

## **PLANNING & REGULATION COMMITTEE – 19 OCTOBER 2020**

### **POLICY ANNEX (RELEVANT DEVELOPMENT PLAN AND OTHER POLICIES)**

#### **Oxfordshire Minerals and Waste Core Strategy 2017 (OMWCS)**

##### **POLICY M1: RECYCLED AND SECONDARY AGGREGATES**

So far as is practicable, aggregate mineral supply to meet demand in Oxfordshire should be from recycled and secondary aggregate materials in preference to primary aggregates, in order to minimise the need to work primary aggregates.

The production and supply of recycled and secondary aggregate, including that which improves waste separation and the range or quality of end products, will be encouraged so as to enable the maximum delivery of recycled and secondary aggregate within Oxfordshire. Where practicable, the transport of recycled and secondary aggregate materials (both feedstock and processed materials) from locations remote from Oxfordshire should be by rail.

Provision will be made for facilities to enable the production and/or supply of a minimum of 0.926 million tonnes of recycled and secondary aggregates per annum.

Sites which are suitable for facilities for the production and/or supply of recycled and secondary aggregates at locations that are in accordance with policies W4 and W5 and other relevant policies of this Plan and of other development plans will be allocated in the Minerals and Waste Local Plan: Part 2 – Site Allocations Document. Permission will be granted for such facilities at these allocated sites provided that the requirements of policies C1 – C12 are met.

Permission will normally be granted for recycled and secondary aggregate facilities at other sites, including for temporary recycled aggregate facilities at aggregate quarries and landfill sites, that are located in accordance with policies W4 and W5 and that meet the requirements of policies C1 – C12, taking into account the benefits of providing additional recycled and secondary aggregate capacity and unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits. Where permission is granted for such a facility at a time-limited mineral working or landfill site this will normally be subject to the same time limit as that applying to the host facility and the site shall be restored in accordance with the requirements of policy M10 for restoration of mineral workings at the end of its permitted period. Except where a new planning permission is granted for retention of the facility beyond its permitted end date, temporary facility sites shall be restored at the end of their permitted period.

Sites for the production and/or supply of recycled and secondary aggregate will be safeguarded under Policy M9 and/or W11 and safeguarded sites will be defined in the Site Allocations Document.

## POLICY W2: OXFORDSHIRE WASTE MANAGEMENT TARGETS

Provision will be made for capacity to manage the principal waste streams in a way that provides for the maximum diversion of waste from landfill, in line with the following targets:

Oxfordshire waste management targets 2016 – 2031

		Year			
		2016	2021	2026	2031
MUNICIPAL WASTE	Composting & food waste treatment	29%	32%	35%	35%
	Non-hazardous waste recycling	33%	33%	35%	35%
	Non-hazardous residual waste treatment	30%	30%	25%	25%
	Landfill (these percentages are not targets but are included for completeness)	8%	5%	5%	5%
	Total	100%	100%	100%	100%
COMMERCIAL & INDUSTRIAL WASTE	Composting & food waste treatment	5%	5%	5%	5%
	Non-hazardous waste recycling	55%	60%	65%	65%
	Non-hazardous residual waste treatment	15%	25%	25%	25%

	Landfill (these percentages are not targets but are included for completeness)	25%	10%	5%	5%
	Total	100%	100%	100%	100%
CONSTRUCTION, DEMOLITION & EXCAVATION WASTE	<i>Proportion of Projected Arisings taken to be Inert*</i>	80%	80%	80%	80%
	Inert waste recycling (as proportion of inert arisings)	55%	60%	65%	70%
	Permanent deposit of inert waste other than for disposal to landfill** (as proportion of inert arisings)	25%	25%	25%	25%
	Landfill (as proportion of inert arisings) (these percentages are not targets but are included for completeness)	20%	15%	10%	5%
	Total (inert arisings)	100%	100%	100%	100%
	<i>Proportion of Projected Arisings taken to be Non-Inert*</i>	20%	20%	20%	20%
	Composting (as proportion of non-inert arisings)	5%	5%	5%	5%
	Non-hazardous waste recycling (as proportion of non-inert arisings)	55%	60%	65%	65%

	Non-hazardous residual waste treatment (as proportion of non-inert arisings)	15%	25%	25%	25%
	Landfill (as proportion of non-inert arisings) (these percentages are not targets but are included for completeness)	25%	10%	5%	5%
	Total (non-inert arisings)	100%	100%	100%	100%

*\* It is assumed that 20% of the CDE waste stream comprises non-inert materials (from breakdown in report by BPP Consulting on Construction, Demolition and Excavation Waste in Oxfordshire, February 2014, page 7). The subsequent targets are proportions of the inert or non-inert elements of the CDE waste stream.*

*\*\* This includes the use of inert waste in backfilling of mineral workings & operational development such as noise bund construction and flood defence works.*

Proposals for the management of all types of waste should demonstrate that the waste cannot reasonably be managed through a process that is higher up the waste hierarchy than that proposed.

### POLICY W3: PROVISION FOR WASTE MANAGEMENT CAPACITY AND FACILITIES REQUIRED

Provision will be made for the following additional waste management capacity to manage the non-hazardous element of the principal waste streams:

Non-hazardous waste recycling:

- by 2021: at least 145,400 tpa
- by 2026: at least 203,000 tpa
- by 2031: at least 326,800 tpa

Specific sites for strategic and non-strategic waste management facilities (other than landfill) to meet the requirements set out in in this policy, or in any update of these requirements in the Oxfordshire Minerals and Waste Annual Monitoring Reports, at locations that are in accordance with policies W4 and W5 and other relevant policies of this Plan and of other development plans will be allocated in the Minerals and Waste Local Plan: Part 2 – Site Allocations Document. Other sites which are suitable for strategic and non-strategic waste management facilities and which provide additional capacity for preparation for re-use, recycling or composting of waste or treatment of food waste (including waste transfer facilities that help such provision) at locations that are in accordance with policies W4 and W5 and other relevant

policies of this Plan and of other development plans will also be allocated in the Minerals and Waste Local Plan: Part 2 – Site Allocations Document.

Permission will be granted at allocated sites for the relevant types and sizes of waste management facilities for which they are allocated provided that the requirements of policies C1 – C12 are met.

Permission will normally be granted for proposals for waste management facilities that provide capacity for preparation for re-use, recycling or composting of waste or treatment of food waste (including waste transfer facilities that help such provision) at other sites that are located in accordance with policies W4 and W5 and that meet the requirements of policies C1 – C12, taking into account the benefits of providing additional capacity for the management of waste at these levels of the waste hierarchy, and unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits. Where permission is granted for such a facility at a time-limited mineral working or landfill site this will normally be subject to the same time limit as that applying to the host facility and the site shall be restored in accordance with the requirements of policy M10 for restoration of mineral workings at the end of its permitted period. Except where a new planning permission is granted for retention of the facility beyond its permitted end date, temporary facility sites shall be restored at the end of their permitted period.

Proposals for non-hazardous residual waste treatment will only be permitted if it can be demonstrated that the development would not impede the movement of waste up the hierarchy and that it would enable waste to be recovered at one of the nearest appropriate installations, and provided that the proposal is located in accordance with policies W4 and W5 and meets the requirements of policies C1-C12. Account will be taken of any requirements for additional non-hazardous residual waste management capacity that may be identified in the Oxfordshire Minerals and Waste Annual Monitoring Reports in the consideration of proposals for additional non-hazardous residual waste management capacity for the principal waste streams.

Proposals for disposal by landfill will be determined in accordance with policy W6.

#### **POLICY W4: LOCATIONS FOR FACILITIES TO MANAGE THE PRINCIPAL WASTE STREAMS**

Facilities (other than landfill) to manage the principal waste streams should be located as follows:

- a) Strategic waste management facilities should normally be located in or close to Banbury, Bicester, Oxford, Abingdon and Didcot, as indicated on the Waste Key Diagram. Locations further from these towns may be appropriate where there is access to the Oxfordshire lorry route network in accordance with Policy C10.
- b) Non-strategic waste management facilities should normally be located in or close to Banbury, Bicester, Oxford, Abingdon and Didcot, the other large towns (Witney and Wantage & Grove) and the small towns (Carterton, Chipping Norton, Faringdon, Henley-on-Thames, Thame and Wallingford), as indicated

on the Waste Key Diagram. Locations further from these towns may be appropriate where there is access to the Oxfordshire lorry route network in accordance with Policy C10.

- c) Elsewhere in Oxfordshire, and particularly in more remote rural areas, facilities should only be small scale, in keeping with their surroundings.

The locations for strategic and/or non-strategic waste management facilities around Oxford, Abingdon, Didcot and Wantage and Grove exclude the Oxford Meadows, Cothill Fen, Little Wittenham and Hackpen Hill Special Areas of Conservation and a 200 metre dust impact buffer zone adjacent to these SACs.

As indicated on the Waste Key Diagram, strategic and non-strategic waste management facilities (that comprise major development) should not be located within Areas of Outstanding Natural Beauty except where it can be demonstrated that the 'major developments test' in the NPPF (paragraph 116), and as reflected in policy C8, is met.

#### **POLICY W5: SITING OF WASTE MANAGEMENT FACILITIES**

Priority will be given to siting waste management facilities on land that:

- is already in waste management or industrial use; or
- is previously developed, derelict or underused; or
- is at an active mineral working or landfill site; or
- involves existing agricultural buildings and their curtilages; or
- is at a waste water treatment works.

Waste management facilities may be sited on other land in greenfield locations where this can be shown to be the most suitable and sustainable option.

#### **POLICY C1: SUSTAINABLE DEVELOPMENT**

A positive approach will be taken to minerals and waste development in Oxfordshire, reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework and the aim to improve economic, social and environmental conditions of the area.

Planning applications that accord with the policies in this plan will be approved, unless material considerations indicate otherwise. Where there are no policies relevant to the application, or relevant plan policies are out of date, planning permission will be granted unless material considerations indicate otherwise, taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the proposed development when assessed against the National Planning Policy Framework; or
- specific policies in the National Planning Policy Framework indicate that the development should be restricted.

#### **POLICY C2: CLIMATE CHANGE**

Proposals for minerals or waste development, including restoration proposals, should take account of climate change for the lifetime of the development from construction through operation and decommissioning. Applications for development should adopt a low carbon approach and measures should be considered to minimise greenhouse gas emissions and provide flexibility for future adaptation to the impacts of climate change.

#### POLICY C5: LOCAL ENVIRONMENT, AMENITY AND ECONOMY

Proposals for minerals and waste development shall demonstrate that they will not have an unacceptable adverse impact on:

- the local environment;
- human health and safety;
- residential amenity and other sensitive receptors; and
- the local economy;  
including from:
  - noise;
  - dust;
  - visual intrusion;
  - light pollution;
  - traffic;
  - air quality;
  - odour;
  - vermin;
  - birds;
  - litter;
  - mud on the road;
  - vibration;
  - surface or ground contamination;
  - tip and quarry-slope stability;
  - differential settlement of quarry backfill;
  - subsidence; and
  - the cumulative impact of development.

Where necessary, appropriate separation distances or buffer zones between minerals and waste developments and occupied residential property or other sensitive receptors and/or other mitigation measures will be required, as determined on a site-specific, case-by-case basis.

#### POLICY C6: AGRICULTURAL LAND AND SOILS

Proposals for minerals and waste development shall demonstrate that they take into account the presence of any best and most versatile agricultural land.

Significant development leading to the permanent loss of best and most versatile agricultural land will only be permitted where it can be shown that there is a need for the development which cannot reasonably be met using lower grade land and where

all options for reinstatement without loss of quality have been considered taking into account other relevant considerations.

Development proposals should make provision for the management and use of soils in order to maintain agricultural land quality (where appropriate) and soil quality, including making a positive contribution to the long-term conservation of soils in any restoration.

## POLICY C7: BIODIVERSITY AND GEODIVERSITY

Minerals and waste development should conserve and, where possible, deliver a net gain in biodiversity.

The highest level of protection will be given to sites and species of international nature conservation importance (e.g. Special Areas of Conservation and European Protected Species) and development that would be likely to adversely affect them will not be permitted.

In all other cases, development that would result in significant harm will not be permitted unless the harm can be avoided, adequately mitigated or, as a last resort, compensated for to result in a net gain in biodiversity (or geodiversity). In addition:

- (i) Development that would be likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other development) will not be permitted except where the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the Site of Special Scientific Interest and any broader impacts on the national network of Sites of Special Scientific Interest.
- (ii) Development that would result in the loss or deterioration of irreplaceable habitats, including ancient woodland and aged or veteran trees, will not be permitted except where the need for and benefits of the development in that location clearly outweigh the loss.
- (iii) Development shall ensure that no significant harm would be caused to:

  - Local Nature Reserves;
  - Local Wildlife Sites;
  - Local Geology Sites;
  - Sites of Local Importance for Nature Conservation;
  - Protected, priority or notable species and habitats,

except where the need for and benefits of the development in that location clearly outweigh the harm.

All proposals for mineral working and landfill shall demonstrate how the development will make an appropriate contribution to the maintenance and enhancement of local habitats, biodiversity or geodiversity (including fossil remains and trace fossils), including contributing to the objectives of the Conservation Target Areas wherever possible. Satisfactory long-term management arrangements for restored sites shall be clearly set out and included in proposals. These should include a commitment to



ecological monitoring and remediation (should habitat creation and/or mitigation prove unsuccessful).

#### **POLICY C8: LANDSCAPE**

Proposals for minerals and waste development shall demonstrate that they respect and where possible enhance local landscape character, and are informed by landscape character assessment. Proposals shall include adequate and appropriate measures to mitigate adverse impacts on landscape, including careful siting, design and landscaping. Where significant adverse impacts cannot be avoided or adequately mitigated, compensatory environmental enhancements shall be made to offset the residual landscape and visual impacts.

Great weight will be given to conserving the landscape and scenic beauty of Areas of Outstanding Natural Beauty (AONB) and high priority will be given to the enhancement of their natural beauty. Proposals for minerals and waste development within an AONB or that would significantly affect an AONB shall demonstrate that they take this into account and that they have regard to the relevant AONB Management Plan. Major developments within AONBs will not be permitted except in exceptional circumstances and where it can be demonstrated they are in the public interest, in accordance with the 'major developments test' in the NPPF (paragraph 116). Development within AONBs shall normally only be small-scale, to meet local needs and should be sensitively located and designed.

#### **POLICY C10: TRANSPORT**

Minerals and waste development will be expected to make provision for safe and suitable access to the advisory lorry routes shown on the Oxfordshire Lorry Route Maps in ways that maintain and, if possible, lead to improvements in:

- the safety of all road users including pedestrians;
- the efficiency and quality of the road network; and
- residential and environmental amenity, including air quality.

Where development leads to a need for improvement to the transport network to achieve this, developers will be expected to provide such improvement or make an appropriate financial contribution.

Where practicable minerals and waste developments should be located, designed and operated to enable the transport of minerals and/or waste by rail, water, pipeline or conveyor.

Where minerals and/or waste will be transported by road:

- a) mineral workings should as far as practicable be in locations that minimise the road distance to locations of demand for the mineral, using roads suitable for lorries, taking into account the distribution of potentially workable mineral resources; and
- b) waste management and recycled aggregate facilities should as far as practicable be in locations that minimise the road distance from the main

source(s) of waste, using roads suitable for lorries, taking into account that some facilities are not economic or practical below a certain size and may need to serve a wider than local area.

Proposals for minerals and waste development that would generate significant amounts of traffic will be expected to be supported by a transport assessment or transport statement, as appropriate, including mitigation measures where applicable.

## **POLICY C11: RIGHTS OF WAY**

The integrity and amenity value of the rights of way network shall be maintained and if possible it shall be retained in situ in safe and useable condition. Diversions should be safe, attractive and convenient and, if temporary, shall be reinstated as soon as possible. If permanent diversions are required, these should seek to enhance and improve the public rights of way network.

Improvements and enhancements to the rights of way network will generally be encouraged and public access sought to restored mineral workings, especially if this can be linked to wider provision of green infrastructure. Where appropriate, operators and landowners will be expected to make provision for this as part of the restoration and aftercare scheme.

## **Vale Local Plan 2031 Part 1 (VLP1)**

### **CORE POLICY 1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT**

Planning applications that accord with this Local Plan 2031 (and where relevant, with any subsequent Development Plan Documents or Neighbourhood Plans) will be approved, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, and unless:

- i. any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole, or
- ii. specific policies in that Framework indicate that development should be restricted.

### **CORE POLICY 33: PROMOTING SUSTAINABLE DEVELOPMENT**

All development proposals will be required to make provision for the efficient use of natural resources, including:

- i. making adequate provision for the recycling of waste
- ii. using recycled and energy efficient materials
- iii. minimising waste

- iv. maximising passive solar heating, lighting, natural ventilation, energy and water efficiency and reuse of materials
- v. causing no deterioration and, where possible, achieving improvements in water and air quality
- vi. ensuring that the land is of a suitable quality for development and that remediation of contaminated land is undertaken where necessary, and
- vii. re-using previously developed land provided it is not of high environmental value.

## CORE POLICY 37: DESIGN AND LOCAL DISTINCTIVENESS

All proposals for new development will be expected to be of high quality design, such that the layout, scale, mass, height, detailing, materials, landscaping and relationship to context make a positive contribution to the character of the locality.

All new development schemes should also:

- i. connect to the surrounding area and existing development
- ii. relate well to existing and proposed facilities
- iii. have access to public transport where possible
- iv. have locally inspired or otherwise distinctive character
- v. sensitively incorporate any existing distinctive features on site, such as landscape or structures, as well as having a suitable level of new landscaping
- vi. ensure that buildings and streets are well defined with landscaping and buildings that relate well to the street
- vii. be legible and easy to move through
- viii. encourage low vehicle speeds and allows streets to function as social spaces
- ix. have a sufficient level of well-integrated parking
- x. have clearly defined public and private spaces
- xi. include sufficient external space for bins, recycling and bicycle
- xii. ensure that public and communal spaces are overlooked in the interest of community safety, and
- xiii. be compatible with urban design principles, including Secured by Design and Active Design principles.

Development will be expected to follow the design principles set out in relevant SPD and National Guidance.

## CORE POLICY 43: NATURAL RESOURCES

The Council encourages developers to make provision for the effective use of natural resources where applicable including:

- i. minimising waste and making adequate provision for the recycling of waste on site
- ii. using recycled and energy efficient materials
- iii. maximising passive solar heating, lighting, natural ventilation, energy and water efficiency and re-use of materials
- iv. making efficient use of water, for example through rainwater harvesting and grey water

- v. causing no deterioration in, and where possible, achieving improvements on water quality
- vi. takes account of, and if located within an AQMA is consistent with, the Council's Air Quality Action Plan
- vii. ensuring that the land is of a suitable quality for development and that remediation of contaminated land is undertaken where necessary
- viii. avoiding the development of the best and most versatile agricultural land, unless it is demonstrated to be the most sustainable choice from reasonable alternatives, by first using areas of poorer quality land in preference to that of a higher quality, and
- ix. re-using previously developed land, provided it is not of high environmental value.

#### CORE POLICY 44: LANDSCAPE

The key features that contribute to the nature and quality of the Vale of White Horse District's landscape will be protected from harmful development and where possible enhanced, in particular:

- i. features such as trees, hedgerows, woodland, field boundaries, watercourses and water bodies
- ii. important landscape settings of settlements
- iii. topographical features
- iv. areas or features of cultural and historic value
- v. important views and visually sensitive skylines, and
- vi. tranquillity and the need to protect against intrusion from light pollution, noise, and motion.

Where development is acceptable in principle, measures will be sought to integrate it into the landscape character and/or the townscape of the area. Proposals will need to demonstrate how they have responded to the above aspects of landscape character and will be expected to:

- vii. incorporate appropriate landscape proposals that reflect the character of the area through appropriate design and management;
- viii. preserve and promote local distinctiveness and diversity and, where practical, enhance damaged landscape areas.

High priority will be given to conservation and enhancement of the natural beauty of the North Wessex Downs AONB and planning decisions will have regard to its setting. Proposals that support the economy and social wellbeing of communities located in the AONB, including affordable housing schemes, will be encouraged, provided they do not conflict with the aims of conservation and enhancement.

#### CORE POLICY 45: GREEN INFRASTRUCTURE

A net gain in Green Infrastructure, including biodiversity, will be sought either through on-site provision or off-site contributions and the targeted use of other funding sources. A net loss of Green Infrastructure, including biodiversity, through development proposals, will be resisted.

Proposals for new development must provide adequate Green Infrastructure in line with the Green Infrastructure Strategy. All major applications must be accompanied by a Statement demonstrating that they have taken into account the relationship of the proposed development to existing Green Infrastructure and how this will be retained and enhanced. Proposals will be required to contribute to the delivery of new Green Infrastructure and/or the improvement of existing assets including Conservation Target Areas in accordance with the standards in the Green Infrastructure Strategy and Habitats Regulations Assessment.

#### CORE POLICY 46: CONSERVATION AND IMPROVEMENT OF BIODIVERSITY

Development that will conserve, restore and enhance biodiversity in the district will be permitted. Opportunities for biodiversity gain, including the connection of sites, large-scale habitat restoration, enhancement and habitat re-recreation will be actively sought, with a primary focus on delivery in the Conservation Target Areas. A net loss of biodiversity will be avoided.

The highest level of protection will be given to sites and species of international nature conservation importance (Special Areas of Conservation and European Protected Species) Development that is likely to result in a significant effect, either alone or in combination, on such sites and species will need to satisfy the requirements of the Habitat Regulations\*.

Development likely to result in the loss, deterioration or harm to habitats or species of importance to biodiversity or of importance for geological conservation interests, either directly or indirectly, will not be permitted unless:

- i. the need for, and benefits of, the development in the proposed location outweighs the adverse effect on the relevant biodiversity interest;
- ii. it can be demonstrated that it could not reasonably be located on an alternative site that would result in less or no harm to the biodiversity interests; and
- iii. measures can be provided (and are secured through planning conditions or legal agreements), that would avoid, mitigate against or, as a last resort, compensate for, the adverse effects likely to result from development.

The habitats and species of importance to biodiversity and sites of geological interest considered in relation to points i) to iii) comprise:

- Sites of Special Scientific Interest (SSSI)
- Local Wildlife Sites
- Local Nature Reserves
- Priority Habitats and species listed in the national and local Biodiversity Action Plan
- Ancient woodland and veteran trees
- Legally Protected Species
- Locally important Geological Sites

The level of protection and mitigation should be proportionate to the status of the habitat or species and its importance individually and as a part of a wider network.

It is recognised that habitats/areas not considered above (i.e. Nationally or Locally designated and not priority habitats) can still have a significant biodiversity value within their local context, particularly where they are situated within a Conservation Target Area and/or they have good potential to be restored to priority habitat status or form/have good potential to form links between priority habitats or act as corridors for priority species. These habitats will be given due weight in the consideration of planning applications. If significant harm to these sites cannot be avoided (though locating on an alternative site with less harmful impacts) it will be expected that mitigation will be provided to avoid a net loss in biodiversity or, as a last resort, compensation will be required to offset the impacts and achieve a net gain in biodiversity.

\*Habitats Directive 93/43/EEC of 21 May 1992.

### **Vale of the White Horse Local Plan 2031 Part 2 (VLP2)**

#### **DEVELOPMENT POLICY 16: ACCESS**

All proposals for new development will be required to be of high quality design in accordance with Core Policy 37: Design and Local Distinctiveness. In addition to those criteria set out in Core Policy 37 and other relevant Local Plan policies, proposals for development will also need to provide evidence to demonstrate that:

- i. adequate provision will be made for loading, unloading, circulation, servicing and vehicle turning, and
- ii. acceptable off-site improvements to the highway infrastructure (including traffic management measures), cycleways, public rights of way and the public transport network can be secured where these are not adequate to service the development.

#### **DEVELOPMENT POLICY 23: IMPACT OF DEVELOPMENT ON AMENITY**

Development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses when considering both individual and cumulative impacts in relation to the following factors:

- i. loss of privacy, daylight or sunlight
- ii. dominance or visual intrusion
- iii. noise or vibration
- iv. dust, heat, odour, gases or other emissions
- v. pollution, contamination or the use of/or storage of hazardous substances; and
- vi. external lighting.

#### **DEVELOPMENT POLICY 24: EFFECT OF NEIGHBOURING OR PREVIOUS USES ON NEW DEVELOPMENTS**

Development Proposals should be appropriate to their location and should be designed to ensure that the occupiers of new development will not be subject to adverse effects from existing or neighbouring uses.

Development will not be permitted if it is likely to be adversely affected by existing or potential sources of:

- i. noise or vibration
- ii. dust, heat, odour, gases and other emissions
- iii. pollution, contamination of the site or its surroundings and hazardous substances nearby
- iv. loss of privacy, daylight or sunlight
- v. dominance or visual intrusion, or
- vi. external lighting.

## DEVELOPMENT POLICY 25: NOISE POLLUTION

### **Noise-Generating Development**

Noise-generating development that would have an impact on environmental amenity or biodiversity will be expected to provide an appropriate scheme of mitigation that should take account of:

- i. the location, design and layout of the proposed development
- ii. existing levels of background noise
- iii. measures to reduce or contain generated noise, and
- iv. hours of operation and servicing.

Development will not be permitted if mitigation cannot be provided within an appropriate design or standard<sup>a</sup>.

### **Noise-sensitive Development**

Noise-sensitive development in locations likely to be affected by existing sources of noise<sup>b</sup> will be expected to provide an appropriate scheme of mitigation to ensure appropriate standards of amenity are achieved for future occupiers of the proposed development, taking account of:

- i. the location, design and layout of the proposed development
- ii. measures to reduce noise within the development to acceptable levels, including external areas, and
- iii. the need to maintain adequate levels of natural light and ventilation to habitable areas of the development.

In areas of existing noise, proposals for noise-sensitive development should be accompanied by an assessment of environmental noise and an appropriate scheme of mitigation measures.

Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design.

<sup>a</sup>Currently set out in British Standards 4142:2014 and 8233:2014. The Council is currently developing guidance relating to noise mitigation.

<sup>b</sup>Busy roads, railway lines, aerodromes, industrial/commercial developments, waste, recycling and energy plant, and sporting, recreation and leisure facilities.

Development Policy 24: Noise Pollution.

## DEVELOPMENT POLICY 26: AIR QUALITY

Development proposals that are likely to have an impact on local air quality, including those in, or within relative proximity to, existing or potential Air Quality Management Areas (AQMAs) will need to demonstrate measures/mitigation that are incorporated into the design to minimise any impacts associated with air quality.

Where sensitive development is proposed in areas of existing poor air quality and/or where significant development is proposed, an air quality assessment will be required.

The Council will require applicants to demonstrate that the development will minimise the impact on air quality, both during the construction process and lifetime of the completed development, either through a redesign of the development proposal or, where this is not possible or sufficient, through appropriate mitigation in accordance with current guidance.

Mitigation measures will need to demonstrate how the proposal would make a positive contribution towards the aims of the Council's Air Quality Action Plan.

Mitigation measures will be secured either through a negotiation on a scheme, or via the use of a planning condition and/or planning obligation depending on the scale and nature of the development and its associated impacts on air quality.

## DEVELOPMENT POLICY 31: PROTECTION OF PUBLIC RIGHTS OF WAY, NATIONAL TRAILS AND OPEN ACCESS AREAS

Development on and/or over public rights of way will be permitted where the development can be designed to accommodate satisfactorily the existing route, or where the right of way is incorporated into the development site as an attractive, safe and continuous route. Alternative routes will need to be made equally or more attractive, safe and convenient to rights of way users.

The Council will actively seek opportunities to improve the accessibility and the addition of new connections and status upgrades to the existing rights of way network including National Trails. Proposals of this nature will be supported where they would not lead to increased pressure on sensitive sites, such as those of important ecological value.

Development will not be permitted where proposals remove, narrow or materially impair the approved line of the Thames Path or Ridgeway National Trails, key connecting routes, and/or public access to them.



