



PLANNING STATEMENT



S73 PLANNING APPLICATION FOR VARIATION OF CONDITIONS 2 AND 4 OF 12/01430/FUL FOR DEVELOPMENT OF A LEACHATE TREATMENT PLANT

**BURGHFIELD LANDFILL, ISLAND
ROAD, READING**

**ON BEHALF OF:
CEMEX UK OPERATIONS LTD**

MAY 2017

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LAND AT BURGHFIELD LANDFILL, ISLAND ROAD, READING

MAY 2017

PLANNING STATEMENT

Submitted to:

**Reading Borough Council
Planning & Building Control
Civic Offices
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Reading
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1.0 INTRODUCTION

- 1.1. This Planning Statement has been prepared by ShrimplinBrown Ltd on behalf of CEMEX UK Operations Ltd (the Applicant) in support of an application under Section 73 of the Town and Country Planning Act 1990 (as amended) for the variation of conditions 2 and 4 of planning permission 12/01430 for the Development of a Leachate Treatment Plant (LTP) at the Burghfield Landfill site, Island Road Reading.
- 1.2. The full planning permission for the Development of a Leachate Treatment Plant on this site (Ref: 12/01430) was implemented in March 2016 with the construction of the new site access. These works followed the discharge of all pre-commencement conditions (3, 4, 6, 8 and 9) .
- 1.3. This S.73 application seeks to amend the configuration of the LTP layout in order to allow for the Sequencing Batch Reactor Aeration Tank (SBR AeT) to be sited above ground, together with amendments to the plant site configuration arising out of further detailed design work. Proposed amendments are also to be made the landscaping scheme.
- 1.4. The application submission is accompanied by the following supporting documentation:
 - Plans:
 - Site Location Plan: Ref: MB20761-00 REV A, May 2017
 - Existing Site Layout Plan: Ref: MB20761-01 Rev A, May 201
 - Proposed Site Layout Plan: Ref: MB20761-02 Rev D, May 2017
 - Elevations: Ref: MB20761-10 Rev C, May 2017
 - Site Landscaping: Ref: L4/369/45B

- Updated Landscaping and Ecological Management Scheme, May 2017
- Timber Post and Stockproof Wire Fence Detail: Ref: L/FE/01
- Outline Landscape and Visual Impact Assessment, CEMEX, May 2017
- Update to Phase 1 Habitat and Protected Species Survey, ERAs Consultancy, September 2016.
- Amended Materials Schedule, May 2017

1.5. The above includes updates to the information submitted to discharge conditions 4 and 6 of the original consent. An updated Schedule of Materials (condition 3) including minor amendments to reflect the changes to the scheme is also enclosed.

1.6. The proposed scheme amendments do not materially alter the following detailed information previously submitted and formally discharged on 24th February 2016:

- Construction Method Statement;
- External Lighting

1.7. The proposed development falls outside of the criteria set by Articles 8 and 9 of the Development Management Procedure Order 2010 and thus a Design and Access Statement is not required to support this scheme.

1.9 This Planning Statement provides in Section 2 a brief description of the site and surroundings relevant to this application. Section 3 summarises the planning history. Section 4 summarises the proposed amendments to the scheme. Section 5 sets out the relevant National and Local Planning policy context with specific reference to the proposed changes. Section 6 summarises the scope against which the S73 application should be determined and sets out a summary

of the key issues arising from the proposed amendments to the approved scheme. Finally, Section 7 provides a brief summary and conclusions.

2.0. SITE DESCRIPTION

- 2.1. The application site is within the confines of the Burghfield Landfill site as shown on the enclosed context plan (Site Location Plan, Ref: MB20761-00-RevA, May 2017). The application site lies on the north-western part of the landfill site and aside from the implemented access currently comprises vacant land. The application site covers an approximate area of 0.5ha as shown by the red line boundary on the Existing Site Layout Plan, Ref: MB20761-01-Rev A, May 2017. The proposed Leachate Treatment Plant site extends to circa 0.17 hectares.
- 2.2 To the south and east of the application site lies the remainder of Burghfield Landfill. There are two distinct landforms forming the Burghfield Landfill site. To the immediate south is an area of restored landfill, generally lying in the north/south orientation, rising to a ridge of elevation 54mAOD. A second landform lies to the south east generally orientated in an east/west direction, rising to a ridge of 47mAOD. The LTP is required to meet the permit conditions relating to the former.
- 2.3 To the east of the application site is an area of restored landfill that is part of the floodplain. Approximately 20-30m to the east of the application site there is a ditch running south east to north west, terminating in the ditch to the north of the application site.
- 2.4 Immediately to the west of the application site the Landfill Gas Utilisation Facility (LGUF) has been constructed and commissioned: processing gas from the restored landfill. To the west, beyond the LGUF, and north west, of the application site, run power lines, with a 30m tall pylon 100m to the west of the application site. At the closest point the power lines are 50m from the boundary of the application site. The power lines run along the western boundary of Burghfield Landfill and then cross the landfill site to the north of the application site. Further to the west of the power lines lies a mainline railway (running north to south) serving Reading from the south.

- 2.5 To the north of the application site (c.150m) the River Kennet flows west to east. Between the northern boundary of the application site and the River Kennet lies a parcel of uncultivated land, a small lagoon, and an area of trees running parallel to a ditch; the ditch defines the northern boundary of the landfilled area.
- 2.6 Access to the landfill site and the application site is via Island Road off the A33. Island Road also provides access for vehicles to and from the LGUF adjacent to the application site, the Recycling Centre, the Thames Water Sewage Treatment Works (STW) and the residential properties at Manor Cottages.

Sensitive Receptors

- 2.7 The closest residential properties to the application site include Southcote Mill, approximately 500m to the north west, and properties at Manor Farm Cottages, about 700m to the north east. The main residential area of South Reading is located about 800m to the north and the 'Kennet Island' development is 1.3km to the east of the site.
- 2.8 Within the wider surroundings, the Registered Park and Garden of Prospect Park is approximately 1.6km north. There are no Public Rights of Way (PRoW) through the site. The closest PRoW runs along the River Kennet/ Kennet and Avon Canal towpath to the north of the site. A Landscape and Visual Assessment has been undertaken in support of the updated scheme. This includes an assessment of the potential impact the Development will have on users of the PRoW and the canal.

3.0. PLANNING HISTORY

3.1. The proposed leachate treatment plant was granted planning permission in April 2013 and was implemented in March 2016 through undertaking works to construct the access road.

3.2 The original consent was for the Development of a Leachate Treatment Plant Ref: 12/01430/FUL.

3.3 The full planning application included the following supporting information:

- Site Location Plan (Ref: JW3019201)
- Key Local Features Plan
- Planning Application Boundaries (Ref: JW30192-2A)
- Proposed Landscape Planting (Ref: JW30192-D1C)
- Proposed Site Layout (Ref: JW30192-3H)
- Proposed LTP Compound Lighting Plan (Ref: JW300192- 5B)
- Proposed Elevations (Ref: JW30192-4D)
- Planning Supporting Statement (including Design and Access Statement)
- Landscape and Visual Impact Assessment
- Extended Phase 1 Habitat Survey Report (Jan 2012)
- Great Crested Newt Survey (July 2012)
- Flood Risk Assessment.

3.4 An Environmental Impact Screening Opinion was issued on 3rd October 2012 which concluded that the proposal was not EIA development.

3.5 The full planning application was granted subject to 10 planning conditions. The pre-commencement conditions were cleared prior to undertaking implementation works last year.

3.6 The consented treatment plant comprises the following plant and structures:

- Four tanks, 2 x 2 x raw leachate balance tanks (RLBT) – 5.4m; 1 x treated leachate balance tank (TLBT) – 4.0m;
- 1 x Sequencing Batch Reactor (SBR) – 3.6 metres The tanks are concrete structures with green/grey roofing.
- Office/ Control building – 3.6m; this is a painted steel pre-fabricated structure
- Chemical Dosing Area – 3.5m;
- Store Container and Compressor House – 2.0m.

3.7 Details of the proposed amendments to this scheme are summarised in the following section with a further assessment of Key Issues at Section 6.

4.0. PROPOSED AMENDMENTS TO IMPLEMENTED SCHEME

4.1 The application site is situated within the confines of the existing Burghfield Landfill site to the south of Reading on an area of restored (inert) landfill. The restored area that the Leachate Treatment Plant will serve is immediately to the south of the application site.

4.2 The plant allows CEMEX to comply with Environment Agency Environment Permit Conditions, in relation to treating raw leachate and maintaining leachate at a prescribed level within the restored Burghfield landfill. The overall proposed plant specification remains broadly as previously consented (and implemented), however, it is proposed to amend the scheme to reflect input at the detailed design stage, including amendments which take account of subsequent changes to Environmental Containment Requirements CIRIA C736. The specific amendments to the scheme are summarised as follows:

- Removal of stand-alone 4-metre-high TLBT tank and integration of this tank as part of the containment structure of the Sequencing Batch Reactor aeration tank;
- Amendment to the design of Sequencing Batch Reactor aeration tank including reposition above ground at a height of 6.66 metres with associated access steps and platform (7.9 metres including access platform handrails- previously 3.6 metres);
- Amendment to the Bunding Chemical Dosing Area involving the rationalisation of tanks through the provision of a larger sodium hydroxide storage tank to increase capacity and reduce delivery vehicle movements.

4.3 The site will, as previously consented, be enclosed by a 2.3-metre high security fence and the surface of the compound will remain as concrete.

- 4.4 The setting of the site within the surrounding landscape has been reassessed as part of these proposals in the accompanying Outline Landscape and Visual Impact Assessment. Based on the recommendations of this report an enhanced landscaping scheme has also been prepared.
- 4.5 The details and specification of the LTP compound and the main features outside of the LTP compound (including the car park, access road and sewer connection) have not materially changed from the consented proposals.
- 4.6 An updated Outline LVIA assessment and enhanced Site Landscaping scheme have been prepared and provide supporting evidence to justify the changes to the scheme.
- 4.7 The original Phase 1 ecology assessment work has also been updated as the original assessment was completed over three years ago.

Need for the Development and Justification for Amendments to previous consent

Existing situation

- 4.8 Currently the leachate from the restored landfill to the south of the proposed development is being abstracted from Burghfield Landfill to be treated prior to final discharge. The abstraction and treatment of the leachate from this restored landfill is a requirement of the Environmental Permit granted by the Environment Agency. This restored landfill is a fully engineered landfill and is kept under 'hydraulic containment' to maintain the depth of leachate at no more than 1m, as required under its Environmental Permit.
- 4.9 The leachate that is currently abstracted is pumped to a holding tank to the west of the landfill site. The holding tank has a capacity of 45,190 litres. An average

of 50 m³ is abstracted on a daily basis. Currently, an average of two road tankers visit the site on a daily basis to transport the leachate off site.

Consented position

- 4.10 In order to comply with the environmental permits of the restored area and best practice, the original implemented permission established the principle of erecting a leachate treatment plant to allow partially treatment on site prior to being piped to the adjacent sewage treatment works. Treating the raw leachate on site removes the need to transport the raw leachate by road prior to final disposal, thus reducing the potential environmental risk from spills and reducing the amount of traffic generated by the treatment.

Proposed Amendments

- 4.11 The leachate management plan for the Burghfield Landfill will not be altered by these amendments and will comprise the following:
- Conveyance of raw leachate from the 58 Acre site adjacent to and south of the Basingstoke / Reading railway line;
 - Conveyance of raw leachate from the 103-Acre site south of the 58-Acre site;
 - Erection of the consented and implemented process treatment plant to be constructed adjacent to an existing landfill gas/electricity generation station east of the Basingstoke / Reading railway line.
- 4.12 The consented process treatment plant included a number of tanks to store and treat the leachate from the landfill before discharging to the local sewage treatment works. The largest of these tanks provides the treatment required for the leachate and the process relies on this tank, called the aeration tank (AeT- Part of the Sequencing Batch Reactor (SBR)), for that purpose. It is proposed to amend the design of the AeT as part of these proposals.

- 4.13 The new tank design will have a nominal capacity of 1643 m³, with a liquid depth of 5.500 m and a freeboard of 1 m, giving an overall depth of tank 6.5 m (previously 7 metres). The nominal diameter of the tank will be 19.500 m. The tank will have a maximum height above ground of 6.5 m. The tank will be fitted with access steps and platform complete with handrails in order to gain safe access to items of plant and instrumentation inside the tank that require operator/maintenance engineer access. Plant, such as aerators and pumps can be lifted out of the tanks using a portable lifting davit crane placed in various lifting socket points around the tank access platform. The tank will not be covered¹.

Justification for Amendments

- 4.14 The original proposal to bury the AeT has had to be reviewed as a result of the implementation by the Environment Agency of CIRIA report C736², which relates specifically to the provision of containment of chemical and other polluting liquors.
- 4.15 Under the new guidance The Environment Agency (EA) in its capacity as statutory regulator in respect of emissions requires the proposed leachate Treatment plant at Burghfield to comply with the provisions of that CIRIA report.
- 4.16 The EA requires owners and operators of tanks to be able to demonstrate that effective containment has been achieved. This not only relates to the potential for leakage through tank walls, but also through tank bases. The requirement is also for a demonstration that in the event of a catastrophic collapse of a tank, or the development of a crack or hole in a tank wall that any and all

¹ The reason for the roof on the original scheme was for heat retention for the process during winter. However, review of this confirms that this heat retention is not required as there will be sufficient heat generated from plant located in the AET/Sequencing Batch Reactor. The AET/Sequencing Batch Reactor contains only treated leachate and mixed liquor and is aerated so maintains aerobic conditions and does not require a roof for odour control.

² Containment systems for the prevention of pollution (C736) Secondary, tertiary and other measures for industrial and commercial premises, 2014

spillage/leakage will be contained within the designed containment area. All areas should be readily available for inspection at any time.

- 4.17 In order to achieve this the EA has indicated that tanks should be constructed/erected at or above ground level: this allows tank structures to be inspected and assessed for unintended liquid movement through the structure, either through the walls or through the base.
- 4.18 The EA has stated that it has a presumption against burying tanks, in particular when such tanks contain polluting liquors.
- 4.19 Proposals to provide containment at depth via membranes and the like have been rejected by the EA, especially when piled foundations are required because of the potential for long term movement of ground materials around and adjacent to the structure causing unobservable and undetectable fractures in the containing materials. Piles are considered to be able to generate pathways by which any leaked material from a tank can be transferred to ground and to groundwater, thereby causing a polluting event.
- 4.20 To comply with the requirements of the EA with respect to containment provisions, it is proposed that the tank be founded at a level relative to the existing ground level such that the top of the base slab of the tank is about 100 mm above the current ground level. The top height of the AeT will therefore be about 6.66 metres (7.9 metres including access platform safety hand rails - previously 3.6 metres) above adjacent ground level.

5.0 PLANNING POLICY

- 5.1. The determination of planning applications should be in accordance with both National Guidance the Development Plan for the local area, taking into account national and regional planning policies and other material considerations where relevant.
- 5.2 This Chapter sets out the relevant legislative and policy context for the development and explains how the amended development, subject to this application accords with the policies contained within national and local planning policy and guidance.
- 5.3 The aforementioned changes to Environmental Containment Requirements (CIRIA C736) necessitate some minor adaptations to the plant design and configuration, specifically the raising out of the ground of the AeT tank which will sit 3 metres higher than consented (total height of 6.6 metres).
- 5.4 The proposed development, therefore, needs to be reassessed in this context and accordingly this policy section is focused on the relevant issues and policies relating to the changes. This section also includes a summary of relevant policy guidance adopted since the original grant of planning permission.

National Planning Policy

- 5.5 The Development Plan must also be read alongside National Policy. National Planning Policy Guidance is outlined in the National Planning Policy Framework (2012). This does not, however, include specific policies on waste which are set out within the Waste Management Plan for England 2013.
- 5.6 Waste Planning Authorities are required to consider the likely impact of waste development on the local environment and on amenity.
- 5.7 The proposal relates to the ongoing obligation to treat leachate arising from the historic landfilling in this location. The need for the facility was previously

accepted and the Company have implemented the consent. The amendments proposed under this application are an essential requirement to ensure the delivery of this proposal.

- 5.8 The NPPF does not contain any specific waste policies since national waste planning policy is published alongside the National Waste Management Plan for England.
- 5.9 The NPPF does, however, establish several core planning principles which are intended to underpin plan-making and decision making, including: enabling effective re-use of land; and securing good standards of amenity for existing and future occupants of land and buildings. Paragraph 14 confirms that sustainability is the golden thread running through planning policy and that there are 3 elements to sustainability: economic, social and environmental. The NPPF also highlights the importance of high quality design, including protection from the impacts of climate change and protection and enhancement of the natural and historic environment.
- 5.10 The development, subject to this application, has been brought forward to enhance the management of leachate on the site, protecting the environment and amenity, thereby contributing to 2 of the 3 key elements of sustainability. The amended scheme also proposes an enhanced package of new landscape proposals which will ensure that the new development integrates well into the surrounding landscape. The development can therefore be considered compliant with the core principles of the NPPF.

Waste Management Plan for England, 2013

- 5.11 The Waste Management Plan for England is a high-level document which is non-site specific. It provides an analysis of the current waste management situation in England, and evaluates how it will support implementation of the objectives and provisions of the revised WFD (Waste Framework Directive).

- 5.12 The 'National Planning Policy for Waste' (NPPW) places an emphasis on waste facilities contributing positively to the character and quality of the locality and should be restored to beneficial uses at the earliest opportunity.
- 5.13 The leachate storage and treatment facility has been designed to operate without endangering human health, and with minimum harm to, or adverse impacts on, the environment. The planning application is considered to support the relevant policies and objectives within NWMP and the NPPF, and would not have an unacceptable impact upon any identified sensitive environmental receptors.
- 5.14 As part of a former landfill facility the new leachate reception facility is subject to all existing environmental controls currently employed at the site. In addition it is subject to a strict regime of environmental monitoring, inspection and control exercised by the Environment Agency. Under separate legislative responsibilities to planning, this body has powers to control, monitor and license all waste activities/processes taking place at the site.
- 5.15 The development provides a means of optimising the efficiency of the existing leachate treatment infrastructure. The treatment of the leachate on site reduces the need to tanker any excess off for storage and/or treatment elsewhere. This gives the environmental benefit of removing tankers from the surrounding road network.
- 5.16 The development has been carefully designed taking account of current legislation and guidelines and having regard to the avoidance and mitigation of potential environmental impacts, thereby maintaining standards of environmental quality and amenity.

Local Planning Policy Guidance

- 5.17 The Development Plan for this site comprises:

- Reading Core Strategy 2008 (Altered January 2015);
- Sites and Detailed Policies, Adopted October 2012 (Altered January 2015);
- Proposals Map (Adopted October 2012).

5.18 The Proposals Map designates the site as a major landscape feature and public and strategic open space in the Development Plan. The application site is also located outside the Settlement Boundary.

5.19 The Reading Core Strategy and Detailed Policies Document (2008) and Site and Detailed Policies (2012) were altered in 2015 to take account of a new affordable housing policy, however, this has no bearing on these proposals.

Reading Core Strategy, 2008 and Sites and Detailed Policies, 2012

5.20 The Sites and Detailed Policies document does not include any policies which are directly pertinent to these proposals. The relevant policies and issues arising from the Core Strategy document are considered below:

Visual impact on the surrounding area

5.21 Core Strategy Policy CS37 states that planning permission will not be granted for any development that would detract from character and appearance of Major Landscape Features. SDPD Policy SA17 identifies that the sites lies within the Kennet and Holy Brook Meadows Major Landscape Feature.

5.22 The landscape impact of the proposals is assessed in the accompanying Outline LVIA and appropriate mitigation in the form of an enhanced landscaping scheme.

5.23 Core Strategy Policy CS7 requires that all development must be of a high design quality that maintains and enhances the character and appearance of the surrounding area. The plant design is driven by operational requirements, however, is similar to that previously approved.

- 5.24 Core Strategy CS8 requires development to provide a positive contribution to the distinct character, appearance, landscape and amenity of waterways. Policy DM18 states that new development shall make provision for tree planting.
- 5.25 By its very nature, the proposed development is industrial in appearance, albeit as previously acknowledged, it is similar in character to that of the neighbouring LGUF development (the majority of which ranges between 4m and 7.5m high) and reflects the quality of the area immediately surrounding the application site; which includes electricity pylons, railway embankment and landfill areas. The original determination recognised that the application site and immediate surroundings is of a much lower quality than that of the wider Kennet and Holy Brook Meadows Major Landscape Feature that is approximately 300ha in size. Nothing has changed in the interim to alter this conclusion. Moreover, it should be noted that the proposal is on the very southern periphery of the Major Landscape Feature that is bounded by Island Road.
- 5.26 Whilst the proposed changes to the scheme would, without mitigation, make it more visible from the Kennet and Avon Canal to the north, views would already be restricted due to the intervening vegetation. Views to the south and west would be limited by the intervening railway embankment and existing raised landfill areas respectively. The most prominent views of the proposal would be from the railway but these would only be seen for a short duration.

Impact on usability of open space

- 5.27 SDPD Policy SA16 and Core Strategy Policy CS28 state that areas of Public and Strategic Open Space will be protected and that any development which would jeopardise their use or enjoyment by the public will not be permitted.
- 5.28 The area of Public and Strategic Open Space, as referred to above, covers the same area (approx. 300ha) as the Kennet and Holy Brook Meadows Major Landscape Feature. The proposal is private land and is not publicly accessible.

- 5.29 The application site is made up of remediated landfill that is uneven and covered with scrub. It is considered that the open space value of the site derives from it forming part of the much larger area. Therefore, the proposal is not considered to be in conflict with Policies SA16 and CS28 as the likely loss of amenity to the public would be minimal. The increased height of the proposed tank would not alter this conclusion.

Emerging Guidance

- 5.30 The Draft Reading Local Plan and Central and Eastern Berkshire Minerals and Waste Plan are at an early stage of preparation and accordingly have very limited weight in current decision making.
- 5.31 Overall, there is, therefore, no policy justification to reach any conclusion other than that the principle of development remains acceptable.

6.0 SCOPE OF SECTION 73 APPLICATION AND KEY ISSUES

- 6.1 This section outlines the extent and contents of the S.73 application for the variation of conditions 2 and 4 of planning permission 12/01430.

Section 73 of the Town and Country Planning Act 1990 (AS AMENDED)

- 6.2 S.73 of the Town and Country Planning Act 1990 (as amended) explicitly states (inter alia):

1. 'This section applies, subject to subsection (4), to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.

2. On such an application the Local Planning Authority shall consider only the question of the conditions subject to which planning permission should be granted, and –

a. If they decide that planning permission should be granted subject to conditions differing from those subject to which the previous planning permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

b. If they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application'

- 6.3 A S.73 application therefore gives the express power to apply for planning permission without complying with condition(s) pursuant to an earlier planning permission. It is, in effect, a power to discharge or amend planning conditions. However, its legal effect is somewhat different: the outcome of a successful application is a wholly new planning permission (i.e. Decision Notice and S.106 Legal Agreement). A determination under S.73 does not affect any amendment to the existing planning permission.

6.4 S.73 provides a different procedure than those applying for applications for planning permission and requires the Local Planning Authority (LPA) to consider only the question of the conditions subject to which planning permission should be granted [our emphasis]. This does not prevent an LPA from also looking at the wider considerations affecting the original grant of permission; it simply makes it clear that whatever decision is reached on the condition, the existing permission itself should be left intact. In determining a S.73 application, LPAs are empowered to:

- Grant permission subject to conditions differing from those subject to which the previous permission was granted. This gives the LPA power to take a different approach to overcoming the problem to which the condition is addressed. It can therefore remove, amend or impose additional conditions.
- Grant permission unconditionally, although it is only possible to do so once the existing planning permission has been implemented.
- Refuse the application.

6.5 S.73 applications are required to be determined in accordance with S.38(6) of the Planning and Compulsory Purchase Act 2004. The scope of S.73 means that LPAs jurisdiction when considering an application is, in principle, more limited than when considering an application for planning permission.

6.6 This S73 application seeks to progress a small number of specific changes to the already permitted scheme. The main thrust of these changes is to allow for the Sequencing Batch reactor tank to be sited above ground as opposed to partially sunk within the ground as originally proposed. The change is necessitated by changes to Environmental Containment Requirements and a review of the construction methodology as outlined earlier in this report.

- 6.7 Specifically this application seeks to amend conditions 2 and 4 of planning permission 12/01430.

Condition 2: *The Development to be carried out in accordance with the approved plans*

- 6.8 The amendment sought is for the substitution of the following drawings:

Elevations (Drawing no JW30192-4D) and Proposed Site Layout (Drawing No. JW30192-3H), both dated 2012 to be substituted for:

Elevations (Drawing No. MB20761-10 Rev C) and Proposed Site Layout (Drawing No MB20761-02 Rev D), both dated May 2017

Condition 4: *The development shall not be brought into use until full details of both hard and soft landscaping proposals have been submitted to and approved.*

- 6.9 An enhanced site landscaping scheme (See plans: Ref: L4/369/45B and L4.369/46-the latter in LVIA) has been produced which takes account of the proposed amendment to the plant layout and which proposes extensive additional landscape planting surrounding the plant site.

- 6.10 The landscaping plan includes a planting schedule and written specification for plant establishment and takes account of the prescriptive approach set out within the condition which states that:

- proposals should “*include native tree/shrub extending a minimum of 10m north of the bund along the northern boundary of the application site.*”

Technical Considerations Arising from S73 proposals.

Landscape Assessment

- 6.11 The enhanced landscape proposals have been derived from an Outline Landscape and Visual Impact Assessment dated May 2017 which has been produced by CEMEX's in-house landscape architect.
- 6.12 The Assessment concludes that the majority of the existing wider restored quarry and landfill site and its residual operations are well screened. The consented area is small scale and not visually prominent within the surrounding area; its current predicted landscape and visual impact upon the surrounding area is minimal.
- 6.13 The site is very well screened by both mature vegetation features (riverside and boundary plantations) and existing landforms (restored landfill and railway embankment).
- 6.14 There are no viewpoints with major views into the application area; the most open viewpoints into the site of intermediate significance are from short lengths of Public Rights of Way to the north-east (a minimum of 110m from the application area) and north-west (a minimum of 300m from the application area).
- 6.15 The capacity of the local landscape around the application area to accommodate the development is moderate to high.
- 6.16 In order to minimise the landscape impact of the development the LVIA suggests a number of mitigation measures which are summarised below:

Landscaping Proposals

- 6.17 A 3 metre screen mound will be provided to the north and areas to the north-west and north-east will be planted with native tree and shrub planting complementary to the River Kennet Valley landscape to create a wider buffer

zone to those boundaries and the more sensitive viewpoints identified in the LVIA report.

- 6.18 Where possible, any built elements within the application area will utilise materials sympathetic to the local area.
- 6.19 The detailed proposals are set out on the Enhanced Site Landscaping Plan, Ref: L4/369/46 and Site Landscaping, Ref: L4/369/45B. The latter showing additional detail immediately surrounding the plant site.
- 6.20 Overall, the revised landscaping plan for the Leachate Treatment Plant and wider former quarry area will have significant positive benefits for landscape, nature conservation, recreation and amenity. Sections Plans are included within the LVIA which illustrate the effectiveness of the revised screening and landscaping proposals as seen from the more sensitive viewpoints identified.
- 6.21 Tree and shrub species for any new or replacement planting will be identical to those already chosen for the site, and will be carefully selected to provide:
- Appropriate mature tree lines in keeping with the Lower River With Open Water Landscape Character Area (LCA) C1 River Kennet – Willow and Alder
 - Attractive Autumn colour – Field Maple, Silver Birch
 - Native shrub scrub, comprising a palette of locally occurring species to:
 - form thickets for habitat diversity;
 - enhance the proposed footpath users' experience of the site;
 - limit access to more sensitive parts of the site.
 - Species capable of supporting a wide range of other species – e.g. invertebrates – Oak and Willow species

Management Proposals

6.22 The existing woodland areas will be subject to a programme of ongoing management to ensure that they form the best screen possible; for screening vegetation features, future management operations may include:

- Removal of tree shelters from mature planting
- Removal of dead or dying trees, with creation of some habitat piles with suitable material
- Selected thinning
- Under-planting with shrubs or new woodland planting to replace previous failures. and once the additional landscaping measures for the application area and its wider setting are undertaken, the revised proposal for the Leachate Treatment Plant can proceed without further detriment to the local area.

Ecology

6.23 Given that the original ecology report was undertaken over three years ago it was also deemed appropriate to provide an update to the Phase 1 Habitat and Protected Species Survey. A report produced by ERAs consultancy dated September 2016 accompanies this submission.

6.24 The report reaches the following conclusions:

- No plants protected under the Wildlife & Countryside Act 1981, as amended, were found on the survey site;
- The proposal has no implications for any statutory or non-statutory wildlife sites;

- There is no structure on the site that could be used as a bat roost;
- The mixed herb and grass habitat on the areas close to the site are not of conservation significance being of recent origin and probably derived from the soil seed bank or by sowing some species such as the Lucerne;
- The habitat is sub-optimal for most reptiles but species such as grass snake could pass through from time to time and could become trapped in open trenches;
- There are records for great crested newt in this 10km square. However, the surface water lagoon closest to the site, created c. 2006, was checked for newts in 2012 and none were found. GCN are not expected to occur on the survey site as there are physical barriers between the site and any established ponds that might support a population of newts allowing colonisation;
- No evidence of badgers was found in the immediate vicinity in January 2012 and no evidence was found of badger activity in September 2016. Badgers are not expected to be affected by the proposals;
- The habitat in the vicinity is too coarse to be suitable for ground nesting birds;
- Hedgehogs could occur in the area and pass through the site from time to time;
- Trenches dug for new foundations could trap animals and site workers should be made aware of this;
- No habitat or species identified in the Berkshire Biodiversity Action Plan will be adversely affected by the proposal.

- 6.25 The report recommends that the grassland habitat surrounding the proposed plant should be strimmed low to keep animals from coming close. Also during construction a branch should be propped in the corner of trenches to allow any grass snakes or hedgehogs exploring these areas an easy means of escape. CEMEX are happy to commit to these recommendations.

7.0. SUMMARY AND CONCLUSIONS

- 7.1 This S.73 application seeks to amend the configuration of the LTP layout in order to allow for the Sequencing Batch Reactor Aeration Tank (SBR AeT) to be sited above ground, together with amendments to the plant site configuration.. Proposed amendments are also to be made the landscaping scheme.
- 7.2 The full planning permission for the Development of a Leachate Treatment Plant on this site (Ref: 12/01430) was implemented in March 2016 with the construction of the new site access. These works followed the discharge of all pre-commencement conditions (3, 4, 6, 8 and 9) .
- 7.3 The plant allows CEMEX to comply with Environment Agency Environment Permit Conditions, in relation to treating raw leachate and maintaining leachate at a prescribed level within the restored Burghfield landfill. The overall proposed plant specification remains broadly as previously consented (and implemented), however, it is proposed to amend the scheme to reflect input at the detailed design stage, including amendments which take account of subsequent changes to Environmental Containment Requirements CIRIA C736. These amendments are essential to bring forward this proposal.
- 7.4 This Planning Statement has demonstrated that the proposals are in accordance with National and Local Planning Policies.
- 7.5 In addition to this Planning Statement an Outline Landscape and Visual Impact Assessment Report, updated Phase 1 and Habitat and Protected Species Survey and updated landscape proposals have been prepared.
- 7.6 It has been demonstrated through this assessment work that the proposed changes to the approved and implemented scheme do not result in any harm which cannot be mitigated and which would warrant a refusal.
- 7.7 Accordingly it is requested that planning permission be approved.