

Committee Report – 27th November 2017

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| Application Number: | CM/65/17 |
| Title: | Proposed variation of condition 2 (approved details), 4 (hours of operation), 10 (hours for external lighting) and 30 (vehicle movements) to increase the throughput of waste from 48,000 to 96,000 tonnes per year, increase in delivery and associated weighbridge operating hours and an increase in vehicle movements (including those on Sundays and Bank Holidays) attached to consent 12/20001/AWD for in-vessel composting and anaerobic digestion facility and ancillary development to revise the layout and elevations at Areas 10, 11, 12 at Westcott Venture Park, High Street, Westcott, Buckinghamshire. |
| Site Location: | Westcott Venture Park Westcott Buckinghamshire HP18 0XB |
| Applicant: | Shanks Waste Management Ltd Dunedin House Auckland Park Mount Park Milton Keynes MK1 1BU |
| Author: | Head of Planning and Environment |
| Case Officer: | Anna Herriman (dcplanning@buckscc.gov.uk) |
| Electoral divisions affected: | Stone and Waddesdon |
| Local Member(s): | Mr P Irwin, County Councillor for Stone & Waddesdon |
| Summary Recommendation(s): | |

The Development Control Committee is invited to APPROVE application no. CM/65/17 subject to the conditions set out in Appendix A.



INVESTOR IN PEOPLE



Appendices:

Appendix A: Schedule of Conditions

Introduction

1. The application is submitted by RPS Group as the agents on behalf of Shanks Waste Management Ltd. It was received on 18th July 2017 and validated on 19th July 2017. The application was advertised by a site notice, neighbour notification and a newspaper advert due to it being a major development. The thirteen week target for the determination of the application expired on 18th October 2017 and an extension of time has been agreed to 1st December 2017.

Site Description

2. The site is located towards the north-western end of the Westcott Venture Park, approximately 900 metres to the north-west of Westcott village. Public Footpath no. 37 Wotton Underwood runs along the northern boundary of the proposed site. Westcott Venture Park hosts a number of small businesses. Although an airfield location, containing a hard-surfaced former aircraft dispersal area, the site is largely a grassed and wooded area. It is accessed via an existing access onto the High Street/Ashendon Road, just to the south of the junction with the A41. The site measures approximately 5.5 ha including the access road.
3. The nearest residential properties are Moat Farm approximately 550 metres to the west, Moat Farm Bungalow approximately 700 metres to the north-west, Newhouse Farm approximately 820 metres to the north-east, and properties in Burnham Road approximately 900 metres to the east. The historic parks and gardens of Wotton Underwood and Waddesdon Manor extend to within 600 metres and 1.9 kilometres of the proposed site respectively. The nearest properties to the access road to the site within the Venture Park are those on Burnham Road at 212 metres away.
4. The site contains no wetlands, coastal zones, mountains or forest areas, nature reserves or parks, and no areas in which environmental quality standards have been exceeded.
5. The site is of undesignated historic and cultural value because it was originally a Second World War RAF Airfield. It does not fall within any identified non-statutory or statutory nature conservation site.
6. Figure 1 shows the plan of the site

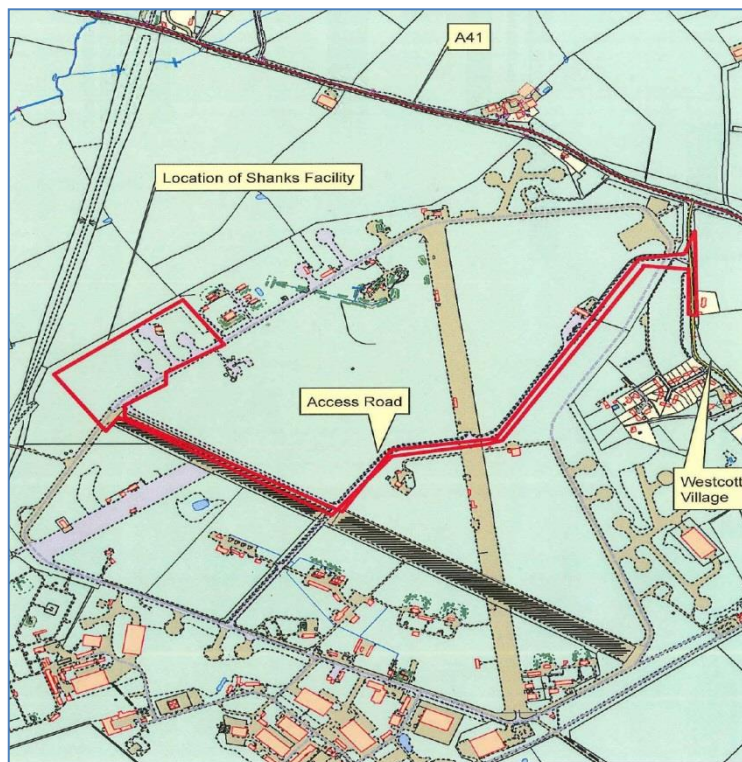


Figure 1 – Shanks Anaerobic Digestion Facility site plan

Site History

7. The planning history for the site is as follows:

| Planning consent reference | Description of development and outcome |
|----------------------------|---|
| 08/20006/AWD | Application for in-vessel composting and anaerobic digestion facility, temporary transfer station and ancillary development. Approved 19th June 2009 |
| 10/20001/AWD | Proposed development of an in-vessel composting and anaerobic digestion facility and ancillary development. Approved 1st December 2010 |
| 12/20001/AWD | Proposed variation to Condition 2 attached to planning consent 10/20001/AWD for in-vessel composting and anaerobic digestion facility and ancillary development to revise the site layout elevations. Approved 22nd October 2012 |
| NMA/0068/2015 | Non-material amendment to condition 30 attached to consent 12/20001/AWD to remove staff and visitors journeys from the number of vehicle movements permitted. Approved 29th January 2016. |
| CM/61/16 | Proposed variation of condition 2 (approved details), 4 (hours of operation), 10 (hours for external lighting) and 30 (vehicle movements) of permission 12/20001/AWD to increase the throughput of waste from 48,000 to 96,000 tonnes, per year, increase in delivery and |

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| | associated weighbridge operating hours and increase in vehicle movements (including those on Sundays and Bank Holidays). Refused 26 th January 2017 |
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Background of the Proposed Development

8. The Anaerobic Digestion facility at Westcott is currently operated by Shanks Waste Management Limited under planning permission 12/20001/AWD. The current plant capacity is 48,000 tonnes per annum. Currently conditions 2, 4, 10 and 30 are as follows:

9. Condition 2:

“The development hereby permitted shall not be carried out otherwise than in complete accordance with the details submitted with the application and the following drawings:

D135744-WVP-1103-01 Rev P5 – Site Layout Proposed AD Facility Ground Floor & First Floor Phase 1 1:500

D135744-WVP-1103-02 Rev P6 - Site Layout Proposed AD Facility Phase 2 Future Expansion 1:500

D135744-WVP-1104-01 Rev P5 - Site Elevations Building & External Plant (Phase 1) 1:250

D135744-WVP-1104-02 Rev P4 - Site Elevations Building & External Plant (Phase 1 & 2) 1:250

R1426-05 Rev A – Proposed Landscape Planting 1:1250

R1426-07 – Detailed Planting Proposals 1:500 078.03.06.002G – Site Access Road Layout

D135744-WVP-3601 Rev P1 – Site Layout Drainage General Arrangement 1:500”

Reason: To define the development which has been permitted and so control the operations (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 36).”

10. Condition 4:

“Although the composting and anaerobic digestion processes are continuous, the hours of delivery and operations shall not be other than between the following hours: 7:00am to 6:00pm Mondays to Fridays;

8:00am to 5:00pm Saturdays;

And the facility shall not be open and no deliveries or other operations other than composting processes shall occur on Sundays or Public Holidays.

Reason: In the interests of local amenity (Buckinghamshire Minerals and Waste Local Plan Policy 28).”

11. Condition 10:

“External lighting shall not be switched on other than between the following hours:

7.00am to 6.30pm Mondays to Fridays;

8.00am to 5.30pm Saturdays.

Reason to ensure there is no problem of light spillage beyond the boundaries of the site (Buckinghamshire Minerals and Waste local Plan Policy 28)”

12. Condition 30:

“The maximum number of heavy goods and refuse collection vehicle movements shall not exceed 90 (45 in, 45 out) per day.

Reason: In the interests of highway safety and the local amenity (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 30).”

13. An existing S. 106 Agreement for the development dated 17th October 2012 secures the routing of vehicles involved in the importation and exportation of material along that section of High Street between the site entrance and the A41 only and prohibits vehicles from using the High Street through Westcott Village.

Reasons for re-submission

14. The previous planning application reference CM/61/16 was for the variation of the same conditions 2, 4, 10 and 30 of consent 12/20001/AWD. Table 1 shows what is currently permitted, what was proposed under CM/61/16 and what is now proposed under application CM/65/17.

15. The proposed changes are summarised as below:

| Changes | Current permission | Previously Proposed under CM/61/16 | Current proposals under CM/65/17 |
|-----------------------------|---|---|--|
| Tonnage throughput per year | 48,000 tonnes per year | 96,000 tonnes per year | 96,000 tonnes per year (No change from CM/61/16) |
| Vehicle movements | 90 per day (45 in, 45 out) (not Sundays and Bank Holidays) | 100 per day (50 in, 50 out) except Sundays and Bank Holidays which was 50 per day (25 in, 25 out) | 100 per day (50 in, 50 out) except Sundays and Bank Holidays which is 50 per day (25 in, 25 out) (No change from CM/61/16)) |
| Operational hours | Monday - Fridays 7.00am - 6.00pm, 8.00am - 5.00pm Saturdays, no operations on Sundays and Bank Holidays | Increase in operational hours for front end packaging including de-packaging to be 7.00am - 10.00pm Mondays to Saturdays and 8.00am - 6.00pm Sundays and Bank Holidays. | The hours of other processing operations shall not be other than between 7.00am - 10.00pm Mondays to Saturdays and 8.00am - 6.00pm Sundays and Bank Holidays (No change from CM/61/16) |
| Delivery hours | Same as operational hours as above | Hours of delivery (vehicle movements) and weighbridge operations were proposed to be 7.00am - 6.00pm Mondays to Fridays, 8.00am - 6.00pm Saturdays and to be 9.00am - 1.30pm on Sundays and Bank Holidays | Hours of delivery (vehicle movements) and weighbridge operations were proposed to be 7.00am - 6.00pm Mondays to Fridays, 8.00am - 6.00pm Saturdays and 9.00am - 1.30pm Sundays and Bank Holidays (No change from CM/61/16) |
| Hours of external lighting | 7.00am - 6.30pm Monday - Fridays and 8.00am - 5.30pm Saturdays | 7.00am - 10.00pm Mondays to Fridays, 8.00am - 10.00pm Saturdays and 8.00am - 6.00pm Sundays and Bank Holidays. | 7.00am - 6.30pm Mondays to Fridays, 8.00am - 6.30pm Saturdays. (Change in lighting hours since CM/61/16 – proposed extra lighting hours of 6.30pm Monday to |

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| | | | Saturdays removed, and now no lighting on Sundays and Bank Holidays. The only difference to the current permission is an extra hour of lighting on Saturdays from 5.30pm – 6.30pm. |
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16. In addition, the applicant has also provided an updated noise assessment, lighting plan, and transport assessment to support the application.

17. No changes to the buildings on site, equipment used, processing methods of the Anaerobic Digestion facility and changes to the air emissions from the facility. No changes to the maximum amount of energy generated by the Anaerobic Digestion process and no changes to the approved routing agreement and the current S106 agreement is still valid for the proposed changes in this planning application.

18. The previous application was refused at Planning Development Control Committee on 23rd January 2017 and the reason for refusal was:

“The proposed increase in operational hours and vehicle deliveries, specifically on Sundays and Bank Holidays, would have an adverse impact on the amenity of nearby residents and would therefore be contrary to policy 28 of the Minerals and Waste Local Plan 2004-2016”

19. The reason for refusal encompassed the Committee’s concerns with the impacts external lighting would have on the amenity of local residents due to the proposed change in operational hours requiring lighting on Sundays and Bank Holidays whereas under the existing planning permission these are non-operational days. Members also expressed concern regarding the impact from vehicle movements travelling to and from the development on the amenity of local residents.

20. The Committee also discussed concerns relating to highway safety in terms of the current A41 junction having insufficient capacity to cope with any extra vehicle movements to the Venture Park, although this was not given as a reason for refusal.

21. Since the previous application was refused, the applicant and agent have liaised with BCC planning officers to address the concerns and reasons for refusal set out by the Development Control Committee. The revised planning application has:

- Significantly reduced the external lighting hours proposed compared to the previous application to reduce any impacts that it may have on the local amenity (details as below);
- Demonstrated that the introduction of 50 vehicle movements (25 in, 25 out) a day on Sundays and Bank Holidays takes into account the significantly shorter period for deliveries and weighbridge operations compared to Mondays to Saturdays, keeping the impact on the local amenity to a minimum when extra movements are required for the importation of higher overall tonnage feedstock to cater for more liquid waste and to cater for an increasingly proportion of lighter deliveries. The transport statement states that the proposed variation in conditions would result in very marginal changes to traffic flows and the junction and the associated road connections would remain within operating capacity.

Description of the Proposed Development

22. The proposed development is to vary conditions 2 (approval of details), 4 (hours of operation), 10 (external lighting) and 30 (vehicle movements) at the Shanks Anaerobic Digestion and In Vessel facility at Areas 10, 11 and 12 at Westcott Venture Park. The proposed variations are as follows:

23. The applicant requests that the wording of condition 2 be revised to read as follows (note that the drawings remain unchanged):

*“The development hereby permitted shall not be carried out otherwise than in complete accordance with the details submitted with the application, **as varied by this permission**, and the following drawings:*

D135744-WVP-1103-01 Rev P5 – Site Layout Proposed AD Facility Ground Floor & First Floor Phase 1 1:500

D135744-WVP-1103-02 Rev P6 - Site Layout Proposed AD Facility Phase 2 Future Expansion 1:500

D135744-WVP-1104-01 Rev P5 - Site Elevations Building & External Plant (Phase 1) 1:250

D135744-WVP-1104-02 Rev P4 - Site Elevations Building & External Plant (Phase 1 & 2) 1:250

R1426-05 Rev A – Proposed Landscape Planting 1:1250 R1426-07 – Detailed Planting Proposals 1:500 078.03.06.002G – Site Access Road Layout

D135744-WVP-3601 Rev P1 – Site Layout Drainage General Arrangement 1:500”

24. The applicant requests the wording of condition 4 is revised to read as follows:

25. *“Although the anaerobic digestion processes are continuous, the hours of delivery and associated weighbridge operations shall not be other than between the following hours:
7:00am to 6:00pm Mondays to Fridays;
8:00am to 6:00pm Saturdays;
9:00am to 1:30pm Sundays and Bank Holidays*

*The hours of other processing operations shall not be other than between the following hours:
7:00am to 10:00pm Mondays to Saturday;
and 8:00am to 6:00pm Sundays and Bank Holidays”*

26. The applicant states that the extended hours for delivery and weighbridge operations will help to reduce the operational impact of the increase in vehicle movements by spreading the amount of vehicle movements over a longer timeframe and thereby minimising the build-up of vehicles on site at any one time. It will also assist in supporting existing waste suppliers and securing future waste contracts by allowing the site to take in waste on Sundays and Bank Holidays which would help local hauliers and Local Authorities to avoid the build-up of waste that currently occurs over public holidays. For the avoidance of doubt, the applicant confirms that during the extended operational hours being requested, the site would operate both the front end processing system and the de-packaging system. The only vehicle movements during these extended operational hours would be one or two tanker movements for digestate offtake and, internal to the building, the use of the telehandler to move waste around. The

extended operational hours would facilitate compliance with the relevant planning and permitting requirements including the clean floor policy and are particularly important following periods of downtime and maintenance.

27. The applicant requests the wording of condition 10 to be revised to read as follows:

*“External lighting shall not be switched on other than between the following hours:
7.00am to 6.30pm Mondays to Fridays
8:00am to 6.30pm on Saturdays”*

28. This change is required in order to ensure that external lighting can be used during the proposed extended operating hour on Saturdays for the extra delivery time.

29. For condition 30 (vehicle movements), the following wording is proposed:

“The maximum number of heavy goods and refuse collection vehicle movements shall not exceed 100 (50 in, 50 out) on Mondays to Saturdays and shall not exceed 50 (25 in, 25 out) on Sundays and Bank Holidays.”

30. The applicant states that this change in vehicle movements is required in order to accommodate:

- the increased volumes of liquid within the waste material being received at the site and associated reduction in mains water usage;
- the waste types available in the market; and
- the variable types of waste delivery vehicles.

31. In order to ensure that the potential impacts of the proposed changes can be fully understood, a detailed Transport Assessment and Noise Assessment have been submitted with the application. Consideration has also been given to the potential impacts that would result from the proposed increase in hours within which external lighting would be used at the site.

Transport Assessment

32. The transport assessment has examined the existing, permitted and proposed waste volumes and types managed at the site and the potential impact that the proposed changes would have on the operation and safety of the highway network. Assessments have been undertaken to determine the operation of the A41 / High Street junction in relation to its capacity and found that it is predicted to remain operating within capacity. Additional assessments have been undertaken based upon an increase of 50% in HGV movements and found that the A41 / High Street junction would still remain operating within capacity. This gives confidence that if day-to-day variation occurs, there would be no capacity issues. Changes in traffic flows along the A41 and High Street have been found to be negligible and difficult to perceive.

33. The assessment concludes that there are no transport or highways reasons that should prevent the proposed changes from being approved.

Noise Assessment

34. A detailed noise assessment has been undertaken to support the application. The assessment examines the potential noise impacts associated with the increase in operating hours to include increased Saturday working hours and Sunday and Bank Holiday working, and the increase in the additional vehicle movements to and from the site. An assessment of noise from on-site activities has been carried out using BS

4142:2014. The model has been updated to include the revised anticipated number of HGVs per hour on the site access route with the proposals. The results of the assessment indicate that the rating level would be at least 4 dB below the background sound level and that the level of specific sound would be around 20 dB below the existing residual sound levels. Therefore the noise impact from activities on the site and access route would be negligible.

35. An assessment of noise from increases in traffic on the public highway has also been provided. The results indicate that there will be a change in traffic noise levels of less than 1 dB with the proposals. Therefore, the noise impact from traffic increases on the local road network route would be negligible. On the basis of the above, with the proposed changes, noise from activities on the site and access route and increases in noise from road traffic on the local road network at noise sensitive receptors within the locality, is unlikely to exceed the 'Lowest Observed Adverse Effect Level' (LOAEL) with respect to national planning guidance including the NPPF. The assessment concludes that the changes to the planning conditions should therefore be acceptable with respect to noise.

External Lighting

36. The applicant states that in order to ensure a safe working environment at the site during the proposed extended operational hours, it will be necessary to use external site lighting during these periods. There are no proposed changes to the hours of external lighting on Mondays to Fridays and there is no proposed external lighting on Sundays and Bank Holidays. The only increase in lighting is the extra hour on Saturdays. There are no proposed changes to the specifications or the design of the current lighting on site and the applicant has stated that it is not considered that the use of this lighting within the proposed extended hours will have any significant impact or adverse harm on the landscape character or visual amenity.

Other

37. The applicant has also confirmed that the extra tonnage throughput would not have any impact on odour levels. The applicant is also working closely with the Environment Agency with regard to monitoring the use of bio-filters.
38. The 48,000 tpa capacity originally calculated for the facility was based on a number of assumptions regarding the anticipated liquid content of the feedstock that would be available to the plant. It was assumed at the time that feedstock with generally low liquid/high solids content would be available and that this would be blended with fresh (mains) water within the site as part of the process prior to being fed to the digesters. This process leads to the plant having a high fresh (mains) water usage. The primary factor that impacts the tonnage of food waste imported to the site is the dry matter (DM) content within the material.
39. In an effort to reduce fresh water usage on site and to utilise available material on offer in the market place, it is the operator's intention to take more liquid based food waste than was initially planned and would like to have the flexibility to do so. The liquid material currently being accepted/available in the market has a significantly lower dry matter content (approximately 13% solid matter & 87% water) when compared to solid waste (which usually comprises 25% solid matter and 75% water) and thus needs little or no mains water to bring it to the required operational level. Without the addition of mains water, more of this 'liquid' waste is, however, required in order to maintain the feed rates to the digesters and hence production of biogas to run the 3.2MW engines at their design capacity. The applicant states that this effective beneficial replacement of a significant percentage of the volume/tonnage of digester feedstock from fresh (mains)

water to water contained within the imported waste itself, means that this additional volume/tonnage will be delivered to the site within the waste vehicles rather than via the mains water pipe resulting in an increase in the total tonnage of material brought to the site and the number of vehicles required to deliver the same quantities of dry matter content.

40. Two previous permissions included an In Vessel Composting facility proposed as Phase 2 of the development. The IVC facility has not yet been constructed and whilst there are no immediate plans to develop out this phase, Shanks Waste Management Ltd have not yet formally ruled out its future development and therefore the details remain on the approved plans.
41. The applicant would, however, like to increase the permitted vehicle movements from the current limit of 90 (45 vehicles in, 45 vehicles out) to a limit of 100 (50 vehicles in, 50 vehicles out) to build in future proofing for the operations in case vehicles bring in smaller loads. Importantly, whilst the tonnage of imported liquid material will increase, the actual tonnage of slurry being used by the digesters and the resulting digestate produced and electricity generated will not change from that originally anticipated. i.e. there will be no change in the actual capacity of the plant – which is limited by being able to produce 3.2MW and process timings will not change whether the waste being managed is solid or liquid. The application also confirms that whilst there will be changes to waste compositions, the waste types proposed will remain in line with those stipulated under condition 10 of the extant consent.

Planning Policy and Other Documents

42. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for this area comprises of the Buckinghamshire Minerals and Waste Core Strategy (BMWCS), the saved policies of the Buckinghamshire Minerals and Waste Local Plan (BMWLP), the saved policies of the Aylesbury Vale District Local Plan (AVDLP) 2004.
43. National Planning Policy for Waste (NPPW) 2014 and National Planning Policy Framework (NPPF) 2012 are also material considerations.
44. The following policies from the Buckinghamshire Minerals and Waste Core Strategy (BMWCS) would apply to this development:
 - CS9 (Additional Waste Management Capacity and Net Self Sufficiency);
 - CS10 (Recycling and Composting Capacity to be provided for MSW and C&I by 2026);
 - CS18 (Protection of Environmental Assets of National Importance);
 - CS19 (Protection of Environmental Assets of Local Importance); and
 - CS22 (Design and Climate Change).
45. The following saved policy from the Buckinghamshire Minerals and Waste Local Plan (BMWLP) would apply to this development:
 - Policy 28 (Amenity)
46. A consultation was carried out for the new emerging Mineral and Waste Local Plan (2016 – 2036) which would replace the Buckinghamshire Mineral and Waste Local Plan and the Buckinghamshire Core Strategy. The consultation period finished in September and the representations of the consultation is currently being analysed. Although it is a

material consideration, the plan recently completed the Preferred Options consultation and as a plan it carries little weight when it comes to assessing policies for the proposed development. Westcott Venture Park is one of the allocated proposed secondary areas of focus in the draft Minerals and Waste Local Plan but this is irrelevant as this is an existing facility.

47. The following saved policies from the Aylesbury Vale District Local Plan (AVDLP) would apply to this development:

- GP.8 (Amenity);
- GP.59 (Preservation of Archaeological Remains); and
- GP.95 (Unneighbourly uses);

Consultation Responses

48. **Local Member** – The Local Member could not see what differences have been made since the previous application and believes that the decision cannot change if they have not made substantial changes. The Local Member has stated that he has been informed that no applications would be granted until the roundabout is in place on the A41.

49. **District Council** – No objection has been received by the District Council. However, they would expect us to consult relevant consultees and consider any potential impact from highways and potential impacts from external lighting as well from odour and noise.

50. **Parish Council** – Westcott Parish Council objects to this proposal on the following grounds:

- The extended working hours proposed for Mondays to Fridays;
- The proposed working on Sundays and Bank Holidays;
- Extended hours of lighting;
- The increase in noise levels if Sundays and Bank Holidays are approved;
- The effects of increased traffic movements on the A41 junction.

51. **Highways Development Management** has no objection to the proposed development, subject to a condition stating that there would not be more than 100 vehicle movements per day Monday to Saturday and no more than 50 vehicle movements per day on Sundays and Bank Holidays.

52. The **District's Environmental Health Officer** has no objection to the proposal, to the noise assessment and the transport assessment. However, he has asked that the applicant should consider implementing controls for HGVs visiting the site on Sundays, ensuring reduced and steady speeds with limited acceleration within the site, in order to minimise disturbance.

53. The County Council **Flood Management Team** has no objection to the proposal.

54. The County **Ecologist** has no objection to the proposal in terms of lighting and noise.

55. The **Environment Agency** has no comment to make.

56. The County Council's **Archaeology** service has stated that these proposed variations are unlikely to have archaeological implications .

57. Full consultee responses are available at <https://publicaccess.buckscc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OTA923DS03F00>

Representations

58. Four representations have been received. Their main reasons for objection were the following:

- Noise;
- Increased traffic on roads unsuited to HGV traffic (and junction wouldn't be able to cope and more traffic through villages);
- Increase in accidents and poor road quality;
- Increase in weekend and Bank Holiday working;
- Effect on health;
- Increased hours of operation;
- Increased lighting;
- Impact on amenity.

Discussion

59. Given that the anaerobic digestion facility has an extant planning consent, and taking into account the nature of the changes proposed, the main issues for consideration are:

- Principle of the variation to the development;
- Impacts on the amenity & Highway Network
- Impact on Landscape and Historic Environment

Principle of the Development (CS10 of the MWCS and NPPF / NPPW)

60. BMWCS Strategic Objective SO2 states that in order to support waste prevention and reuse, new facilities as well as existing ones should be improved to maximise local recycling and composting and ensure value in the production of energy recovery as Buckinghamshire needs to move away from landfill waste disposal.

61. The NPPW sets out objectives for sustainable waste management and encourages diversion from landfill as well as encouraging the reuse, recycling and biological processing of waste. This is also reflected in pages 43 – 45 of the BMWCS. Page 43 of the Core Strategy states:

“The strategy for waste is to encourage waste prevention and to safeguarding existing waste management capacity within Buckinghamshire, whilst increasing local provision for recycling and composting so as to increasingly divert waste from landfill”

62. Policy CS10 of the Minerals and Waste Core Strategy further states that, where applications for additional recycling/composting capacity are to be supported, they should be located as extensions to existing sites, intensification or re-development of existing sites, suitable sites within employment areas or rural areas for windrow/community composting. This approach is also reflected in Paragraph 4 of the NPPW. The current proposal would meet these criteria through allowing the intensification of an existing site by increasing the throughput of waste without making any changes to the buildings and layout.

63. The AD plant that is the subject of this application is an existing facility where the principle is established. It is also located in an allocated employment area that is well accessed from urban areas and has a good access to the A41, a Strategic Highway

Network. It would not normally be the case that the planning system would seek to limit the capacity of an operational facility, except where the impacts of doing so (for example on the local amenity of neighbouring residents, or the highway network) were adverse and significant enough to warrant refusal of permission.

64. The Committee is therefore advised that, subject to consideration of the impacts of the proposal, the development is acceptable in principle and would be in accordance with the strategic policies set out in the BMWCS and the NPPW.

Impacts on Amenity (Policy 28 of the MWLP, Policies CS22 of the MWCS, Policies GP.8 and GP.95 of the AVDLP, NPPF and NPPW)

65. Policy 28 of the MWLP states the County Council will protect the amenity of those who may be affected by mineral and waste development proposals and will not grant planning permission for proposals which are likely to generate significant adverse levels of disturbance, both near the site and on routes to and from the site, from noise, vibration, dust, fumes, gases, odour, illumination, litter, birds or pests.
66. The Planning Development Control Committee at the January 2017 meeting refused the previous planning application for the proposed variation of conditions including lighting and vehicle movements due to the concern of these having a significant impact on the local amenity.

External lighting

67. Previously it was proposed that external lighting was to be extended for a further 3.5 hours until 10.00pm on weekdays and an extra 4.5 hours on Saturdays until 10.00pm and the additional use of lighting from 8.00am to 6.00pm on Sundays and Bank Holidays.
68. Following further discussions after the refusal of planning permission, the applicant has revised the lighting hours. Therefore the revised planning application now proposes the use of external lighting during weekdays to now remain unchanged meaning it would be switched off at 6.30pm as it is currently. There will be no use of external lighting on Sundays and Bank Holidays, as is currently the case. The only proposed change is an extra hour on Saturdays to reflect the extra hour of delivery and weighbridge operation which would have the same switch off time as those on week days therefore switching off at 6.30pm instead of 5.30pm.
69. The applicant also submitted with this planning application a lighting plan. The Environmental Health Officer has no objection. There are no proposed changes to specifications or the design of the lighting and there have been no known complaints regarding lighting from the development. Due to the site being 550 metres to the nearest property (Moat Farm) and the properties on Burnham Road being 900 metres from the site, the effect of having an extra hour on a Saturday to the same time as the external lighting is turned off during the week would not justify a refusal of this planning application and therefore I would consider that the proposed external lighting hours would not cause a detrimental impact on the local amenity and are therefore in compliance with the above policies.

Noise

70. Policies GP.8 and GP.95 of the AVDLP state that development would not be permitted where it would unreasonably harm any aspect of the amenity of the nearby residents when considered against the benefits of the development. Section a) in Policy CS22 of the MWCS mentions that noise pollution should be minimised. Paragraph 123 of the

NPPF sets out the planning policy approach to noise when determining planning applications. In essence, it sets out that decisions should aim to:

- Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development including through the use of conditions;
- Recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- Identify and protect areas of tranquillity which will remain relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

71. This is an existing facility seeking to increase throughput, operation / delivery hours as well as vehicle movements. Another area of concern informing the reason for refusal of the previous planning application was the impact of noise from increased vehicle movements. An up to date Noise Report has been submitted with the planning application to assess the increase in noise levels from longer operating hours and increased vehicle movements, especially on a Sunday and Bank Holiday. These are based on measurements taken from the site, access route and public highway. The noise assessment demonstrates that the proposal, including from the associated vehicle movements, does not give rise to any new noise issues and the Environmental Health Officer has no objection although he has requested that a speed limit be enforced and no rapid acceleration by vehicles traversing through the site en route to the Shanks facility should take place on Sundays within the Westcott Venture Park to minimise any possible impact on residents. Whilst this comment is noted, it would not be possible to control the acceleration of individual lorries by planning condition. An informative could however be attached to any planning permission granted requesting that the operator request that vehicles are driven considerately. I consider the proposed variations to the development would not have a detrimental impact on local amenity and are consistent with the above policies and for that reason should not be refused.

Highways

72. In order to handle the extra throughput of waste and the increase in operating hours to deal with this, the applicant anticipates that this would bring in an extra 10 vehicle movements (5 in and 5 out) a day Mondays to Saturdays, and 50 vehicle movements a day (25 in and 25 out) on Sundays and Bank Holidays.

73. The Local Member mentioned that no planning applications should be approved until the new A41 roundabout was in place. This was brought to the attention of Highways Development Management colleagues who expressed their professional opinion that due to the nature of the planning application it would not cause enough significant detrimental impact on highway safety and junction capacity and therefore they have no objection to the proposed variations of vehicle movements to and from the Shanks facility proposed in this application.

74. Members at the Planning Development Control Committee meeting in January also had concerns over the safety of highway users although it was amenity that given as the reason for refusal given to the application. Again, the Highways Development Management team has no concern regarding highway safety as long as the condition limiting vehicle movements to 100 (50 in 50 out) Mondays to Saturdays and 50 (25 in 25 out) on Sundays and Bank Holidays is attached to any planning permission granted.

75. The existing S. 106 dated 17th October 2012 linking the planning obligations to this application would ensure the continued routing of vehicles along the permitted route and prohibit vehicles involved in the importation and exportation of materials from using the High Street through Westcott Village. Therefore, I consider that the proposed variation of conditions would not have a detrimental impact on amenity and would therefore be compliant with the above policies.
76. Paragraph 5 of the NPPW states that the capacity of existing and potential transport infrastructure to support the sustainable movement of waste must be suitable and encourages the use of other modes of transport other than roads when practicable and beneficial. This is also mentioned in Appendix B in the Location Criteria in the NPPW. Policy CS22 of the MWCS seeks to minimise the distance materials travel by road in order to minimise greenhouse emissions and other pollutions, taking into account factors such as residential amenity and routing agreements. However there are no alternative means of transport available to serve the application site. The transport assessment confirms that the transport capacity and infrastructure is there to support the transportation of material by road via a good access on the A41 which is part of the Strategic Highway Network. Therefore, I would consider the proposed variations to have no detrimental impact on the local amenity in terms of noise from traffic and also no detrimental impact in terms of highway safety.

Landscape Designations and Historic Environment (Policies CS18 and CS19 of the MWCS and policies GP.59 of the AVDLP)

77. Policies CS18 and CS19 of the MWCS state that permission will not be granted for waste development that would be likely to endanger or have a significant adverse effect on the character, appearance and affect the setting of designated locally important landscapes, nature reserves, heritage assets and water resources, including canals. Policy CS18 of the MWCS states that the proposed development shall not have an impact on Listed Buildings, Conservation areas and Site of Special Scientific Interest (SSSI). Paragraph 109 of the NPPF advises that the planning system should contribute to and enhance the natural and local environment with paragraph 118 seeking to ensure Local Planning Authorities conserve and enhance biodiversity interests. Paragraph 128 of the NPPF states that Local Planning Authorities should require the applicant to describe the significance of any heritage assets that could be affected by the development. Policy GP.59 reiterates this.
78. The site is located in a nationally important archaeological site and in proximity to the nearby Brill-Winchendon Hills Area of Attractive Landscape (AAL), Wotton House Historic Park and Garden and a Biological Notification Site. There are also a few Grade II listed structures within the Venture Park but not in proximity to the site. However, given the industrial / mixed use characteristics of the wider Venture Park and that the proposed variation of conditions does not include any changes to the building or layout of the site, and with it being an existing facility, I consider that the proposed variations would not have a detrimental effect on the character, appearance or setting of the nearby historic and landscape designations. The County Archaeologist and Ecologist have considered the variations to have no impact on the archaeological and ecological interests of the park and site. Therefore, I consider the development to be compliance with the above policies.

Conclusion

79. The applicant wishes to reduce fresh water usage on the site for the AD plant by importing more liquid based food waste. It would assist in meeting the need towards the reduction of waste going to landfill and increase the amount of waste contributing towards the target of the MWCS under energy recovery in Policy CS9. It would also

support the diversion from landfill waste disposal in accordance with the NPPW. It is also in accordance with the aim of paragraph 4 of the NPPW and Policy CS10 of the MWCS.

80. In addition to need, the two areas of consideration were the impacts on highways and impacts on local amenity, which have been assessed above and do not give any reasons for objection to the variation of conditions 2, 4, 10 and 30 as proposed. Although the proposals for the additional vehicle movements are the same as in the previously refused application, the hours of proposed lighting has been significantly reduced so now the only change to the lighting hours is an extra hour's lighting on Saturdays with a switch off time of 6.30pm instead of 5.30pm and no extra lighting on Sundays and Bank Holidays as previously proposed. The applicant has also provided updated supporting information which concludes that the proposal would not cause harm on amenity or highway safety grounds.
81. It is my opinion that the conditions which would be imposed would bring appropriate controls to mitigate against any significant environmental impact of the proposed development. The proposal is therefore in accordance with the principles within the NPPF, NPPW and the relevant policies of the development plan. I therefore consider this proposal acceptable in planning terms.
82. Therefore, the recommendation is that planning permission is granted subject to conditions as outlined in Appendix A.

BACKGROUND PAPERS

Planning Application Ref. CM/65/17 Decision Notices: 12/20001/AWD and CM/61/16
Buckinghamshire Mineral and Waste Core Strategy Adopted November 2012
Buckinghamshire Mineral and Waste Local Plan 2004-2016
Draft Buckinghamshire Mineral and Waste Local Plan 2016 - 2036
Aylesbury Vale District Council Local Plan January 2004 National Planning Policy Framework 2012
National Planning Policy for Waste 2014
Consultation replies dated August, September and October 2017

Appendix A: Schedule of Conditions

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the details submitted with application 12/20001/AWD as varied by this application, and the following drawings:

| | |
|----------------------------|--|
| D135744-WVP-1103-01 Rev P5 | Site Layout Proposed AD Facility Ground Floor & First Floor Phase 1 1:500 dated 14 th December 2011 |
| D135744-WVP-1103-02 Rev P6 | Site Layout Proposal AD Facility Phase 2 Future Expansion 1:500 dated 14 th December 2011 |
| D135744-WVP-1104-01 Rev P5 | Site Elevations Building and External Plant (Phase 1) 1:250 dated 30 th November 2011 |
| D135744-WVP-1104-02 Rev P4 | Site Elevations Building & External Plant (Phase 1 and 2) 1:250 dated 30 th November 2011 |
| R1426-05 Rev A | Detailed Landscaping Planting 1:1250 dated April 2010 |
| R1426-07 | Detailed Planting Proposals 1:500 dated 6 th January 2012 |
| 078.03.06.002G | Site Access Road Layout dated 16 th March 2009 |
| D135744-WVP-3601 Rev P1 | Site Layout Drainage General Arrangement 1:500 dated unknown |

Reason:

To define the development which has been permitted and so to control the operations (Buckinghamshire Minerals and Waste Local Plan Policies 28).

Hours of operation

2. Although compost and anaerobic digestion processes are continuous, the hours of delivery and associated weighbridge operations shall not be other than between the following hours:

- 7:00am to 6:00pm Mondays to Fridays;
- 8:00am to 6:00pm Saturdays;
- 9:00am to 1:30pm Sundays and Bank Holidays

The hours of other processing operations shall not be other than between the following hours:

- 7:00am to 10:00pm Mondays to Saturdays;
- 8:00am to 6:00pm Sundays and Bank Holidays

Reason:

In the interests of local amenity (Buckinghamshire Minerals and Waste Local Plan Policy 28).

Design

3. The in vessel composting and the de-packaging operations building shall be maintained for the duration of the development in accordance with the colour scheme as approved by the County Planning Authority in writing on 20th July 2012 the colour scheme set out in the document titled 'Shanks Waste Management Ltd, Application No: 10/20001/AWD, Discharge Condition 5' (reference no: MNR/Property/21.06.12) dated 21st June 2012 pursuant to the requirements of condition 5 attached to planning consent no: 10/20001/AWD.

Reason:

In the interests of local amenity (Buckinghamshire Minerals and Waste Local Plan Policy 28).

4. The fence that has been erected to enclose the main operational area shall be maintained in accordance with the details as approved by the County Council in writing on 19th October 2012 as natural galvanised silver colour in accordance with details as set out in note titled 'Shanks Waste Management Ltd, Application No: 10/20001/AWD, Discharge Conditions 6 & 9' (reference no: MNR/Property/17.08.12) submitted with application dated 17th August 2012 pursuant to the requirements of condition 6 attached to planning consent no: 10/20001/AWD

Reason:

In the interests of local amenity (Buckinghamshire Minerals and Waste Local Plan Policy 28).

Operational Methods

5. No waste other than separated and co-mingled municipal food waste, garden waste and commercial and industrial food waste with and without packaging shall be imported to the facility hereby permitted.

Reason:

In the interests of local amenity (Buckinghamshire Minerals and Waste Local Plan Policy 28).

6. All operations other than anaerobic digestion processes shall be carried out inside the de-packaging building. All composting and associated operations shall be carried out inside the in vessel composting building.

Reason:

In the interests of local amenity (Buckinghamshire Minerals and Waste Local Plan Policy 28).

Control of pollution

7. External lighting shall not be switched on other than between the following hours:
 - 7.00am to 6.30pm Mondays to Fridays;

- 8:00am to 6.30pm on Saturdays.

Reason:

To ensure that there is no problem of light spill beyond the boundaries of the site (Buckinghamshire Minerals and Waste Local Plan Policy 28).

8. Noise from the operations shall not exceed the levels set out in the approved Noise Assessment attached to the application and dated 25th September 2017 as measured at the facades of the nearest residential properties.

Reason:

To protect the occupants of nearby residential premises from loss of amenity due to noise disturbance (Buckinghamshire Minerals and Waste Local Plan Policy 28).

9. Noise from the development shall be controlled in accordance with the details as set out in the document titled 'Shanks Waste Management Ltd: Proposed Biogas AD & IVC Facility – Westcott Venture Park, Aylesbury: Planning Reference 10/20001/AWD – Planning Conditions Compliance' submitted under covering letter dated 6th December 2011 and approved in writing by the County Planning Authority by letter dated 28th March 2012 pursuant to the requirements of condition 12 attached to planning consent no: 10/20001/AWD.

Reason:

To protect occupants of nearby residential premises from loss of amenity due to noise disturbance (Buckinghamshire Minerals and Waste Local Plan Policy 28).

10. No tonal reversing beepers shall be operated by any vehicles whilst on the site.

Reason:

To protect occupants of nearby residential premises from loss of amenity due to noise disturbance (Buckinghamshire Minerals and Waste Local Plan Policy 28).

11. Air quality monitoring shall be carried out in accordance with the details as set out in the document titled: 'Shanks Waste Management Ltd – Application No.: 12/20001/AWD (previously 10/20001/AWD) – Discharge of Conditions 14 & 17 (reference no. MNR/Property & Environment/27.11.12)' and document titled 'Shanks AD and IVC Facility, Westcott Venture Park – Planning Condition 14' submitted under covering letter dated 27th November 2012, subsequent letter dated 4th December 2012 enclosing the requisite fee and subsequent application dated 4th March 2014 and approved in writing by the County Planning Authority by letter dated 14th April 2014 pursuant to the requirement of condition 14 under planning consent no: 12/20001/AWD.

Reason:

To protect occupants of nearby residential premises from loss of amenity (Buckinghamshire Minerals and Waste Local Plan Policy 28).

12. Dust from external areas of the site shall be monitored and mitigated for the duration of the development in accordance with the details as set out in the document titled: 'Shanks Waste Management Ltd: Proposed Biogas AD & IVC Facility – Westcott Venture Park Aylesbury: Planning reference 10/20001/AWD – Planning Conditions Compliance' submitted under covering letter dated 6th December 2011 and approved in writing by the County Planning Authority by letter dated 28th March 2012 pursuant to the requirements of condition 15 attached to planning consent no 10/20001/AWD.

Reason:

To protect occupants of nearby residential premises from loss of amenity from dust (Buckinghamshire Minerals and Waste Local Plan Policy 28).

13. Surface water shall be managed for the duration of the development in accordance with the details as set out in the document titled: 'Surface Water Drainage Strategy' dated 1st December 2010 (ref: BES0541) submitted under application form dated 2nd December 2010 and emailed dated 5th January 2011 confirming that the embankment at the western edge of the building would be moved back from the edge of the hardstanding by the distance necessary to accommodate the ditch shown in Appendix G Drainage Layout Plan. These details were approved in writing by the County Planning Authority by letter dated 14th January 2011 pursuant to the requirements of condition 16 attached to planning consent no: 10/20001/AWD.

Reason:

The proposed development could increase flood risk unless suitable attenuation measures are used in line with Technical Guidance to the National Planning Policy Framework and the Planning Practice Guidance. In addition, activities on site mean surface water drainage could pose a pollution risk. It is important that any detailed surface water drainage scheme reduces flood risk, improves water quality through the use of appropriate SUDS, and also includes pollution prevention measures in line with the National Planning Policy Framework and Planning Practice Guidance (Buckinghamshire Minerals and Waste Core Strategy Policy CS22 and Buckinghamshire Minerals and Waste Local Plan Policy 28).

Note: The Environment Agency would require reassurance that the reuse of grey water in the system is acceptable under BSI PAS 100 and 110.

14. The disposal of foul water shall be in accordance with the details as set out in the following documents titled:

- Shanks Waste Management Ltd – Application No.: 12/20001/AWD (previously 10/20001/AWD) – Discharge of Conditions 14 & 17 (reference no.MNR/Property & Environment/27.11.12);
- Drawing titled 'As-built Drainage' (dated September 2012) prepared by Birse Civils;
- Brochure supplied by Klargester titled 'Biotec Package Sewage Treatment Plant for Domestic Applications';
- Document compiled by Kingspan Environmental titled '013531 Biotec 1 & Biotec 2 Installation & Operation Guidelines' (Issue no. 04, Description CC1065 and dated August 2012); and
- Discharge consent CP2011 (dated 12th November 1987).

The above documents were submitted under covering letters dated 27th November 2012, 4th December 2012 enclosing the requisite fee, email dated 18th February 2013 and email 18th March 2013 and approved by the County Planning Authority by

letter dated 17th July 2013 pursuant to requirements of condition 17 under planning consent no: 12/20001/AWD.

Reason:

The activities on site produce effluent that has the potential to cause contamination to groundwater. The site is not on a foul sewer and therefore it is important that any effluent does not pollute controlled waters (Buckinghamshire Minerals and Waste Core Strategy Policy CS22 and Buckinghamshire Minerals and Waste Local Plan Policies 28).

15. The development shall not be carried out other than in accordance with the contamination risk assessment and remediation scheme set out in the report produced by BAE Systems Environmental titled 'Desk Study and Ground Investigation' dated October 2010 (ref: A1007-00-R2-1) and approved in writing by the County Planning Authority by letter dated 18th January 2011 pursuant to the requirements of condition 18 attached to planning consent no: 10/20001/AWD for the duration of the development. Any proposed changes to the components of the contamination risk assessment and remediation strategy shall be submitted to and approved in writing by the County Planning Authority.

Reason:

Contaminating activity is likely to have taken place on site and in line with the National Planning Policy Framework a phased investigation should be undertaken. The site in general has had a wide variety of uses including propellant research. The application indicates there is evidence of effluent channels and former landfilled areas (including chemical drums and paint tins) on the site. Sampling for the 2000 investigation by BAE systems also encountered elevated metals and hydrocarbons in the made ground/soils. It also indicates the presence of drainage ditches on the site which could act as pathways for contaminants to controlled water. Boreholes elsewhere on the Westcott Venture Park have also encountered areas of perched waters in sand lens. Any investigation should also incorporate the construction of boreholes to determine the presence and quality of any perched water (Buckinghamshire Minerals and Waste Core Strategy Policy CS22).

16. The development shall not be carried out other than in accordance with the verification plan and plan for long term monitoring and maintenance of pollutant linkages, including arrangements for contingency action, for the duration of the development as set out in the report produced by BAE Systems, Environmental titled 'Desk Study and Ground Investigation' dated October 2010 (ref: A1007-00-R2-1) submitted under covering letter dated 17th December 2010 and approved in writing by the County Planning Authority by letter dated 18th January 2011 pursuant to the requirements of condition 19 attached to planning consent no: 10/20001/AWD.

Reason:

Contaminating activity is likely to have taken place on site and in line with the National Planning Policy Framework, suitable remediation should be undertaken. The site in general has had a wide variety of uses, including propellant research. The report indicates there is evidence of effluent channels and former landfilled areas (including chemical drums and paint tins) on the site. (Buckinghamshire Minerals and Waste Core Strategy Policy CS22).

17. The development shall not be carried out other than in accordance with the details set out in the report produced by MLM Consulting Engineers Ltd titled 'Piling Risk

Assessment' dated October 2011 (ref: DMB/770004/R1) submitted under covering letter dated 6th December 2011 and approved in writing by the County Planning Authority by letter dated 28th March 2012 pursuant to the requirements of condition 20 attached to planning consent no: 10/20001/AWD. Otherwise piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the County 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 not be carried out other than in accordance with the approved details.

Reason:

Piling could create a pathway to contaminants to any perched groundwater which may be present beneath the site (Buckinghamshire Minerals and Waste Core Strategy Policy CS22).

18. Other than in accordance with the surface water drainage scheme approved pursuant to the requirements of condition 16 under planning consent no: 12/20001/AWD, there shall be no direct connection between the operational site and any watercourse.

Reason:

To prevent pollution of the water environment (Buckinghamshire Minerals and Waste Core Strategy Policy CS22).

Tree Protection and Landscape Scheme

19. The development shall not be carried out other than in accordance with the landscaping scheme and five year management programme as set out in the document titled 'Landscape Management Specification for Organic Waste Treatment Hub: Westcott Venture Park, Westcott, Buckinghamshire' dated December 2010 (ref.JWR1426) and drawing n. R1426-06 titled 'Landscape Proposals' submitted under covering letter and application dated 2nd December 2010 and approved in writing by the County Planning Authority by letter dated 14th January 2011 pursuant to the requirements of condition 23 attached to planning consent no. 10/20001/AWD. The approved scheme shall be implemented in the first planting season following completion of construction of the de-packaging building and thereafter maintained for the duration of the development.

Reason:

In the interests of local amenity and the ecological interests of the site (Buckinghamshire Minerals and Waste Local Plan Policy 28).

Access and Transport

20. All vehicles associated with the in vessel composting and de-packaging operations and anaerobic digestion facility shall only use the access route within the Venture Park as set out in planning application no 10.20001/AWD and identified on drawing no's 078.03.06.002G and JER4486-004a Rev.A.

Reason:

In order to minimise danger, obstruction and inconvenience to users of the highway and other development (Buckinghamshire Minerals and Waste Core Strategy Policy CS22).

21. The scheme for parking and manoeuvring and loading and unloading of vehicles shall be as shown on drawing no's. D135744-WVP-1103-01 Rev P5 and D135744-WVP-1103-02 Rev P6 and shall not be used for any other purpose.

Reason:

In the interests of highway safety and the amenities of the local area. (Buckinghamshire Minerals and Waste Local Plan Policy 28).

22. The development shall not be carried out other than in accordance with the measures to reduce mud and similar development from being carried onto the public highway as set out in the document titled 'Shanks Waste Management Ltd: Proposed Biogas AD & IVC Facility – Westcott Venture Park Aylesbury: Planning Reference 10/20001/AWD – Planning Conditions Compliance' submitted under covering letter dated 6th December 2011 and approved in writing by the County Planning Authority by letter dated 28th March 2012 pursuant to the requirements of condition 28 attached to planning consent no: 10/20001/AWD.

Reason:

In the interests of highway safety and the local amenity (Buckinghamshire Minerals and Waste Local Plan Policy 28).

23. The maximum number of heavy goods and refuse collection vehicle movements shall not exceed 100 (50 in, 50 out) per day on Mondays to Saturdays and shall not exceed 50 (25 in, 25 out) per day on Sundays and Bank Holidays.

Reason:

In the interests of highway safety and the amenities of the local area. (Buckinghamshire Minerals and Waste Local Plan Policy 28).

24. A record of the daily number of vehicle movements shall be kept and made available to the County Planning Authority no later than one week after any request to view them has been made.

Reason:

In the interests of highway safety and the amenities of the local area (Buckinghamshire Minerals and Waste Local Plan Policy 28).

Archaeology

25. Prior to the demolition of the former vibration testing building (rocket test building 443), no aspect of the demolition shall be commenced until the developer has secured the implementation of a programme of archaeological buildings recording for the rocket test building 443 in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the County Planning Authority. The building shall not then be demolished other than in accordance with the approved method statement .

Reason:

To provide for the investigation and recording of any archaeological features (Buckinghamshire Minerals and Waste Core Strategy policies CS18 and CS19 and policy GP.59 of the Aylesbury Vale District Local Plan).

Ecology

26. Prior to the demolition of the former vibration testing building (rocket test building 443), no aspect of the development shall be commenced until a method statement for its systematic destruction which shall identify the potential for the presence of bats and the measures to be taken to ensure their protection and re-location has been submitted to and approved in writing by the County Planning Authority. The building shall not then be demolished other than in accordance with the approved method statement.

Reason:

To protect the ecological interest of the site (Buckinghamshire Minerals and Waste Core Strategy Policies CS18 and CS19).

Note: This condition does not remove or diminish the obligations of the operator, landowner and contractors to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) or The Conservation (Natural Habitats, & c.) Regulations 2010.

27. The development shall not be carried out other than in accordance with the details set out in letter dated 16th November 2010 (ref: JSL1749 Westcott IVC), including measures reflected from 'The Protected Species Survey Report and Newt Mitigation Strategy' prepared by RPS (ref: JPP1840-R-002d) attached as Appendix 18 to planning application no: 10/20001/AWD, which ensures the provision and management of compensatory habitat for Great Crested Newts for the duration of the development. These details were approved in writing by the County Planning Authority by letter dated 14th January 2011 pursuant to the requirements of condition 34 attached to planning consent no: 10/20001/AWD.

Reason:

Development that encroaches on the terrestrial habitat of the Great Crested Newt has a potentially severe impact on its ecological value. Article 10 of the Habitats Directive stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change. (Buckinghamshire Minerals and Waste Core Strategy Policies CS18 and CS19).

Note: This condition does not remove or diminish the obligations of the operator, landowner and contractors to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) or The Conservation (Natural Habitats, & c.) Regulations 2010.

28. During the bird nesting season (1st March to 31st August) the site's buildings along with any areas that will be subject to vegetation clearance shall be checked for nesting birds by a qualified ecologist in advance of the commencement of any construction or demolition works. Where evidence of nesting birds is found details of the measures to be taken for their protection shall be submitted to and approved in

writing by the County Planning Authority. Thereafter no building or demolition works or vegetation clearance in the affected area shall take place until after the birds have fledged, or until the approved protection measures have been implemented.

Reason:

To protect the ecological interest of the site (Buckinghamshire Minerals and Waste Core Strategy Policies CS18 and CS19).

Note: This condition does not remove or diminish the obligations of the operator, landowner and contractors to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) and the The Conservation (Natural Habitats, & c.) Regulations 2010.

29. In the event that the buildings and works hereby permitted cease to be used for a period of 24 months, they shall be removed from the site within a further two months and the site shall be restored to grassland within a further six months in accordance with details to be submitted to and approved in writing by the County Planning Authority no later than 14 months from the date of cessation of their use.

Reason:

In accordance with the National Planning Practice Guidance as the buildings are specialised and unlikely to be reusable for an alternative purpose.

INFORMATIVES:

1. No rapid acceleration of HGVs shall take place whilst traversing through Westcott Venture Park to and from the Shanks facility and speed limits within the site should be adhered to.
2. **Compliance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015**

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and proactive manner based on seeking resolutions to problems arising in relation to dealing with the planning application by liaising with committees, respondents and applicant/agent and discussing changes to the application where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirements of the NPPF as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. **Site Notice**

Please remove any site notice that was displayed on the site to advertise this planning application.