

4.0 POLICY CONTEXT

Introduction

- 4.1 It is customary in undertaking an Environmental Impact Assessment (EIA), and in preparing an Environmental Statement (ES) in support of a planning application, to review planning policy at an international, national, regional and local level, in order to consider whether the proposed development and the potential environmental implications are in conformity with such policy. This is particularly the case in the context of the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In effect, this established a presumption in favour of granting permission for developments which are in accordance with the development plan.
- 4.2 This principle has been developed and clarified by subsequent case law, which has confirmed that a particular proposal does not need to accord with each and every policy in a development plan; the key issue is that it accords with the overall thrust of development plan policies taken as a whole.
- 4.3 This section will consider the proposed development at Ardley within the context of international, national, regional and local planning policies.

Planning Policy

- 4.4 Schedule 4 to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 does not make any specific reference to the inclusion of an assessment of planning policy. However, Chapter 6 of the DTLR Good Practice Guide on the preparation of an ES includes a section on “Policies and Plans”. Paragraph 6.1 states that “An ES should include a section on policies and plans which are relevant to the environmental assessment of the development in question”. The objective for this is to “demonstrate how these policy guidelines have been taken into account in developing the project and compiling the ES, and to provide a picture of the decision making context in which the environmental impacts will be evaluated”.
- 4.5 It can be seen that there is some ambiguity between the Regulations and the guidance provided by the Government. However, it is clear, from published guidance, that the Government is committed to a plan led system, with the Development Plan forming the basis of all planning decisions. Accordingly, policies and plans play an important role in determining any planning application. In the spirit of the guidance, therefore this Section provides an overview of the policies that have been considered in undertaking the EIA.

General Considerations

- 4.6 Historically, National Planning Policy Guidance has been set out in a series of Planning Policy Guidance Notes (PPGs), which address general principles and policies together with detailed guidance on particular subjects and land use issues.
- 4.7 In September 2004, The Planning and Compulsory Purchase Act came into force. The Act establishes provisions that replace regional planning guidance and Structure Plans with Regional Spatial Strategies. Local Plans are to be replaced by a suite of documents referred to as Local Development Documents (LDDs). Planning Policy Guidance (PPGs) are currently being replaced by Planning Policy Statements (PPSs).

International Policies

- 4.8 The following international policies provide the overarching European framework for waste applicable to the United Kingdom:
- European Community (EC) Landfill Directive 1999/31/EC; and
 - EC Framework Directive for Waste 75/442/EEC as amended by 91/156/EEC.

National Policies

- 4.9 The period from 2005 onwards has been an important time for the development of Government policy on sustainable waste management and energy and key statements of Government policy were published during this time changing the national policy framework for the consideration of energy from waste development proposals. These documents are as follows:
- PPS Consultation on Planning for a Low Carbon Future in a Changing Climate, March 2010;
 - NPS Consultations on Energy and Renewable Energy Infrastructure, December 2009;
 - PPS Eco-towns – a supplement to PPS1, July 2009;
 - Waste Strategy 2007;
 - Meeting The Energy Challenge 2007;
 - Planning Policy Statement: Planning and Climate Change (supplement to PPS 1) (2007);
 - PPS 10 – Planning for Sustainable Waste Management (2005);
- 4.10 In addition the following national planning policy documents have been considered with regards to the proposal:
- PPS 1 Delivering Sustainable Development (2005);
 - PPS 7 Sustainable Development in Rural Areas (2004);

- PPS9 - Biodiversity and Geological Conservation (2005);
- PPS22 – Renewable Energy (2004);
- PPS23 - Planning and Pollution Control (2004); and
- PPS 25 - Flooding (2004).

Regional Policies

- The South East Plan.

Local Policies

- Oxfordshire Minerals and Waste Local Plan 1996 (saved policies);
- The Oxfordshire Joint Municipal Waste Management Strategy 2006;
- Cherwell Local Plan 1996;
- Non Statutory Cherwell Local Plan 2011.

Review of International Policies

Overview

- 4.11 The European Union has instigated a range of Directives at a European level that seek to deal with waste in a more sustainable manner allied with waste reduction measures. The key drivers to achieve these objectives are the Framework Directive for Waste and the Landfill Directive.

EC Framework Directive for Waste 75/442/EEC as amended by 91/156/EEC

- 4.12 The Framework Directive for Waste lays down basic obligations for Member States for dealing with waste. Member States must ensure that the disposal and recovery of waste takes place in such a way as to prevent any risk to water, air, soil, plants and animals. Furthermore, they must not allow waste disposal to constitute a public nuisance through excessive noise levels or unpleasant odours, or to degrade places of special natural interest.
- 4.13 Member States must also establish an integrated and effective network of waste disposal plants, prepare waste management plans, ensure that those who store waste handle it properly, and ensure that waste treatment operations receive a permit (that is, a license). Waste collectors must have special authorisation to operate or be registered. Companies carrying out waste collection or disposal must undergo periodic inspections. Such companies must also keep records of the waste that they handle.

European Community (EC) Landfill Directive 199/31/EC

- 4.14 The original Landfill Directive was adopted by Parliament in 1999. Transposition into national law was subject to a 2001 deadline. The purpose of the Directive was “to prevent or reduce as far as possible negative effects on the environment, in particular the pollution of surface water, groundwater, soil and air, and on the global environment, including the greenhouse effect, as well as any resulting risk to human health, from the landfilling of waste, during the whole lifecycle of the landfill”.

- 4.15 Provisions cover location of landfills, water control and leachate management, water and methane emissions control, and protection of soil. The Directive sets targets to reduce biodegradable municipal landfill to 75% of 1995 amounts by 2010, 50% in 2013, and 35% by 2020.

Summary

- 4.16 It is considered that the principle of the EfW facility is in accordance with international policy and is a state of the art, established technology which has and will continue to successfully direct residual waste away from landfill, without significant adverse impacts on the local environment or local communities.

Review of National Policy

PPS Consultation on Planning for a Low Carbon Future in a Changing Climate, March 2010

- 4.17 The Government's reason for proposing a new PPS to combine and replace the PPS1 supplement on Climate Change and PPS 22 on Renewable Energy is based on the large amount of new legislation and guidance that has been published on climate change and energy, as follows:
- The Climate Change Act 2008 has introduced a statutory target of reducing carbon emissions by 80% below 1990 levels by 2050, with an interim target of 34% by 2020;
 - EU Directive 2009/28/EC on the promotion of use of energy from renewable sources, where the UK has committed to sourcing 15% of its energy from renewable sources by 2020. renewable energy accounted for 2.25% in 2008;
 - The Energy Act 2008 introduced powers for a Feed In Tariff and the Renewable heat Incentive aimed at driving an increase in renewable energy generating capacity;
 - National policy statements on energy will have read across to the planning system for applications of less than 50MW; and
 - Government commissioned studies looking at renewable energy targets at the regional level have found that there was a large delivery gap in respect of achieving targets for 2010.
- 4.18 Paragraph 4 confirms that the National Policy Statements (50MW+ schemes) will have read across to the planning system. Paragraphs 5 to 8 refer to Government studies having identified a large delivery gap on renewable targets in regional strategies and the need for a standard regional methodology for calculating capacity. A further study has identified that the implementation of the PPS supplement on climate change has been patchy and there is a need to improve the skills of planners in this area.
- 4.19 Paragraph 9 identifies one of the central challenges for planning is to respond to and integrate with the Government's ambitions to tackle climate change. As part of this paragraph 11 identifies the need to develop an understanding of the potential for supply and demand for low carbon/renewable energy in an area is an essential step in moving to low

carbon communities and vital for other priorities such as energy security and waste management. Proposed policy LCF1.4 of the consultation document looks to ensure sources of heat and demand are mapped to help identify strategic opportunities, such as the proposed development and the NW Bicester eco town. Paragraph 14 emphasises the importance of local energy planning supporting new development in meeting demanding green house gas emission targets and paragraph 16 confirms that planning for new low carbon and renewable energy development should be at the heart of good planning.

- 4.20 Paragraph 17 identifies that the consultation document seeks to sharpen policy on locating low carbon and renewable energy projects. It makes no judgements on choice of technology but confirms that, subject to scale and impact, these projects should be capable of being accommodated in most locations. It also confirms that applications for cutting edge, well designed buildings should not be turned down simply because they do not look familiar.
- 4.21 Part 2 of the consultation documents sets out the Government's objectives and plan making policies. In respect of objectives (page 14), addressing climate change is identified as the Government's principal concern for sustainable development and all planning strategies must reflect the Government's ambition to help businesses and communities build a low carbon future. Part of this will be actively supporting and driving the delivery of low carbon and renewable energy. Policy LCF4.1 identifies that local planning authority policies should support and not unreasonably restrict low carbon and renewable developments and ensure that local approaches for protecting landscape that will be used to assess applications for low carbon and renewable energy provide appropriate safeguards to ensure adverse impacts are addressed but do not preclude the development of specific technologies other than in the most exceptional circumstances and are informed by the approach and policies set out in the National Policy Statements on Energy Infrastructure. It is considered that this approach should be applied to the proposed development.
- 4.22 Policy LCF14.1 (page 25) seeks to ensure that local authorities do not prevent, inhibit or delay proposals for low carbon and renewable energy. LCF 14.2 sets out what local authorities should consider when determining applications for low carbon and renewable energy generation and the key points considered to be relevant to the application are as follows:
- Expect applicants to have taken appropriate steps to mitigate adverse impacts through careful consideration of location, scale and design – this approach has been applied to the proposed development;
 - Give significant weight to the wider environmental, social and economic benefits of low carbon and renewable energy whatever their scale – to date no weight has been attached to these benefits;
 - Not require applicants to demonstrate the overall need for low carbon and renewable energy.

Draft National Policy Statements on Energy and Renewable Energy Infrastructure

- 4.23 Consultation on these documents closed in February 2010 and whilst they are primarily aimed at the nationally important infrastructure projects which will be dealt with by the IPC they acknowledge that they will also be material considerations for planning applications and local authority decision makers should seek to apply the policy and guidance in these documents as far as practicable.
- 4.24 NPS EN-1 is the overarching policy statement for energy and it sets out the key elements of the Government's Energy and Climate Change Strategy as follows:
- To deliver UK obligations to reduce green house gas emissions;
 - To ensure investment provides a security of supply through a diverse and reliable mix of fuels; and
 - To contribute to sustainable development by seeking energy infrastructure that reduces climate change impacts.
- 4.25 The NPS identifies the major challenge of moving to a low carbon economy means that industry needs to deliver significant amounts of new energy infrastructure over the next 10 to 15 years and that because of the long lead in time of these projects they need to be coming through quickly. The NPS therefore advises that the national need for new energy capacity has already been demonstrated and applicants do not need to demonstrate this. In addition it is not considered necessary to consider the relative advantages of one technology over another given the Government's view that companies should be allowed to determine the individual projects to bring forward, taking into account the clear benefits of having a diverse energy mix.
- 4.26 The Government statements on need for new energy capacity and the choice of technology being left to the industry are considered to be equally applicable to applications being dealt with by local authorities and therefore relevant to the determination of the Ardley scheme.
- 4.27 NPS EN-3 deals with renewable energy infrastructure and paragraph 2.1.1 of the draft NPS confirms that it covers energy from waste. Paragraph 2.1.2 makes it clear that it is for the market to decide what applications to bring forward and the Government does not intend to direct applicants to particular sites for renewable energy infrastructure. All the IPC has to consider is whether the proposal is in line with the NPS and satisfies the impact considerations, which is considered to be the approach that should be applied to this application.
- 4.28 Section 2.5 of the draft NPS deals with Biomass and Waste Combustion and paragraph 2.5.3 again confirms that combustion plants which generate electricity using waste, possibly including non-renewable sources of waste, are covered by this NPS. It is therefore considered to have direct read across to the application. Paragraph 2.5.11 confirms that the IPC should not be concerned about the type of technology proposed and paragraph 2.5.18

recognises the energy recovery and waste treatment roles of waste combustion plants.

- 4.29 The section on factors influencing site selection (page 11) identifies three factors:
- Grid connection – a grid connection has been agreed in principle for the proposed development, see Appendix 7;
 - Links to transport network – the site is considered to have excellent access being in close proximity to junction 10 of the M40; and
 - Combined heat and power – the close proximity of the proposed NW Bicester eco town offers excellent CHP potential.
- 4.30 In respect of local and regional waste management, paragraph 2.5.53 confirms that waste combustion plants need not disadvantage re-use and recycling initiatives where the development accords with the waste hierarchy. Paragraph 2.5.54 refers to national, regional, local and municipal strategies and there is a recognised need for this waste treatment capacity within Oxfordshire and that it will be part of an integrated local strategy for dealing with Oxfordshire's municipal waste.

PPS on Eco-towns – supplement to PPS1, July 2009

- 4.31 The PPS on Eco-towns both identifies locations for these developments, of which NW Bicester is one, and the standards that the Government expects that they will adhere to. Such as enabling opportunities for infrastructure to make the best use of technologies in energy generation as well as conservation and reducing the carbon footprint of these developments. The Government therefore expects that the plans for eco-towns will make a significant contribution to achieving its green house gas emission targets and help address the serious threat of climate change.
- 4.32 Specific policy areas relevant to the proposed development at Ardley are considered to be ET7, the achievement of zero carbon in the eco-towns which will need to consider emissions from locally produced energy against emissions associated with the production of energy imported from centralised networks. The proposed EfW will be an important local source of renewable/low carbon energy that can make a significant contribution to this important objective for eco-towns. Section ET15 considers landscape and historic environment and confirms that planning applications should demonstrate that they have adequately considered the implications for the local landscape and historic environment to ensure the development compliments and enhances the existing landscape character.
- 4.33 Section ET17 considers waste and states that eco-towns will need to set targets for diverting waste from landfill and demonstrate how the development has been planned to achieve these targets. Developers must also provide evidence that consideration has been given to the use of locally generated waste as a fuel source for CHP generation for the eco-town and it is considered that the Energy Plan, which accompanies this application sets

out the potential advantages of locating the eco town where it is also proposed to locate the energy recovery facility which will deal with Oxfordshire's residual municipal waste.

Waste Strategy 2007

- 4.34 Waste Strategy 2007 sets out the Government's vision for sustainable waste management. The key objectives of the strategy are as follows:
- The need to decouple waste growth from economic growth – the proposed visitor centre will include sections on the importance of waste prevention and re-use;
 - To meet and exceed landfill diversion targets – the proposed EfW will deliver the waste management capacity requirements for Oxfordshire, as set out in the South East Plan;
 - Increase the diversion of non-municipal waste from landfill and secure the better integration of treatment of non municipal and municipal waste – the proposed EfW provides capacity for Oxfordshire's residual municipal waste and for industrial and commercial arisings so it will deliver both of these objectives;
 - Secure investment in infrastructure needed to divert waste from landfill – the proposed EfW will deliver this objective; and
 - Get the most environmental benefit through increased recycling and recovery of energy from waste – the EfW will only treat residual waste remaining after recycling has taken place and will maximise the recovery of energy by the generation of electricity.
- 4.35 The proposed development is therefore considered to comply with the objectives of national waste management policy.
- 4.36 WS 2007 also recognises that EfW is an essential component of a well balanced energy policy. EfW is expected to account for 25% of municipal waste treatment by 2020, compared to 10% today. In addition there is still a continuing need for landfill particularly for commercial and industrial residual wastes.
- 4.37 WS 2007 also confirms that on the basis of research carried out to date there is no credible evidence of adverse health outcomes for those living near to incinerators.

Meeting the Energy Challenge

- 4.38 The Government White Paper - Meeting the Energy Challenge was published in May 2007 and it and at page 6 sets out that the government's long term energy challenges are tackling climate change by reducing carbon dioxide emissions and ensuring secure, clean and affordable energy. At page 7 it identifies a need in the UK for around 30-35GW of new electricity generation capacity over the next two decades, with around two thirds of this capacity required by 2020. Page 8 then identifies the key elements of the Government's strategy as establishing an international framework to tackle climate change, legally binding carbon targets, energy saving and providing support for low carbon technologies.

PPS 1 and Climate Change Supplement

- 4.39 PPS1 states that planning should facilitate and promote sustainable patterns of urban and rural development by making land available for development in line with economic, social and environmental objectives and protecting and enhancing the natural environment. PPS1 also stresses the importance of ensuring high quality development through good design and the efficient use of resources.
- 4.40 The supplement to Planning Policy Statement 1 (PPS1) 'Planning and Climate Change' sets out how planning should contribute to reducing greenhouse gas emissions and stabilising climate change and is considered to represent an important development in Government policy in establishing the national need for low carbon/renewable energy projects. It also confirms within the glossary that the Government considers energy from waste to be a form of renewable / low carbon energy.
- 4.41 The supplement set out key planning objectives for planning authorities to deliver, as follows:
- *Make a full contribution to delivering the government's climate change programme and energy policy and contribute to global sustainability – the proposed EfW will deliver 24MW of renewable energy making a significant contribution to Government energy policy by reducing carbon emissions and providing security of supply. It will also divert waste from landfill in accordance with Government policy;*
 - *In providing for homes, jobs and infrastructure needed by communities secure the highest viable resource and energy efficiency and reduction in emissions – energy from waste will deliver a significant reduction in emissions when compared to current waste management practices, will provide a source of renewable energy to communities and businesses and a potential source of heat to the NW Bicester eco town proposals as well;*
 - *Deliver patterns of sustainable growth and transport – the site is well located to the strategic route network serving Oxfordshire and rail transport would not be economic for the distances waste would be travelling to the facility;*
 - *Secure new development in places that minimise their vulnerability and provide resilience to climate change – the site is an existing waste management facility and incorporates sustainable drainage systems to meet EA requirements;*
 - *Conserve and enhance biodiversity – the proposed development will have no adverse impacts on biodiversity and Viridor have already made substantial contributions to conserving the dinosaur footprints found on the site. The restoration proposals will retain access to a geological face and provide longer term gains in biodiversity through the variety of habitats to be created;*
 - *Reflects the needs and interests of communities and enable them to contribute to tackling climate change – this is where the approach set out in the White Paper, Meeting the Energy Challenge is relevant as it acknowledges that the benefits of renewable projects are not always*

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visible to the specific locality in which it is sited but they do provide crucial national benefits which are shared by all communities and must be accorded significant weight in the planning process.

- 4.42 Paragraphs 38 to 40 of the Climate Change Supplement deal with the determination of planning applications. These stress that it is important that local planning policies are up to date and reflect latest Government policy and where they do not Government policy takes precedence. Finally paragraph 40 confirms that where applications are in accordance with the Key Planning Objectives they should expect an expeditious and sympathetic handling through the planning system. It is considered that the proposed development complies with the Key Planning Objectives.
- 4.43 SLR has completed a Life Cycle Assessment, using the Environment Agency's modelling tool 'Waste and Resource Assessment Tool for the Environment' (WRATE), to assess the environmental impacts, including global warming potential, of the proposed EfW plant compared to a number of other waste management technologies.
- 4.44 The WRATE assessment (see Appendix 4 of the ES) concluded that the proposed EfW facility will result in an environmental footprint that has an overall reduction in environmental impacts such as global CO₂ emissions. In accordance with PPS1, the EfW facility has been designed to minimise energy use and carbon emissions during construction and operation. In diverting residual waste away from landfill to a treatment facility higher up in the waste hierarchy, the proposals will have a positive impact on the environment.
- 4.45 The existing landfill gas utilisation plant which recovers energy from the landfill operations will also be retained and so will continue to contribute electricity to the grid.
- 4.46 The site has also been designed to attenuate surface water runoff and not give rise to additional surface water runoff or down stream flooding.
- 4.47 The EfW facility will have the potential to provide heat and energy to existing and future development in a 5km area. New development in the vicinity of the EfW facility could be future proofed by ensuring the infrastructure is in place to allow CHP system to be retro fitted. Having regard to the above, it is considered that the development proposals will not have an adverse effect on climate change and therefore the proposals meet the sustainable development objectives set out in PPS1 and the Climate Change supplement.

PPS 10

- 4.48 PPS 10 – Planning for Sustainable Waste Management sets out the latest Government policy on planning for waste management facilities and objectives for sustainable waste management. The proposed development has been considered against these objectives in order to demonstrate its compliance with national waste policy.
- 4.49 Annex E of PPS 10 sets out the main factors waste planning authorities should take into account when testing the suitability of a site for waste

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management purposes. The development at Ardley is considered to comply with them as follows:

- protection of water resources, considerations will include the proximity of vulnerable surface and groundwater. For landfill or landraising, geology conditions and the behaviour of surface water and groundwater should be assessed both for the site under consideration and the surrounding area. The suitability of locations subject to flooding will also need particular care – The assessments undertaken demonstrate there would be no adverse impacts on water resources.
- land instability, locations, and/or the environs of locations, that are liable to be affected by land instability will not normally be suitable for waste management facilities – there are no stability issues at Ardley.
- visual intrusion, considerations will include (i) the setting of the proposed location and the potential for design-led solutions to produce acceptable development; (ii) the need to protect landscapes of national importance (National Parks, Areas of Outstanding Natural Beauty and Heritage Coasts) – the landfill has been re-modelled to accommodate the proposed EfW and a high quality landmark building is proposed, the site is remote from landscapes of national importance and will not have an adverse impact on them;
- nature conservation, considerations will include any adverse effect on a site of international importance for nature conservation (Special Protected Areas, Special Areas of conservation and RAMSAR sites) or a site with a nationally recognised designation (Site of Special Scientific Interest, National Nature Reserve) – the assessments undertaken demonstrate there would be no adverse impacts on nature conservation;
- historic environment and built heritage, considerations will include any adverse effect on a site of international importance (World Heritage Sites) or a site or building within a nationally recognised designation (Scheduled Monuments, Conservation Area, Listed Buildings, Registered Historic Battlefields and Registered Parks and Gardens – the assessments undertaken demonstrate there would be no adverse impacts on the historic environment;
- traffic and access, considerations will include the suitability of the road network and the extent to which access would require reliance on local roads – the site has excellent access to the strategic route network serving Oxfordshire and the assessments undertaken demonstrate that there would be no adverse impacts on the highway network;
- air emissions, including dust, consideration will include the proximity of sensitive receptors and the extent to which adverse emissions can be controlled through the use of appropriate and well maintained and managed equipment – the assessments undertaken demonstrate there would be no adverse impacts on air quality;
- vermin and birds, considerations will include the proximity of sensitive receptors. Some waste management facilities, especially landfills which

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accept putrescible waste, can attract vermin and birds, and may be influenced by the distribution of landfill sites – the existing, effective controls employed at the landfill would be maintained;

- noise and vibration, considerations will include the proximity of sensitive receptors. The operation of large waste management facilities in particular can produce noise both inside and outside buildings. Intermittent and sustained operating noise may be a problem if not kept to acceptable levels and particularly if night-time working is involved – the assessments undertaken demonstrate there would be no adverse noise or vibration impacts;
- litter, can be a concern at some waste management facilities – existing litter management systems would be maintained; and
- potential land use conflict, likely proposed development in the vicinity of the location under consideration should be taken into account in considering site suitability and the envisaged waste management facility – the site is an existing waste management facility and adjoins a quarry.

4.50 Developing the EfW facility at Ardley together with the landfill and HWRC will be key to meeting the targets in national and regional waste management strategies and its considered appropriate to make maximum use of existing waste management facilities when they are well located and do not have any significant adverse effects on the environment or local communities.

4.51 The EfW facility would be located within an existing landfill site with no significant physical or environmental constraints. The site is well located in terms of the primary highway network and the facility would divert a significant proportion of Oxfordshire's waste from landfill. At the same time the redeveloped HWRC will continue to support and encourage the achievement of higher recycling rates.

PPS 7

4.52 PPS 7 sets out the Government's key principles for development in rural areas as follows:

- Should be based on the principles of sustainable development;
- Good quality, carefully sited, accessible development in towns and villages should be allowed;
- Accessibility is key;
- New buildings in the open countryside should be strictly controlled;
- Favour brownfield land; and
- All development should be well designed, inclusive and in keeping with the scale of its location and sensitive to the character of the countryside.

4.53 The proposed development is considered to comply with the principles of sustainable waste management as set out in PPS10 and is therefore considered to be sustainable. It also enjoys excellent access to the strategic route network which serves Oxfordshire. With regard to new building in the

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countryside this must be considered against the need to deliver waste management infrastructure and the specific locational criteria for that development and in particular policy W17 of the recently adopted South East Plan. It is also accepted that the site is not brownfield land but it is an existing active waste management site which adjoins an active mineral working and again the criteria established in policy W17 of the South East Plan are considered relevant. Finally it is considered that the proposed building is of a high quality design and the surrounding landfill is proposed to be substantially re-modelled in order to create a landform within which the proposed EfW can sit in keeping with the scale of the proposed landform and providing a landmark building capable of having a positive effect on the surrounding area.

- 4.54 The proposed development does not adversely affect any designated features or sites of landscape, wildlife or historic value.

PPS 9

- 4.55 PPS9 states that developments should conserve and enhance biological and geological diversity. Although the site is not covered by any statutory geological or ecological designations and the Ecological Assessment confirmed that the development would not have a significant adverse impact on the ecology of the area, a range of mitigation measures and enhancements are proposed to improve the biodiversity of the site.

PPS 22

- 4.56 PPS22 sets out the Government's policies on renewable energy and the key principle is that it should be promoted and encouraged not restricted. The subsequent publication of the PPS1 supplement on Climate Change further reinforced and strengthened this message and widened it to include reference to low carbon energy as well, which is considered to be applicable to the proposed development. In addition the Government is currently consulting on a new PPS which will replace PPS22.

PPS 23

- 4.57 PPS23 provides advice on planning and pollution control to land, air and water and the potential impacts to human health. The assessments undertaken as part of the EIA found no significant adverse impacts on human health or the environment arising from the construction and operation of the EfW plant as well as the continuing use of the existing landfill. At the same time the redeveloped HWRC will continue to support and encourage the achievement of higher recycling rates.
- 4.58 PPS23 also advises planning authorities not to duplicate the role or controls of the relevant pollution control authority and confirms that development should be considered on the assumption that the relevant pollution control requirements will be properly applied and enforced.

PPS 25

- 4.59 A small section of the application site is within the floodplain of the Gagle Brook. PPS25 states that developments should take account of flood risk at all times in the planning process. A Flood Risk Assessment was undertaken and an appropriate surface water management scheme has been designed to protect both landfill and the EfW facility from flooding, and to ensure that its presence will not increase flood risk in other areas.

Regional Policy

South East Plan

- 4.60 The South East Plan was formally adopted and became part of the Development Plan for Oxfordshire in 2009. It represents up to date planning policy which has been developed with regard to the above national policy statements and its policies should therefore be accorded considerable weight. The relevant policies to this development have been identified and the proposals have been considered against them.
- 4.61 Policy CC1 on Sustainable Development requires all developments to have regard to achieving sustainable levels of resource use; to conserve and enhance the physical and natural environment; to reduce green house gas emissions; to be prepared for climate change and to achieve safe, secure and socially inclusive development. It is considered that the proposed development will assist in achieving sustainable levels of resource use by diverting waste from landfill and providing a source of low carbon energy this will also make a substantial contribution to reducing greenhouse gas emissions. By siting the proposed development on an existing waste management facility it is re-using land already consented for waste management development and therefore conserves other areas of the physical and natural environment and the proposal incorporates the latest sustainable drainage requirements as set out in PPS25 which are designed to cope with the effects of climate change.
- 4.62 Policy CC2 deals specifically with Climate Change and requires local authorities to achieve a reduction in CO2 emissions, the policy provides 5 criteria where this reduction in CO2 emissions will be achieved and 1 of them is directly relevant to this development with regard to promoting renewable energy. The provision of low carbon energy is also considered relevant to the aim of this policy which is to tackle climate change.
- 4.63 Policy CC4 deals with sustainable design and construction and the submitted Design and Access Statement covers these points. Policy CC6 deals with Sustainable Communities and Character of the Environment and seeks to ensure that development respects and, if appropriate, enhances the character and distinctiveness of landscapes throughout the region and as previously stated the development has been designed to create a landform within which the proposed EfW can sit in keeping with the scale of the proposed landform and providing a landmark building capable of having a positive effect on the surrounding area.

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- 4.64 The plan policies on natural resource management have also been considered and the relevant assessments in the accompanying ES demonstrate how the proposed development is not considered to conflict with the following policies NRM1 Sustainable Water Resources and Groundwater Quality; NRM2 Water Quality; NRM4 Sustainable Flood Risk Management; NRM5 Conservation and Improvement of Biodiversity; NRM7 Woodlands; NRM 9 Air Quality and NRM 10 Noise.
- 4.65 As the PPS1 supplement on climate change confirms that energy from waste is low carbon energy policies NRM 11 and 12 are also considered relevant and the development has been considered against them. Policy NRM 11 on Development Design for Energy Efficiency and Renewable Energy requires that local authorities promote and secure greater use of renewable/low carbon energy and that they actively promote the use of renewable energy where opportunities such as with eco towns. The low carbon power this development will provide and its proximity to the NW Bicester eco town therefore indicates that this scheme should be actively promoted by the local authorities to accord with policy NRM11. Policy NRM 12 on Combined Heat and Power encourages the integration of CHP in all developments and again the proximity of the development to the eco town proposals means that this is eminently deliverable.
- 4.66 The section on Waste Management within the South East Plan states that the total waste managed in the South East is estimated to rise to nearly 35 million tonnes by the year 2025. The existing waste management facilities in the South East cannot deal with this growth in waste. Landfills will be full within a decade, creating a management problem but also representing a waste of potentially valuable resources. There is an immediate and acute shortfall in facilities to deal with ever increasing amounts of waste thus a more sustainable waste management system needs to be developed, which increases the proportion of waste from which value can be recovered.
- 4.67 Significantly reducing the amount of waste which is landfilled will require a switch to industrialised waste handling and processing, including energy recovery plants. In relation to EfW facilities, the plan states that these represent a proven technology, which is strictly regulated and whose emissions of pollutants have declined dramatically in recent years. As evidenced by many more plants being approved in the UK.
- 4.68 Policies W3 and W4 establish the principles of regional and sub regional self sufficiency requiring each sub region to deliver the waste management capacity equivalent to the waste arisings within their area. Importantly it does not direct planning authorities to only deal with waste arising within their area and the supporting text acknowledges that cross boundary movement of waste has always and will continue to take place especially at sites such as Ardley which are close to county boundaries. Policy W5 sets a target of diverting 86% of waste from landfill by 2025. Policy W7 states that Waste Planning Authorities will have to provide the waste management capacity required to achieve the targets set out in the Plan. The average tonnages which will have to be managed by Oxfordshire by 2025 are 571,000 tonnes Municipal Solid Waste (MSW) and 791,000 tonnes of Commercial and Industrial Waste.

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- 4.69 It is noted that the policies on delivering the required waste management capacity to divert waste from landfill do not place a rigid cap on the development of new capacity because it is Government policy to drive the management of waste up the hierarchy not to restrict it. In addition the development of energy recovery capacity also contributes to the generation of low carbon energy which enjoys similar support in Government and regional policy.
- 4.70 Policy W12 states that the Regional Assembly, the South East England Development Agency (SEEDA), the Environment Agency and the regional partners will promote and encourage the development and demonstration of advanced recovery technologies that will be expected to make a growing contribution towards the delivery of the regional targets for recovery, diversion from landfill, and renewable energy generation over the period of the Plan. Waste Development Documents and municipal waste management strategies should only include energy from waste as part of an integrated approach to management and include measures to ensure that appropriate materials are recycled. The Joint Waste Management Strategy for Oxfordshire makes clear that the proposed recovery facility is just part of an overall strategy from managing Oxfordshire's waste and the facility will only deal with residual municipal waste remaining after recycling and composting has taken place. Commercial and industrial will primarily be delivered from waste transfer station where facilities to remove recyclable material and therefore minimise the amount of waste that requires further treatment or disposal are increasingly be installed. The policy also aims to ensure that CHP is incorporated wherever possible and the proximity of the Ardley proposals to the NW Bicester eco town proposals means that there is excellent potential for this to happen if it is actively promoted by the relevant planning authorities as required by national and regional policy guidance.
- 4.71 The plan identified that Oxfordshire, along with all other Counties in the South East region has a shortfall in capacity requirement for Municipal Solid Waste and Commercial and Industrial Waste recycling, recovery and composting. In addition more recent work undertaken by Oxfordshire County Council establishes that they need to deliver 291,000 tpa of recovery capacity in order to meet the South East Plan targets and that a significantly greater quantity (in the order of 430-460,000 tpa) of waste could be diverted from landfill if sufficient waste treatment capacity is available.
- 4.72 Policy W17 deals with the location of waste management facilities. The policy states that priority should be given to expanding suitable sites with an existing waste management use and good transport connections and compatible land uses, namely active mineral working sites; and previous or existing industrial land use. Ardley is considered to comply with the locational requirements of W17 because it is an existing waste management use with good transport connections and adjoins an active mineral working. It also enjoys good accessibility to other urban areas within the county courtesy of the M40 and it will be in close proximity to an area of planned new growth at Bicester. The proposed development is therefore considered to fully comply with the locational requirements of policy W17.
- 4.73 Policy W13 deals with landfill requirements and seeks to husband this resource to ensure that adequate capacity is maintained. Whilst the proposed development will result in a small loss of permitted non inert void

space this will not impact on Oxfordshire's ability to deliver their local and regional commitments because of the high level of permitted void space that is available in the county. Policy W14 seeks to ensure high quality restoration is achieved and the proposed scheme for Ardley offers substantial biodiversity and rights of way improvements in comparison to the existing consented scheme.

- 4.74 In summary, regional waste planning policy recognises that increasing amounts of waste cannot be landfilled if waste management is to become more sustainable but that there will be an ongoing need for landfill. Local Planning Authorities will be required to provide the capacity to manage waste sustainably and this is likely to include technologies such as EfW, if targets to divert waste from landfill are to be met. The plan states that it is essential sites are safeguarded in Local Development Frameworks and identified in Waste Development Frameworks. It is considered that Ardley Landfill site complies with the location criteria set out in policy W17 and that the EfW facility will make a significant contribution to Oxfordshire's target for managing its residual waste and diverting waste from landfill without compromising landfill capacity in the county.

Local Policy

Introduction

- 4.75 Local policy in Oxfordshire consists of the following documents:
- The Oxfordshire Minerals and Waste Local Plan, 1996;
 - The Cherwell Local Plan, 1996;
 - The non statutory Cherwell Local Plan, 2004; and
 - The Oxfordshire Joint Municipal Waste Strategy, 2007.
- 4.76 The Minerals and Waste Local Plan and the 1996 Cherwell Local Plan still form part of the Development Plan for the area as replacement documents under their Local Development Frameworks have not yet been adopted. As both plans were adopted in 1996 they take no account of the latest national or regional policy (PPS10, PPS1 supplement on climate change, Waste Strategy 2007 and the South East Plan) on planning for waste management and renewable energy. It is therefore considered that the policies in these plans should be accorded very limited weight because they are now out of date. In respect of the non statutory Cherwell Local Plan, the Council suspended work on this document in 2004 and the policies have not been subject to a Public Local Inquiry. This document also pre-dates the latest national and regional policy guidance on waste management and low carbon energy and again it is considered that the policies should be accorded very limited weight.
- 4.77 The Joint Waste Strategy was prepared in 2007 and reflects Government policy as set out in Waste Strategy 2007 and, whilst not a planning policy document, this is considered to provide an up to date context for how Oxfordshire's municipal waste should be managed in the future and provides an integrated approach of measures for waste minimisation, recycling/composting, recovery and final disposal requirements for the County's municipal waste.

Oxfordshire Minerals and Waste Local Plan 1996 – saved policies

- 4.78 The Minerals and Waste Local Plan (MWLP) was adopted in 1996. The relevant saved policies are considered to be W2, W5, W7, PE11, PE12, PE13, PE14 and PE18.
- 4.79 Policy W2 deals with the need to make provision for waste arisings from London and other parts of the South East, however it is considered that this policy has been superseded by policies W3 and W4 of the South East Plan and the proposed development is not considered to conflict with the requirements of these policies. Policy W5 deals with the need to screen waste development and for that to be in place before the development commences. EfW facility will be visible due to its chimney stack. However, amendments to the height of the landfill, proposed planting and careful choice of materials will ensure that the buildings and chimney have as little impact on the landscape as possible. The main part of the building, offices, car parking etc will be set down within the quarry void which will reduce their visibility from outside of the site. The proposed development incorporates a substantial re-modelling of the existing landfill to accommodate the EfW and to ensure that the building fits within the landform that has been created. The proposals are also accompanied by a comprehensive landscaping scheme. It is accepted that these measures do not screen the building entirely from views but the high quality architectural design proposed is considered capable of having a positive effect on these views.
- 4.80 Policy W7 seeks to control the release of landfill to ensure that satisfactory restoration takes place and sets a number of tests for proposals to meet. However Ardley is an existing permitted landfill site which has already been considered against these tests and found to be acceptable. The proposed development is not extending the footprint of the landfill, it is only seeking an amendment to the phasing and final restoration of the landfill to accommodate the EfW. It is therefore considered that the landfill element of the proposals continues to meet the tests in policy W7 in that there is will be a continuing need for landfill, there is no material harm to the environment or local amenities, no harm to floodplain, SSSIs, heritage assets, AONBs, Green Belt, water resources, visual amenity and the site has a suitable access.
- 4.81 Policies PE11, 12, 13, 14 and 18 have also been reviewed but there is not considered to be any conflict with the proposed development and the ES concluded that the facility represented no significant adverse risk or nuisance to the amenity of local people, the local environment or the water environment.

Oxfordshire Joint Municipal Waste Strategy

- 4.82 The Oxfordshire Waste Partnership (OWP) is a partnership of the County and District Councils of Oxfordshire who are working together to improve waste management services within the County. In January 2007, the OWP agreed a Joint Municipal Waste Management Strategy 'No Time to Waste' which sets out plans for dealing with Oxfordshire's municipal waste to 2030.

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- 4.83 The Strategy states that Oxfordshire's households produced 300,000 tonnes of household waste in 2005-06 and this is forecast to grow to over 450,000 tonnes a year by 2035. Of this tonnage, 67% was sent straight to landfill. The OWP aims to reduce waste going to landfill and recover value from residual waste, to create new products or produce energy.
- 4.84 The OWP recognises that despite increasing efforts to reduce, reuse, recycle and compost Oxfordshire's rubbish, the County will still be short of meeting the requirements of LATS targets. In order to meet these targets, the OWP states that some form of 'waste treatment' including high temperature incineration will be necessary. Policy 9 of the Strategy states that the OWP will provide a system for recovering value from residual wastes in order to meet LATS targets.

Cherwell Local Plan 1996

- 4.85 Policies C1 and C2 of the Local Plan deals with protecting sites of nature conservation value and protected species and it is considered that the ecological assessment work demonstrates that there will be no adverse effects on either. Policy C10 seeks to protect historic parks and gardens but no adverse effects on these designations have been identified as a result of the proposed development. Policies ENV1, 7 and 12 deal with pollution, water quality and contaminated land respectively and again no adverse effects on these interests have been identified by the assessment work undertaken.
- 4.86 Policies C7, C8 and C9 on Landscape Conservation were quoted within the reason for refusal for the previous application (08/02472), however these policies should be viewed in light of later Government policy, especially in respect of renewable energy, which requires that the approach to protecting landscapes does not preclude the supply of any type of renewable energy other than in exceptional circumstances. Policy C7 states that development will not normally be permitted if it would cause demonstrable harm to the topography and character of the landscape. In respect of these proposals the current topography and character of the site is one of a former quarry and an active landfill which offer substantial benefits in respect of siting a building because it can be set down below the surrounding area and the landform being created by the landfill can be shaped to provide a landform for the building to sit within. Therefore whilst visible the building has been designed to sit within and flow with the landform being created around it. Policy C8 seeks to prevent sporadic development in the open countryside but, in respect of siting much needed waste management facilities, it is considered that this approach does not accord with policy W17 of the South East Plan which provides locational guidance for waste management facilities. The proposed development is considered to fully comply with the requirements of W17, which as the later more up to date policy should be accorded greater weight in the decision making process. Policy C9 seeks to resist development of a type, size or scale that is considered incompatible with a rural location, Policy C9 seeks to resist development of a type, size or scale that is considered incompatible with a rural location, however the proposed development would be located on an active waste management site where the adjacent landfill has been re-designed to provide a landform which will accommodate the proposed EfW.

Non Statutory Cherwell Local Plan, 2004

- 4.87 As previously stated this plan does not form part of the Development Plan for this area but it has been approved by Cherwell District Council to use for development control purposes. However due to it being superseded by later Government and regional policy, particularly in respect of tackling climate change, and as the policies were never tested at public inquiry it is considered that they should be accorded very limited weight and that they do not represent material considerations sufficient to outweigh the up to date development plan policies contained in the South East Plan.
- 4.88 Policy R4 seeks to safeguard and enhance public rights of way and if appropriate a suitable diversion should be secured. The permanent diversion of bridleway 27 is proposed but it is considered that a suitable alternative route within land under the applicant's control can be provided and in the event this were not successful it would be possible for the bridleway to revert to its original route. In addition a substantial package of enhancements to the surrounding rights of way network is proposed as well. The application is therefore considered to comply with policy R4.
- 4.89 Policy TR1 seeks to ensure that developments contribute to achieving the objectives of the Local Transport Plan and by proposing development which has ready access on to the primary route network for HGV traffic this is considered to comply with the policy. TR3 requires a transport assessment and travel plan to accompany developments likely to generate significant levels of traffic and these documents have been provided. TR4 requires that appropriate mitigation measures are identified and provided such as highway improvements and improving pedestrian accessibility and this has been done with the proposed new access and improvements to the rights of way network. Policy TR5 seeks to minimise the conflict between vehicles and pedestrians and not to compromise the safety and free flow of traffic and it is considered that the proposed new access, which has been subject to a safety audit, achieves this. Policy TR8 requires that development should not prejudice the pedestrian and cycle circulation or route provision and it is considered that the proposed improvements to the rights of way network will substantially improve facilities for cyclists and pedestrians in the area. Policy TR11 seeks to ensure that all turning and servicing requirements can be provided on site which will be the case and also to minimise the visual impact of vehicles and parking which will be achieved because the facility will be located on the quarry floor at a lower level than the surrounding land. In respect of car parking requirements there are no standards for waste management development but having regard to the Travel Plan it is considered that adequate spaces have been provided. Finally policy TR16 requires that development which generates frequent HGV movements through residential areas or on unsuitable rural roads should be refused. However it is considered that the transport assessment that the proposed routes are not unsuitable for HGV movements and that the proposed level of HGV use will not have an adverse impact on the small number of residential properties that are situated directly alongside the B430.
- 4.90 Policy EN1 takes account of the likely impact on the natural and built environment and states that unacceptable environmental impacts will be not be permitted. The assessments undertaken on the development indicate that no significant effects are likely in respect of traffic, air quality, noise, water,

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ecology and cultural heritage. Significant effects in respect of landscape have been identified because the proposed building would be visible. However having regard to the high quality of the proposed architectural design, the need for waste treatment capacity in Oxfordshire and the need for low carbon energy generation to address the effects of climate change it is considered that the landscape effects of the proposed are not unacceptable and that the development does not conflict with this policy.

- 4.91 Policy EN2 allows for exceptional circumstances where there would be demonstrable harm for essential development to be permitted where there is no acceptable alternative and compensation is provided for the resource lost. This policy is not considered applicable to the proposed development which is considered to comply with the locational requirements of policy W17 of the South East Plan and the proposed building is considered capable of having a beneficial effect on views because of the high quality design.
- 4.92 Policy EN3 states that development that will have materially detrimental levels of noise, vibration, smell, smoke, fumes or other pollution will not be permitted, however the assessments that accompany this application demonstrate that the proposed development complies with the requirements of this policy.
- 4.93 Policy EN5 has regard to the likely impact on air quality and again the assessments undertaken demonstrate there will be no significant impacts on air quality. It should also be noted that Waste Strategy 2007 states that on the basis of research carried out to date there is no credible evidence of adverse health outcomes for those living near to incinerators.
- 4.94 Policy EN6 seeks to avoid unnecessary light pollution requiring that only the minimum lighting required is provided and that its impacts are minimised to prevent adverse effects on local amenity, landscape, nature conservation and highway safety. Whilst the proposed EfW will be a 24 hour operation night time operations will be limited to within the building and only low levels of external lighting will be required around doorways and walkways to comply with health and safety requirements. Lighting of the new access and access road will be provided but once into the site the road drops down to a level below the surrounding land and lighting would be designed at this lower level. It is therefore considered that the limited amount of lighting that is required will be the minimum necessary and it will be located and designed to minimise its effect beyond the site and that there will be no adverse effects on amenity, landscape, nature conservation or highway safety.
- 4.95 Policies EN11, 12, 13, 14 and 15 seek to ensure that there are adequate water resources to serve the development and to protect ground and surface water quality, river corridors, flood plains and to ensure that surface water is controlled and managed. Once operational the proposed EfW will have only a small requirement for water as it will be recycled and re-used within the plant. Comprehensive assessments on ground and surface water quality and a flood risk assessment and surface water management plan have been provided and attenuation capacity in accordance with PPS25 has been provided. The proposed development will not have any adverse impacts on water resources, quality or flooding.

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- 4.96 Policy EN16 deals with the best and most versatile agricultural land but as the proposed site is a former quarry this is not considered relevant to the proposed development. Policy EN17 deals with contaminated land but there are no known contamination issues at the Ardley site as the existing landfill is run in accordance with its Environmental Permit from the Environment Agency and the location of the EfW is on a part of the site which has not yet been landfilled. Policy EN18 deals with unstable land but there are no stability issues at Ardley so this is not considered relevant.
- 4.97 Policies EN22, 23, 24, 25 and 27 deal with biodiversity but as the proposed development is located wholly within the boundary of an existing permitted landfill and the proposed site of the EfW already has planning permission to be landfilled there are considered to be no direct impacts on nature conservation interests as a result of the proposed development. Off site impacts have been considered and shown not be significant and the proposed landscaping and restoration schemes incorporate biodiversity improvements beyond that provided by the currently consented restoration scheme. The proposed development does not therefore conflict with the nature conservation policies.
- 4.98 In respect of landscape policies EN30 and EN31 re-state the tests in policies C8 and C9 of the 1996 Cherwell Plan which have already been considered. Policy EN34 seeks to conserve and enhance the character of the landscape and does not permit development which will cause undue visual intrusion in the open countryside, cause undue harm to natural landscape features or topography, be inconsistent with local landscape character, harm the settings of settlements, buildings or other features or would harm the historical value of the landscape. The overall aim of the proposed development is to produce a final landform which maintains and enhances the landscape character and biodiversity value of the site, while mitigating the visual impacts of the proposed EfW. The landscape proposals are designed to integrate the EfW into the surrounding landfill providing a setting and a complimentary design form to the built development. Increased planting is proposed to the north and west to improve screening and planting around the EfW will be extended on to the landfill to integrate the building with its surroundings. The proposed planting has been designed to blend with the local landscape hedgerow and woodland character. The materials for the proposed building have also been chosen to create a light coloured building to reduce its bulk and scale. The proposed development does not harm the setting of any settlement or building or the historical value of the landscape. The local landscape character is that of an active landfill with a mineral extraction site to the south, but the landscaping and restoration proposals have been designed to reflect the surrounding hedgerow and woodland character. The principal issue is therefore considered to be the extent of the visual impact and here it is considered that the mitigation provided in terms of the landform created, proposed planting and high quality building design capable of having a positive effect on views means that the development does not cause undue harm and given the clear national and regional policy for waste recovery and new low carbon energy generation capacity this clearly outweighs what impacts are considered to remain.
- 4.99 Policy EN35 deals with the retention of woodlands, trees, hedges and ponds but as the proposed development is wholly within the confines of a permitted landfill site there will be no loss of these features other than a small part of

the woodland screen planting for the proposed new access which will not significantly affect views into the site.

- 4.100 In respect of design policy D4 states that the District Council will require high quality contemporary architecture that expresses its use and importance and possesses visual interest. The proposed EfW is considered to comply with this policy. Policy D9 seeks to ensure that energy efficiency measures are incorporated in to the design including measures to minimise energy loss, maximising natural solar heating, lighting and ventilation and minimising energy consumption. The Design and Access Statement sets out the measures incorporated in to the proposed building in this regard and as a source of low carbon energy itself the building has been designed with energy efficiency in mind. Finally policy D10a deals with tall buildings and requires that they relate well to their context, which in this case is an existing active waste management facility that is proposed to be significantly re-modelled in order to provide a landform setting in which the proposed building has been designed to fit. Given this has been a major part of the early design work the proposed building is considered to relate well to the setting that has been provided for it. The policy also requires that there should be damage to listed buildings, conservation areas, open spaces or sky line and important views. The cultural heritage assessment considers the settings of heritage assets in the area and no significant adverse effects are identified. In respect of important views the plan does not identify what these are considered to be but the proposed development does not adversely affect the natural landscape features referred to in paragraph 9.69 of the Plan. The policy also requires that the architectural qualities (scale, form, materials) should respect their location and again the building has been designed specifically to sit within the landform created and the materials have been selected to assist in reducing the bulk and scale of the building. In terms of contributing to public spaces the proposals incorporate significant landscaping and improvements to the rights of way network where the proposed EfW will be a feature on interest. Finally the policy requires that the development should not have an adverse impact on the local environment in terms of over shadowing, micro climate effects and night time appearance and no adverse effects in respect of these issues have been identified.