent of the impact: The proposed development effectively seeks to extend the life of the landfill site for another three years and therefore any such impacts already caused by the permitted operations would continue to exist over the additional three year period.

- (b) The transfrontier nature of the impact: There would be no transfrontier impacts as a result of the proposed development.
 - (c) The magnitude and complexity of the impact: In terms of the existing operations, the potential impacts of the proposed 3 year extension to the life of the site relate to disturbances such as noise, dust, odour, litter, visual intrusion or lorry movements on the local highways. However, it is not anticipated that these impacts would be of a high or significant magnitude or complexity, given that existing operations are controlled by planning conditions and mitigation schemes, which would continue to have an effect, should planning permission be granted, as these respective conditions or schemes are not sought to be varied or amended.
 - (d) The probability of the impact: The probability of the impacts listed above is considered low in relation to the surrounding residential properties, local highway network and the local environment, bearing in mind the existing mitigation measures in place which control the site and its operations.
 - (e) The duration, frequency and reversibility of the impact: The proposal to extend the life of the landfill site would allow the site to be restored in accordance with the approved restoration scheme. As such, the impacts would be temporary in nature and would ultimately cease following complete restoration of the site by January 2021.
- 5.2 The National Planning Guidance in relation to Environmental Impact Assessment Annex: Indicative Screening Thresholds states that significant environmental effects are more likely where developments (including landfill sites) are proposed for the deposit, recovery and/or disposal of household, industrial and/or commercial wastes where new capacity is created to hold more than 50,000 tonnes per year, or to hold waste on a site of 10 hectares or more. The landfill is already permitted and the proposals to extend the life of the site would not result in any new capacity, above that which it already benefits from the extant planning consent.
- 5.3 The proposals are not considered of more than local importance and, although located in the Metropolitan Green Belt, the site is not located in a particularly environmentally sensitive area.
- 5.4 The proposed changes to Condition 7 will have no impact upon the footprint of the site, the approved restoration levels, after care uses or method of working. The site is operated, and will continue to operate fully in accordance with its Environmental Permit which is issued and monitored by the Environment Agency. The Permit governs the day to day operation of the site and provides the relevant framework for determining and implementing appropriate pollution control and environmental control measures. Pollution control measures include the full engineering of the landfill site to prevent the potential for pollution of the groundwater environment, the collection and management of leachate and landfill gas and use of the gas to generate electricity, and the monitoring of activities to ensure the controls in place are effective. Environmental control measures include adoption of best practice in undertaking the landfilling to prevent and manage such matters as odours, dust, litter, or noise.
- 5.5 Overall, the proposals relate solely to the extension in time for existing operations that are now well established at the site. These operations have been deemed to be acceptable (through the grant of the extant planning consent for the landfill site) and no other change are proposed, the continuation of the operations, for another 3 years beyond that currently permitted, is unlikely to give rise to any new or increased environmental impacts. As such the proposals are not considered to be 'EIA Development'.

- 5.6 An overview of the environmental considerations as a result of the revised timescale for the landfill and restoration of the site is provided below.

Traffic and Transport

- 5.7 There will be no additional traffic as a consequence of the proposed amendments to the extant planning consent. This is because there will be no change to the amount of waste or restoration materials delivered to the site to achieve the approved restoration. The vehicle movements will however be over a longer period of time (the extended period) than currently approved.
- 5.8 Traffic movements are controlled by Condition 11 (as amended by planning consent no. VAR/2010/1795) which limits the number of HGV movements to an average of 70 per day (on a monthly basis) with an overall cap of 90 per day. No variation is being sought to that condition, which will continue to limit the number of vehicle moments associated with the operation of the landfill site.

Landscape and Visual Impact

- 5.9 The proposed amendments do not seek to alter the approved restoration contours of the landfill site, nor do they change the approved restoration scheme or approved after care uses. Therefore, there will be no change to the visual impact of the site in comparison to the existing situation as a result of the amendments sought.
- 5.10 However, in the immediate to short term, the delivery of the restoration will take longer than anticipated, and will therefore be visible for a longer period of time (until January 2021 rather than January 2018).
- 5.11 In the medium to long term, the full restoration of the quarry void, in accordance with the approved restoration scheme, will have a positive impact on local views of the site, and wider landscape including the context of the site being within the Metropolitan Green Belt (see Section 6). All of which need to be taken into consideration when considering the alternative to the proposed amendments sought, which is for the restoration of the site to be curtailed prior to the approved levels being reached across the site. Even with a significant proportion of the site already restored, this would result in a landform which potentially would not blend into the surrounding landscape in the way that the approved scheme has specifically been designed to achieve.

Amenity

- 5.12 There will be no change to the working practices at the site (operational controls, hours of operation etc.) as a result of the proposed amendments to the Condition 7 of the extant planning consent. The site currently employs a number of good practice operational management techniques and practices, which seek to minimise the impact of the operations at the site on the amenity of local residents. These will continue to be employed throughout the extended period, and continued compliance with the protective planning conditions within the extant consent and the site's Environmental Permit will also ensure that the operation of the landfill will not give rise to adverse impacts associated with the generation of dust, litter, odour or noise.

6. Planning Policy Context

- 6.1 The following policy documents are considered relevant to the consideration to this application:
- The National Planning Policy Framework (NPPF)
 - The National Planning Policy for Waste (NPPW)
 - Planning Practice Guidance

- Berkshire Minerals and Waste Local Plan (saved policies)
- Wokingham Borough Core Strategy

National Planning Policy Framework (March 2012)

- 6.2 The NPPF does not contain specific waste policies, as national waste planning policy is published as part of the Waste Management Plan for England. However, Local Planning Authorities preparing waste plans and taking decisions on waste applications should have regard to policies in the framework so far as relevant.
- 6.3 Para. 6 of the NPPF confirms that the purpose of the planning system is to contribute to sustainable development. Para. 14 describes sustainable development as the 'golden thread' which should run through all plan making and decision-taking, and that at the heart of the NPPF is a presumption in favour of sustainable development.
- 6.4 In terms of guiding development, the NPPF places emphasis on the use of brownfield sites, for example para. 109 requires that: "*the planning system should contribute to and enhance the natural and local environment by... remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate*".
- 6.5 The NPPF also seeks to clarify the issue of development within the Green Belt. Para. 87 of the NPPF states: "*As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*". By way of clarification of the use of 'very special circumstances' para. 88 states, "*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*".
- 6.6 For the reasons set out in Section 5 of this Statement, it is considered that the proposed amendments will not harm the '*fundamental aim*' of the Green Belt (as defined in para. 79 of the NPPF, which states the essential characteristics of the Green Belt being their openness and permanence). The site already has planning permission for landfill with restoration to amenity woodland; no change to the restoration scheme is being sought and thus there would be no impact on the openness of the Green Belt, which would be maintained.
- 6.7 It is considered the '*very special circumstances*' which weigh in favour of permitting the application include the fact that the site has been operational for a number of years and has implemented significant mitigation measures during that time to ensure that there is minimal impact on the local environment and local residential amenity, and these would continue throughout any additional period of operation. In addition, the full and optimal restoration of a brownfield site, and the fact that the planning application solely relates to a relatively modest increase of time required in order to finish the permitted restoration can also be considered as very special circumstances in the determination of this application.
- 6.8 In addition, if permitted, the proposed amendments will positively enhance the Green Belt (in comparison to the alternative of curtailing the landfill operation as set out in paragraph 5.11 above) as required by para. 81 of the NPPF. In that, it will allow the landfill void to be fully restored in accordance with the objective to remediate, improve and make beneficial use of a site which was historically utilised for the extraction of clay and sand.
- 6.9 In assessing '*any other harm*' (as required by para. 88 of the NPPF), the environmental considerations detailed in Section 5 of this Statement have assessed the potential environmental impact of the proposed amendments on the site, its surrounding environs, and any potential impact (or harm) to the Green Belt.

- 6.10 Therefore, the remaining development required to restore the site, and the additional timescales involved, is supported by the policies of the NPPF which seek to ensure sustainable development. It will improve the quality of a brownfield site previously used for mineral extraction, and as detailed above, there are very special circumstances which outweigh any limited (and temporary) impact on the Green Belt.

The National Planning Policy for Waste (October 2014)

- 6.11 The NPPW sets out detailed waste planning policies.
- 6.12 The last bullet point of para. 7 of the NPPW states that, *"When determining waste planning applications, waste planning authorities should... ensure that land raising or landfill sites are restored to beneficial after uses at the earliest opportunity and to high environmental standards through the application of appropriate conditions where necessary"*.
- 6.13 Whilst this application seeks an increase in the time available to complete and restore the landfill void, by allowing this additional time the planning authority will be ensuring that the site is restored to the highest environmental standard, and to a scheme which was developed to ensure optimal restoration of the site.

Planning Practice Guidance

- 6.14 The Planning Practice Guidance which supports the NPPW is also a material consideration in the determination of this planning application. Specifically, in relation to landfill sites it states that: *"Waste planning authorities should be aware that the continued provision and availability of waste disposal sites, such as landfill, remain an important part of the network of facilities needed to manage England's waste. The continued movement of waste up the Waste Hierarchy may mean that landfill sites take longer to reach their full capacity, meaning an extension of time limits to exercise the planning permission may be needed in some circumstances, provided this is in accordance with the Local Plan and having taken into account all material considerations"*.

Berkshire Minerals and Waste Local Plan (saved policies)

- 6.15 The current planning policy comes the following documents:
- The Replacement Minerals Local Plan for Berkshire (RMLP) was first adopted in 1995 with alterations adopted in 1997 and 2001; and
 - The Waste Local Plan for Berkshire (WLPB) was adopted in 1998 following a public inquiry and covers the period up to 2006
- 6.16 These plans were produced jointly by the unitary authorities that make up the former Berkshire County area.

Saved Policies of the Replacement Minerals Local Plan for Berkshire (RMLP)

- 6.17 Saved Policy 18(ii) of the RMLP relates to minerals sites restoration and applies in cases where applications are made to extend the period for site restoration beyond that originally approved, or to vary the form of restoration on all or part of a site. It states:

"(i) (...)

(ii) When considering other applications relating to the restoration of present or former mineral workings, the local planning authorities will be guided by the aim of ensuring the completion without undue delay of site restoration to an appropriate standard and an acceptable landform, landscape character and ecological character which are

appropriate to its location and its intended after-use.

The local planning authorities will impose conditions to secure these ends on any planning permissions granted, and may request the completion of legal agreements to secure matters which cannot be secured by planning conditions."

- 6.18 This policy mirrors the requirement of para. 7 of the NPPW outlined in para. 6.12 above, and as stated above, this planning application will facilitate this situation. It is proposed that the site will be fully restored by January 2021, although this is some 3 years after it was anticipated that the restoration would be complete, this application provides a realistic timescale in which the restoration to the highest possible standard can be achieved.

Saved Policies of the Waste Local Plan for Berkshire (WLPB)

- 6.19 The Star Brick & Tile Works, Knowl Hill, is an existing waste site, as defined in Saved Policy WLP11 – Preferred Areas and Preferred Areas of Search, of the WLPB. The designation of Preferred Area implies support in principle for waste management uses on this site (although this does not mean that every planning application will inevitably be approved regardless of circumstances).

- 6.20 Saved Policy WLP27 relates to whether a development is needed and states:

"Planning applications for waste management development will only be permitted if the Local Planning Authorities are satisfied that:

(i) (...)

(ii) there is a wider environmental benefit resulting from the development which outweighs any adverse environmental and other effects resulting from it;

(iii) the development and its associated traffic would not give rise to any unacceptable environmental impacts; and

(iv) satisfactory arrangements are made to secure infrastructure, services and amenities made necessary by the development."

- 6.21 Saved Policy WLP30 sets out how the merits of waste management development proposals will be assessed having regard to relevant considerations. Key factors in judging the acceptability of proposals would include traffic and traffic-related impacts, impact on living conditions, emissions to air, protection of water resources, protection against flooding, and landscape impact/visual issues. In the case of landfill, the ability to secure satisfactory restoration, after-care and after-use is a major consideration.

- 6.22 The landfill site is a well established facility, with established and beneficial mitigation, which will continue throughout the extended period of operation and restoration, to ensure compliance with these policies. As detailed in Section 5 of this Statement, there have been no unacceptable adverse impacts identified as a consequence of the proposed amendments.

- 6.23 This application does not seek to make any changes to the approved operation of the landfill or restoration scheme (other than extending the period of time for its infilling and restoration). The proposals will however also ensure that the approved restoration and after care schemes can be successfully delivered.

Wokingham Borough Core Strategy

- 6.24 Wokingham Borough Core Strategy was adopted in January 2010 and provides the broad spatial vision for the borough to 2026 and the policies designed to achieve this.

- 6.25 Policy CP1 (Sustainable development) of the Core Strategy sets out how development within the borough should enhance the overall sustainability of the area through minimising impact on the environment.
- 6.26 The Core Strategy acknowledges that all development can impact on the overall character of the area and as such, Policy CP3 (General Principles for Development) sets out a number of broad principles and criteria to ensure that any adverse impacts are minimised. Amongst other things, this policy seeks to ensure that development "*use the full potential of the site*".
- 6.27 The Council established through Policy CP12 (Green Belt) that there were no exceptional circumstances to warrant changes to the Green Belt boundary. This policy also reaffirms that "*Planning permission will not be granted for inappropriate development within the Metropolitan Green Belt (...)*".
- 6.28 The objectives laid down in the Core Strategy are taken forward and developed within the Wokingham Borough Managing Development Delivery Document (MDD), adopted in February 2014.
- 6.29 Policy CC01 (Presumption in Favour of Sustainable Development) of the MDD reaffirms the positive approach the Council will take when considering development proposals which reflects the presumption in favour of sustainable development contained in the NPPF.
- 6.30 Policy TB01 (Development within the Green Belt) reaffirms that development within the Green Belt will only be permitted where they maintain the openness of, and do not conflict with the purposes of including land in, the Green Belt, in line with the Core Strategy and the NPPF.
- 6.31 Policy TB03 (Major Existing Developed Site in the Green Belt (Star Brick and Tile Works)) specifically relates to the Application Site and states:
"1. The Star Brick and Tile Works, Knowl Hill is identified as a major existing developed site in the Green Belt and is defined on the Policies Map.
2. Within the defined development envelope of the Star Brick & Tile works, the principle of limited infilling or the partial or complete redevelopment of the site will only be acceptable where it would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."
- 6.32 Worthy of particular note is that this planning application does not seek a physical extension to the existing facility, nor does it provide additional capacity.
- 6.33 Compliance in relation to Green Belt policy is covered in paras. 6.6 – 6.10 above. The proposed amendments will ensure that the landfill is restored in such a way as to improve and enhance the appearance of the site. A site which, if it were not be restored in an appropriate and sustainable way, would detract from the openness of the character of the Green Belt.
- 6.34 By increasing the amount of time permitted to fully restore the site, during which time the existing mitigation measures which currently protect the amenity of local residents and the environment will continue, the proposed amendments can be seen to be in full compliance with the Wokingham Borough Core Strategy, and the relevant saved policies of the Berkshire Minerals and Waste Local Plan.

7. Conclusion

- 7.1 Landfill operations at the Star Works landfill site commenced in January 1999 and significant progress has been made in restoring the site through the landfill of non-inert waste.
- 7.2 The site is being restored progressively with most of the site now capped, and once complete, the restoration will deliver amenity woodland.
- 7.3 This planning application is required to amend planning condition 7 of planning consent no. 340429 (WBC)/ 426466 (RBWM) in order to allow additional time to complete the landfill operation and restoration of Star Works landfill.
- 7.4 The planning consent currently requires that the landfill operations (deposit of waste) are complete by January 2016, with the restoration complete by January 2018. This is not enough time for the approved restoration contours to be achieved across the whole site. It is therefore requested to extend by 3 years the period of time for the deposit of non-inert waste, from January 2016 to January 2019, extend the time for the deposit of engineering/restoration materials (inert waste) from January 2016 to January 2020, and extend the time for the completion of the site's restoration from January 2018 to January 2021.
- 7.5 By increasing the period in which the landfill and final restoration can take place, until the January 2021 and thereby increasing the restoration period by 3 years, this will mean that the site can be restored in full accordance with the approved plans.
- 7.6 The amendments sought do not involve any built development, or seek to increase the amount of waste to be disposed of at the site. There will be no resultant amendments to the operational methods employed at the site, or the environmental mitigation measures which have been successfully implemented to date. These will continue alongside continued compliance with the conditions of the extant planning consent (as varied) and the site's Environmental Permit throughout the extended operational period.
- 7.7 The potential environmental impacts associated with the longer timescales requested have been assessed as part of this planning application, and it has been concluded that there will be no adverse impact on the local environment or the amenity of local residents. In addition, as set out in Section 6 of this Statement, the proposed development is also in accordance with the relevant national and local planning policies.
- 7.8 It is therefore proposed that planning Condition 7 of planning permission ref. 340429 (WBC)/ 426466 (RBWM) and Condition 3 of planning permission ref. 344446 is amended in order to ensure that the site is restored in a way that minimises any impact on the local environment whilst maximising the quality of the restoration by enabling the approved schemes to be implemented as designed.

Encl. Planning Application to vary Consent 340429 [WBC]/ 426466 [RBWM]:
Drawing no. DG/ES/KNO/LF01 [General Location]
Drawing no. DG/ES/KNO/LF02 [Location Plan (1)]
Drawing no. DG/ES/KNO/LF03 [Site Plan]

Planning Application to vary Consent 344446:
Drawing no. DG/ES/KNO/LF01 [General Location]
Drawing no. DG/ES/KNO/LF04 [Location Plan (2)]