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Division(s): Ploughley

PLANNING & REGULATION COMMITTEE –
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APPLICATION FOR: THE CONSTRUCTION AND OPERATION OF AN ENERGY FROM WASTE (EfW) FACILITY TOGETHER WITH ASSOCIATED OFFICE, VISITOR CENTRE AND BOTTOM ASH RECYCLING FACILITIES, NEW ACCESS ROAD AND WEIGHBRIDGE FACILITIES AND THE CONTINUATION OF NON HAZARDOUS LANDFILL OPERATIONS AND LANDFILL GAS UTILISATION WITH CONSEQUENT AMENDMENTS TO THE PHASING AND FINAL RESTORATION LANDFORM OF THE LANDFILL, SURFACE WATER ATTENUATION FEATURES AND IMPROVEMENTS TO THE EXISTING HOUSEHOLD RECYCLING FACILITY

Report by Head of Sustainable Development

Location: Ardley Landfill Site, Ardley Fields Farm, Ardley

District Council area: Cherwell

Application No: 08/02472/CM

Introduction

1. This application is made by Viridor for the construction of a building (EfW plant) to incinerate (a) household waste that cannot be recycled or composted and (b) commercial and industrial waste and to produce electricity from the combustion. Viridor also propose to continue the landfilling of non hazardous wastes but to amend the current landfill permission to leave room for the EfW plant on site and to improve the existing household Waste Recycling Centre. The site is 95 hectares in extent.

Location (see plan 1)

2. Ardley Landfill Site is located 18 kms (11 miles) north of Oxford and 3 kms (2 miles) from Bicester. Ardley village is 0.5 km (0.3 miles) to the north and Middleton Stoney village is 1.5 km (1 mile) to the south. Bucknell village is 1.5 km (0.5 mile) to the east and Upper Heyford 2.0 kms to the west (1.2 miles).

3. The proposed EfW plant is located within the landfill site. The distances from nearby villages are Ardley 1.5 km (1 mile), Middleton Stoney 2.0 kms (1.2 miles), Bucknell 1.3 kms (0.7 miles) and Upper Heyford 2.5 kms (1.5 miles).

Site and Setting (see plan 2)

4. The application site is currently a landfill site for the disposal of controlled wastes within what was formerly a limestone quarry. 40% of the site, primarily to the north, has been restored to a domed landform rising to some 19 m above surrounding land levels and put to agricultural use. The southern and eastern areas are worked out quarry areas some 5 metres, on average, below surrounding land levels.

5. The application site is immediately south of the Bicester to Banbury railway line and immediately to the west is the B430 between Ardley and Middleton Stoney. The site is bounded on the east by the Gagle Brook and between 0.2 and 0.5 km beyond that is the M40. There is a Household Waste Recycling Centre (HWRC) adjacent to the existing access onto the B430. The definitive line of Bridleway 27 runs east-west through the south of the site and has been temporarily diverted along the south and south west boundaries of the site. Bridleway 26 runs north-south inside the eastern boundary of the site.

6. There are two small geological SSSIs within the site close to the northern boundary. The railway cutting is also a geological SSSI. Dinosaur footprints have been found on the site.

7. There are two cottages immediately north of the access on the B430 but they are not in the application area. Otherwise, the closest two properties are Ashgrove Cottages, on the west side of the B430 immediately opposite a restored part of the landfill. Upland Cottage lies to the east of the B430 0.8 km (0.4 mile) from the site and 3.0 kms (2 miles) from the proposed EfW plant.

8. The site is mostly surrounded by generally flat to slightly undulating agricultural land. There is a current limestone working immediately north of the railway line. It uses the landfill access and is connected by a haul road to it through the site. The land immediately south of the site on Dewars Farm is a new limestone quarry. The Trow Pool, an open water body, lies adjacent to Gagle Brook 280 metres to the south east of the site and 430 metres from the proposed EfW plant.

Site History

9. Permission for limestone working was granted in 1951 and continued until 2007. Working is continuing immediately to the north of the site and has just started to the south of the site.

10. Permission for the landfilling of household and commercial and industrial waste was first granted in 1978 and permission for significant amendments, including the extension of the HWRC, was granted in 2003. Permission for plant for utilisation of landfill gas for electricity was granted in 1996. Landfilling, the use of the HWRC and gas utilisation plant continues.

Details of the Development

11. The application has two major elements, an EfW plant and modification to the landfill permission to allow the EfW plant to be incorporated on the site.

EfW Plant

12. An EfW plant is proposed in the south-east corner of the application site. It would generate energy and heat from the combustion of 300,000 tonnes of waste per annum. The waste would comprise residual Municipal Solid Waste (MSW) and Commercial and Industrial Waste (C&IW). Residual waste is that waste that has not been able to be recycled. The plant would generate in excess of 24 MW of electricity annually, 22 MW of which would supply the National Grid. No use is proposed for the heat generated but the applicant is considering the potential local use of heat.

13. It is proposed that the plant accepts 180,000 tonnes of MSW and 120,000 tonnes of C&IW a year. No source is specified for all the waste but it is proposed to burn all Oxfordshire's residual MSW. MSW would no longer be landfilled in Oxfordshire if an EfW plant is commissioned.

14. The plant would be sited at the base of the quarry at 100 m AOD with only the waste bunker set below that level at 87.5 metres AOD. It would be 229.0 metres long, between 70.0 and 38.0 metres wide and between 36.0 and 29.0 metres high. The chimney would be 82.0 metres high. Computer generated perspectives of the plant are shown on plan 3. It would take 2 years to construct.

15. The EfW plant would operate as follows:

- Waste reception: residual MSW and C&IW would be discharged into the waste bunker and then transferred to one of two combustion chambers.

- Combustion: would take place on a moving grate to promote mixing of burnt and unburnt waste. The burnt waste would be removed as an ash (incinerator bottom ash).

- Energy recovery: heat from the combustion would heat water in boilers to create steam to generate electricity.

- Flue Gas Treatment: an air pollution control system would treat all flue gases prior to emission through the chimney.

- Residue Handling: three main residues would result - incinerator bottom ash (IBA), which would be 25% of the weight of the waste input, Ferrous metals from the IBA and fly ash from the air pollution control and heat systems. IBA and ferrous metals are proposed to be recycled and the fly ash, which would be classed as a hazardous waste, would be taken in sealed tankers to a hazardous landfill site near Cheltenham.

- An air cooled condenser structure would be built on the north east side of the plant.

16. The buildings would have seamed aluminium roofs and curved steel sheeted walls, coloured silver with pale green translucent cladding to roof and walls. The Air Cooled Condenser would be clad in straw coloured aluminium. The IBA recycling area would have smooth concrete walls with trellises for climbing plants.

17. Parking and pathways would be constructed in grid patterned concrete paving blocks.

18. A chimney would be built alongside the north west side of the EfW plant. It would be a twin flue stack painted light grey.

Incinerator Bottom Ash Plant

19. The burning process would create 75,000 tonnes per annum of incinerator bottom ash (IBA). IBA would be taken to an open area alongside the EfW plant to be stored. Grading would take place in a covered area to make an aggregate for sale.

Visitor Centre and Offices

20. A three storey building attached to the west side of the EfW would be built to accommodate a visitor centre, offices, workshops, storage and control rooms. An office and weighbridge would be built on the access road leading from the B430.

Landscaping and Attenuation Pond

21. The EfW plant area would be landscaped with open limestone grassland areas and woodland blocks or lines of trees. To the south of the EfW there would be an attenuation pond and wetland habitats. The attenuation pond would not be wet for much of the year but would act as a sump for surface water run off from the site to allow regulated flow to the Gagle Brook and ensure the EfW plant would not be flooded.

Access

22. A new access would be created onto the B430 at the south west corner of the site and would incorporate a ghost right turn lane. The road would drop some 10 metres from the B430 to the quarry floor. It would be constructed on inert fill to create a steady drop. The access road would serve both the EfW plant and landfill. The road would split into circulatory routes serving different parts of the EfW facility. Car parking and cycle parking spaces would be provided.

Traffic

23. The EfW plant is proposed to attract 222 HGV movements a day, for the delivery of waste and export of bottom ash and flue residues. The landfill, when operating at 200,000 tonnes per annum, would generate 182 HGV movements. The total HGV movements to the site during the landfilling phase would be 404. It is calculated that 130 movements would be new to the network i.e. in addition to that received at the landfill currently.

Landfill

24. The existing landfill accepts 300,000 tonnes per annum of MSW (50,000 t) and C&IW (250,000 t). It has a current void capacity of 2.65 million tonnes. The current landfill is designed to infill the total mineral void. It is proposed to reduce the void capacity by 600,000 tonnes and increase the maximum restoration level in the southern area by 5 metres to 127 m AOD to match the maximum height in the northern area. The reduction in void capacity would allow the EfW plant to be located on the quarry floor. It is expected that the remaining void would be infilled by 2019. Infilling would be with inert and non-hazardous waste imported at a rate of 300,000 tonnes a year until the EfW plant was commissioned in 2012 and 200,000 tonnes per annum thereafter.

25. The area closest to the EfW plant would be redesigned and restored to limestone grassland, woodland blocks and feature trees. The remainder would be restored to agriculture with a nature woodland block on the highest area. Newt ponds would be created on the periphery of the site to the west and east. It is intended that the revised landfill restoration would maximise the screening of the EfW plant.

Household Waste Recycling Centre

26. It is proposed to extend the HWRC by adding 4 more skip bays and 6 public parking spaces. New reinforced retaining walls would be built, the site offices relocated, new concrete hardstanding installed and the existing site weighbridge removed. The HWRC would be removed when the landfill ends and is expected to end in 2019 and the site infilled and restored to agriculture.

Hours of Operation

27. It is proposed that the EfW plant would operate continuously. However, HGV traffic would be restricted to between 0700 to 2000 hours each day including Saturdays and Sundays.

28. The landfill is proposed to operate from 0700 to 1800 hours Mondays to Fridays and 0700 to 1300 hours on Saturdays, as at present.

29. The HWRC is proposed to operate 0830 to 1730 hours Mondays to Fridays and 0830 to 1600 hours on Saturdays and 1000 to 1600 hours on Sunday. Waste from the HWRC would be sent to the landfill during those times.

Revisions to the application

30. Following the first round of consultations the applicant revised the application. The main changes are:

- that an application for the permanent diversion of bridleway 27 will be made in order to avoid conflict with the proposed access road and attenuation lake;
- in the event that application is unsuccessful a plan is submitted to show how the bridleway can be reinstated on its original route;
- a commitment to signing an agreement to fund on and off site improvements to the surrounding rights of way network;
- to accept legal agreements to assess the condition of the B430 before development and make good any faults or deficiencies following construction works, to route HGVs to the M40 during construction and a section 278 agreement to secure off site highway works;
- confirmation that use of rail access is unfeasible;
- conditions on traffic restrictions during peak times should not be imposed;
- a commitment to travel plans for the construction and operational phases of development;
- a commitment to restrict car parking as proposed and to contribute to provision of a pedestrian crossing in Ardley village;
- hours of deliveries to the proposed EfW plant to be restricted to 0700 hours to 2000 hours Mondays to Sundays;
- a package sewage treatment plant is to be provided;
- more detail on the engineering of the proposed landfill;
- more detail on the operation of the Centre (HWRC);
- confirmation that the existing site access will be retained to provide access for the HWRC and the Gas Utilisation Plant/Utilisation Treatment Plant;
- clarification of certain points in the Planning Supporting Statement including the following:

(a) the site is in the open countryside not a semi-rural setting;
(b) the landfill will not be raised to completely hide the building;
(c) there is no commitment to treat just Oxfordshire waste;

(d) Ardley has existing, albeit temporary, waste management use and so complies with locational criteria in RPG9 and PPS10; and
(e) diversion rates of C & IW from landfill will, with the EfW plant, go up to 66.5% in Oxfordshire.

The Environmental Statement

31. The application is supported by an ES. The topics covered by the ES are described in Annex 1.

Consultations

32. Following the first round of consultations the applicant revised the Environmental Statement and matters of substance from it are set out in Annex 1 Environmental Statement.

33. Two rounds of consultations were undertaken with a wide range of bodies including 12 Parish Councils and Bicester Town Council. The applicant amended the application in the light of the first round of consultation replies and discussions with officers which necessitated a second round of consultations.

34. The applicant amended the ES later, in response to objections from the Environment Agency, on hydrological matters, and from Ardley with Fewcott Parish Council. Consultees and those who made representations received the amendments.

35. The consultation responses and comments on the ES and its modifications are set out in annex 2.

36. At each stage of consultation the application and ES were advertised on site and in the Oxford Times. The application was advertised as a departure from the Development Plan. The very few residents close to the site were notified. The amended ES was advertised in the Oxford Times.

37. A representation from 19 Local Parish Councils was submitted to the Secretary of State asking for the application to be called in. The reasons for the call in request are set out in annex 3.

Representations

38. There were 612 representations made on the first round of consultations and 10 on the second. 5 representations were received when changes to the ES were notified. There were two letters of support and the rest were objections. A summary of the points made is set out in annex 4 together with responses to individual points. The main areas of concern are traffic, reduction in recycling, air pollution, health risks and visual impact on the landscape.

Relevant Planning Policies (see Annex 5)

39. The key policies are those related to waste management, pollution and amenity, hydrology, ecology, landscape, design, rights of way and transport.

40. The Development Plan comprises the South East Plan (SEP), saved policies from Oxfordshire Minerals and Waste Local Plan 1996 (OMWLP), saved policies from the Oxfordshire Structure Plan and saved policies from the Cherwell Local Plan 1996 (CLP). Although policies in the South East Plan (SEP) are worded to provide guidance on writing policies, they can also be used for development control purposes. Although there are three saved policies in the Oxfordshire Structure Plan 2016 (OSP) none of them are applicable to this proposed development.

41. The Non-Statutory Cherwell Local Plan 2011 (NSCLP) is not part of the Development Plan but is used for development control purposes. Planning Policy Statement 10 (Planning for Sustainable Waste Management) 2005 is also relevant in determining this application. There is not currently a Waste Development Framework in place for Oxfordshire. When this is published it will identify suitable locations for waste management in Oxfordshire. The Core Strategy with strategic site allocations is currently expected to be adopted in late 2011 or early 2012. The timetable for a Site Allocations Development Plan Document is not yet clear.

Comments of the Head of Sustainable Development

42. The non site specific issues of waste management policy, including need and pollution are dealt with in the covering report. The other key site specific issues are dealt with below, together with a number of other topics that are pertinent to the consideration of the proposal.

43. The key issues that need to be considered in deciding this application are:

- how the EfW proposal fits in relation to strategic waste/transport management policy;
- the need for a facility to deal with Oxfordshire's residual waste and the appropriateness of this location in relation to meeting that need;
- consistency with countryside policy and impact on the landscape; and
- amenity and impacts on local people including pollution and traffic

Role and acceptability of an EfW plant at Ardley against waste planning /transport criteria for waste management facilities

44. The application proposal would provide an EfW plant capable of treating up to 300,000 tpa of residual waste (after recycling and composting). The covering report explains the need for a residual waste treatment plant to meet the South East Plan landfill diversion targets and the important policy objective of moving waste management up the waste hierarchy, away from landfill and recovering resources from waste.

45. This proposal would involve the transport of MSW from across Oxfordshire and from outside the county to one waste management site. At present MSW in Oxfordshire is taken to four landfill sites in different areas of the county. The development of a single facility would therefore cause an increase in the length of journeys transporting waste across the county. The increase in length may be reduced depending on the bulking facilities which are operated in conjunction with the EfW plant. However, it is likely that there would still be an increase in the number and/or length of journeys overall. This increase is because any journeys from the bulking facilities to the EfW plant would be additional compared to the current situation where waste travels to one of four landfill sites. This increase is not supported by SEP policy W16 or T1.

46. The proposed EfW site is not particularly close to the existing urban areas in Oxfordshire (with the exception of Bicester), but it is close to the M40 which provides good accessibility from wider Oxfordshire. Therefore, the location of the site partly accords with SEP policy W17 in this respect. The existing use is a worked out quarry which is being infilled with waste and restored to agriculture. Agricultural use and landfill are not compatible land uses listed in the policy. However, the application site abuts a mineral working to the north and another which is about to start to the south. Mineral workings are listed as compatible land uses in this policy. The site is currently a landfill site and further waste development would be expanding on a site with some existing waste management use. The landfill and HWRC uses have temporary consents until 2028 after which the site is required to be restored. However, the inclusion of active mineral workings in the compatible land uses listed in SEP policy W17 confirms that temporary uses can be relevant in considering the suitability of sites. There has been a landfill site at Ardley for over twenty years and therefore I consider the site has the ability to meet a range of environmental and amenity criteria in accordance with the policy. Therefore, I consider that the proposed location of the EfW plant largely accords with SEP policy W17. It is located on a compatible land use, albeit that the waste management is temporary, and it is in close proximity to the compatible land use of active mineral workings.

47. The application as submitted does not restrict the source of waste to be treated at the plant or indeed at the site generally. In my view the applicant has not adequately demonstrated why unrestricted amounts of MSW should be brought in from adjoining counties or, why C&I waste should be brought in without geographical restriction. Surrounding counties have landfills and recycling facilities; none has a plant capable of recovering waste but all are in the process of procuring such plants. Therefore, indications are that there is no need for undue flexibility to meet other counties' waste disposal/recovery targets.

48. The applicant has now expressed a willingness to enter an agreement with the Council to restrict imports which would mean that at minimum some two-thirds of the waste would originate in Oxfordshire. I support this arrangement.

49. The application involves a reduction in the capacity of the existing landfill site tonnage by 600,000 tonnes in order to accommodate the EfW Plant at a low level within the worked out quarry. SEP policy W13 states that non-inert landfill capacity should be husbanded to provide for disposal of residual non-inert waste. Siting the EfW plant in a place that would remove 600,000 tonnes of permitted landfill capacity arguably runs counter to this policy. The policy shows that the south-east of England will still need landfill space for 4.5 million tonnes of non-inert waste in 2025. On the other hand, the sooner treatment facilities are provided the less landfill space will be required.

50. The application as submitted does not provide for C&I waste to be recycled on site to ensure that only residual C&I waste is burnt. The application does not, therefore, comply with SEP policy W12 in this respect and does not guarantee that such waste would be subject to recycling elsewhere. However if permission is granted conditions could be attached to limit the recovery of C&I waste in the EfW plant to non-recyclable wastes.

Landscape and Countryside

51. The chosen location for the EfW Plant is a rural one characterised by arable farming, small villages and wooded, estate landscape.

52. The proposed EfW Plant would be a permanent development in this open countryside unrelated to any other built development. As such it is contrary to Cherwell Local Plan policies C7, C8 and C9.

53. The EfW Plant would break the skyline above the adjacent landfill and be intrusive to views from the countryside to the south and east contrary to NSCLP policy EN34. As the building is large the proposed landscaping around it will soften but not fully screen it so is not fully compliant with OMWLP policy W5.

54. However, the plant would be sufficiently distant and screened from Middleton Park at Middleton Stoney for it not to harm the historic value of the landscape and not be contrary to CLP policy C10 and also sufficiently far and screened from the closest villages of Middleton Stoney, Bucknell and Ardley not to harm them.

55. The EfW is tall (36m at the highest point) and would be higher than any part of the domed landfill. As such non statutory CLP policy D10a should be taken into account. This policy requires the building to relate well to its context. Although it breaks the skyline created by the landfill the applicant has designed the building to fit well into its immediate surroundings. The shape echoes the space it is in and the landscaping complements the building with the capacity to soften the effect of the building as much as possible. It does not impinge on local listed buildings and the conservation areas in the local villages. The closest listed building is the Trow Tower by the M40 some 700 metres away and although one would be visible from the other the Tower is dominated by its position alongside the M40. The plant would be visible from two houses beyond the M40 otherwise it would be most visible from the M40

motorway. The development is, therefore partially compliant with non statutory CLP policy D10a.

Amenity/impacts on local people

Pollution and Health

56. The applicant has provided details of their plans to handle air emissions from the EfW plant, and the Environment Agency has been consulted on these. There have been many third party objections to this application on pollution and health grounds in relation to emissions from the EfW plant. The details of air quality will be carefully considered by the Environment Agency through the determination of the Environmental Permit. This topic is addressed in the covering report.

57. Air Quality in areas surrounding the landfill was surveyed, including in and near Ardley village. Results showed that NOX levels due to traffic near junction 10 (J10) of the M40 were very close to exceeding permissible limits. The EHO of Cherwell District Council has confirmed that increased traffic from the proposed development would not increase levels to above permissible levels and, therefore, does not object. SEP policy NRM9 is not breached in this respect.

58. The landfill is currently producing landfill gas (mostly methane) which is being burnt to produce electricity. There is currently an application to increase the capacity of the engines to convert more landfill gas to electrical energy. There is some escape of methane from the landfill. The changes proposed to the landfill element of the development will not significantly impact on air quality. The proposal is consistent with SEP policy NRM9 in this respect and with SEP policy W13 which states that landfill gas collection and energy recovery should be standard practice at all non-inert landfill sites.

Access and Transport

59. Access to the site is via the B430 from either J10 on the M40 or the Weston on the Green junction on the A34. From the M40 traffic would travel through Ardley and from the A34 Weston on the Green and Middleton Stoney to get to the site. It is proposed that two-thirds of HGV traffic would access via Ardley and one-third via Middleton Stoney. The otherwise good transport connections are compromised and the proposal is not fully consistent with the non statutory CLP policy TR16 in so much that this development increases HGV numbers through the villages – albeit on a road otherwise unsuitable to take this level of traffic.

60. The application states that the increase in HGV traffic at the site as a result of the grant of permission would be 131 movements a day. There are some 415 HGV movements at the moment. This would be a 2% increase over all the movements on the B430. However, the increase in HGV traffic as a result of the granting of permission would be significant once the plant is commissioned (31% increase) particularly until the landfill finished. There is

sufficient capacity on the B430 to accommodate these additional HGV movements.

61. As a result of the expected increase in HGV traffic the applicant is willing to enter an agreement to provide a pedestrian crossing on the B430 in Ardley (cost £15k) to allow easier pedestrian access within the village.

62. The applicant is willing to enter into an obligation to route HGVs. It is proposed that waste being brought in by bulker lorries would be limited to approaching the site from the M40 via Ardley village. At the moment it is unclear what proportion of waste would be imported in such vehicles but the proportion would increase if and when transfer stations were built in the south and west of the county to bulk up MSW collected in these areas.

63. Transport Development Control recommend that the proposed changes to the B430 as a result of the new access be completed before the development is commenced and if permission is granted a condition could require this.

64. They also recommend that the total annual tonnage to the site be limited to 500,000 tonnes per year with a daily maximum of 2,000 tonnes in order to limit overall traffic to the site. If permission is granted a condition could secure this for the period when the landfill and EfW plant are operating together. Once the landfill is completed the condition would not be needed as the maximum throughput of the EfW is 300,000 tpa.

65. Appropriate parking conditions could be attached to any permission as recommended by Transport DC.

66. The applicant is also willing to fund (cost £1k) the monitoring of a travel plan aimed at reducing the number of car journeys of the 40 site workers and to route construction vehicles through Ardley only.

67. Local people are concerned that any permission would exacerbate the current congestion experienced at peak hours in Ardley and Middleton Stoney. The increase at peak times movements in the morning has been estimated at 2% at Middleton Stoney and 4% at Ardley. This level of increase is not significant. In order to limit impacts of lorries outside normal working hours the applicants have agreed that there should be no HGV movements from 8 pm to 7 am in the morning but they do not endorse weekend restrictions or early evening restrictions (from 6 pm to 8 pm). They argue: that the County Council as Waste Disposal Authority have requested these hours of operation in their contract documents. They say that waste from HWRCs needs to be removed at weekends to ensure smooth running of those facilities, that it gives flexibility as priority is given to turn round times for waste collection vehicles carrying MSW and that it ensures C&I waste deliveries can be accommodated; that traffic counts show 7 day average HGV flow is 752 thus showing that it as an established HGV route; that there have not been any HGV accidents on the B430 in the last 5 years attributable to HGV volume or speed, and, that the impact on local amenity would not be significant.

68. I consider that the applicant's argument is only partially acceptable. The Waste Disposal Authority has commented that the contractor must abide by the conditions of any planning permission. Additional traffic survey work carried out by Transport Development Control lead them to conclude that weekend and weekday evening HGV movements would be noticeable. If permission was given there should be a condition limiting HGV movements to 7 am to 7 pm on weekdays and 7 am to 1 pm on Saturdays similar to the operation of the landfill and in compliance with MWLP policy PE18 for hours of working.

Visibility

69. There are numerous factors to take into account in determining whether this development would have an adverse impact on local amenity. The proposed EfW facility is approximately 800 metres from the nearest properties. I consider that this distance will mean that the development would not cause a loss of privacy, daylight or sunlight. Although it would be a visible feature in the landscape it would not cause a significant impact on any particular property in terms of dominance or visual intrusion. The plant would not be seen from houses in Middleton Stoney or Bucknell and only the higher parts would be seen from a couple of properties in Ardley. It would be seen from two isolated properties to the east of the site beyond the M40. However, the chimney may well be visible from properties in these villages. Therefore, the EfW would be partially contrary to NSCLP policy EN34.

Lighting

70. External lighting would be limited to access roads to allow safe passage of vehicles in the dark. These lights could be sited below the level of the surrounding land so their visual impact would be minimal complying with NSCLP policy EN6. However, the building would be illuminated at night, as it has translucent panels, leading to visible light in the area, although the translucent panels have the advantage of allowing natural light into the plant during the day. Certainly, the surrounding area is rural and has no general night-time lighting so the applicant has not complied with NSCLP policy EN6 in this respect. Lighting will not be needed on the landfill site in the dark as delivery and disposal in the dark are unsafe.

71. If permission is granted then there should be a condition requiring that no lighting be provided on the landfill site, and that a lighting scheme be submitted for the operation of the EfW plant which limits or excludes lighting on the access road and parking area and excludes any other form of external lighting, other than emergency lighting and any air navigational warning lights necessary for the chimney, and prevents light spillage off site. That would minimise the need for lighting as required by NSCLP policy EN6. No activities need to take place outside the building at night time, other than delivery vehicle movements, so no other lighting is required.

Noise and Odour

72. The EfW plant would not emit any significant noise or odour as most operations would be carried out in a building kept under slight negative pressure with the air drawn into the combustion process. Smoke and fumes from the burning of waste would be controlled by the pollution control equipment in the plant. The distance of the plant from the nearest houses and villages is such that there would be no adverse amenity effect from activities there. Outside operations would include grading and storage of IBA and movement of lorries. These activities are not odoriferous and would take place below surrounding land level and at a great distance from houses and would be unlikely to cause noise nuisance. There is no objection from the Environmental Health Officer or Environment Agency and, therefore, the activities would not be contrary to NSCLP policy EN3.

73. An Environmental Permit would control odour. As discussed above, it is considered that the development is acceptable in terms of noise. There has been no objection from the Environment Agency or the Environmental Health Officer regarding contaminated land. The development would involve the production, storage and transport off site of hazardous substances (flue dust). Hazardous materials would be controlled by any Environmental Permit and by other legislation operated by the Environment Agency. There is no reason to believe that controls over hazardous materials would be unacceptable in principle in this location, which is some distance from residential properties.

74. The operation of the landfill is more likely to generate noise and smell than the EfW plant but the remaining landfill areas are, at the closest, 500 metres from houses (Ashgrove Cottages) and are well screened by the domed, restored landfill. There has not been a history of complaints about the landfill operation and suitable planning controls (over hours of operation) and Environmental Permit controls could control the landfill adequately. The relocation of the landfill/EfW access to the south-west part of the site would reduce the traffic levels significantly through the existing access which would only be used for accessing the HWRC. Noise and traffic impact on the two properties by this access would be reduced significantly.

Heat

75. I do not consider that there would be harm to amenity from heat from this development, due to the action of the condenser and the distance between the plant and residential properties. Therefore, subject to the appropriate conditions, this development would not unacceptably harm the amenities of neighbouring properties.

Other Issues

Design of the building

76. The Commission for Architecture and the Built Environment (CABE), while supporting an EfW plant on the site, are not convinced its design would make

it a successful addition to Oxfordshire. It is a landmark building and they want to be sure that it fits into the site. They are concerned that the architecture is too varied in shapes and materials and would like a simpler structure. They think the materials used are too numerous and would cause difficulties in detailing and that more sustainable materials, such as timber, should be used. They conclude by saying there should be a balance between industrial aesthetics and making the building less prominent and point to examples of other comparable plants.

77. Your officers are keen that any plant is made as unobtrusive as possible and do not share CABE's concerns which, if acted on, would be likely to result in a more intrusive industrial building. The proposed design of the plant would result in a landmark building with an attractive appearance fitting as well as possible into its location.

Ecology

78. There are wildlife sites in the vicinity of the application site but the only effect the proposed development could have on them would be by air pollution. The EA are carrying out air quality modelling and will consider the effect on wildlife sites as part of the Environmental Permitting process but it is evident by the lack of objection from Natural England and BBOWT that damage to such sites is unlikely. The proposal would be in accordance with MWLP policy PE14 and CLP policy C1 therefore.

79. There are a number of protected species on site and the proposed restoration of the landfill will create habitats suitable for them. Some of these have already been created on the existing landfill site. The applicant is prepared to enter an agreement for the preparation and implementation of a 20 year management plan for the restored landfill following a 5 year aftercare period. Therefore, the proposal is compliant with government policy set out in PPS9 for minimising impact on and enhancing biodiversity. SEP policy E2 and NRM5 are complied with as the applicant is actively pursuing improvements at the site to promote biodiversity.

Rights of Way

80. Two bridleways abut or cross the site. Bridleway 26 abuts the eastern edge of the site and runs along the western side of the Gagle Brook. The proposed development of the EfW plant and landfill would not affect this bridleway. Bridleway 27 is currently diverted and abuts the southern edge of the site. The definitive line passes close to the southern edge of the proposed EfW building but does cross the roundabout on the access road to the plant and landfill and also the attenuation pond to the south of the building. The original application failed to recognise that bridleway 27 would revert to its definitive line in 2017 and Countryside Service Officers were concerned that no consideration had been given to the impact of this reversion. They were also concerned that the development should fit in with the aims of the Oxfordshire Rights of Way Improvement Plan and provide improvement and changes to the network.

81. As a result, the applicant amended the application. They now confirm that a permanent diversion of bridleway 27 would be sought to avoid conflict with access roads and attenuation pond although they have not shown a specific route. Discussions with the applicant show that a route to the east and north of the plant is feasible. As approval of any diversion is subject to consideration under separate legislation it may not be approved. The applicant confirms that, should an alternative diversion not be secured by 2017 they would modify current plans to accommodate the definitive line. The roundabout would be moved so there would be only one crossing of the access road and suitable signage, fencing and surfacing would be provided. A wooden bridge would be provided over the pond. The Countryside Service welcome the proposal to divert bridleway 27 and have no objections to the definitive line being used if diversion is not approved, subject to specific details being agreed. The proposal is, therefore, in accordance with SEP policy C6, MWLP policies PE11 and PE12, NSCLP policy R4 and the requirements for pedestrians in NSCLP policies TR4 and TR8. If permission is given an agreement would be necessary to secure an application for diversion and implementation of it if approved and for details of structures along it.

82. The applicant also now proposes to make improvements to the rights of way network on site and fund bridleway links and surface improvements in and around Ardley. Countryside Services welcome this approach as does the British Horse Society. If permission is given an agreement will be necessary to secure the improvements.

Hydrology

83. The Environment Agency (EA) was concerned about the risks to the water environment from the development and objected initially. Following discussions with the applicant and further work on the Environmental Statement, the EA's objections were removed subject to conditions related to storage and disposal of surface water in order to reduce flooding impact and a groundwater and surface water drainage scheme. The conditions are aimed at protecting the landfill cells, preventing flooding of the EfW Plant site and controlling water flow to ensure there is no pollution of or flooding of the adjacent Gagle Brook.

Geology

84. Dinosaur footprints have been discovered in deposits on site but during the course of landfilling they would be obscured. It is thought that the footprints extend into the field to the south and Natural England are seeking SSSI status for this area. None of the application site would be subject to this designation.

85. The applicant proposes to lift any footprints found in the course of constructing the EfW Plant and a suitable condition to cover mapping, recording and lifting footprints could be attached to any permission. Such a condition would satisfy NSCLP policy EN24.

86. There are small geological SSSIs on the site but they are not affected by any of the proposals.

87. Oxford Geology Trust would like public access to the old quarry face that would be retained by the new access road and the applicant has agreed to enter an agreement to provide this access thus complying with OMWLP policy PE12.

Heat

88. The proposed EfW plant is designed to enable heat to be used if a market was found for it. However, no proposals have at this point been made to use the heat and the proposal does not meet the aspirations set out in SEP policy NRM12.

Climate Change

89. Moving waste up the waste hierarchy assists in making a significant contribution to limiting the effects of climate change. The applicant has used the Environment Agency's WRATE (life cycle assessment) which shows a significantly reduced global warming potential for EfW over landfill. In particular, the electricity generated saves on fossil fuel use. The use of heat would have made the plant perform even better.

90. The building has been designed with energy efficiency in mind and has received a good rating on the BREEAM scale which measures the building against sustainability criteria.

Alternative Sites

91. The applicant has carried out an analysis of alternative sites for the EfW development as required by EIA regulations. They used a report produced by consultants ERM to inform the County Council, as Waste Planning Authority, in preparing its Minerals and Waste Development Framework, on possible sites for strategic waste facilities. This report identified 8 potentially suitable sites including Ardley Quarry and Sutton Courtenay Landfill Site.

92. Cherwell District Council object to the application on the grounds that, in the absence of a Minerals and Waste Development Framework, the analysis does not provide an adequate or sound basis to allow development that is a departure from the Development Plan. The proposal is considered a departure because it is contrary to countryside policies. It considers the application is premature pending a comprehensive site assessment for the Minerals and Waste Development Framework as required by PPS10. Both of these issues are dealt with in the covering report.

93. Cherwell District Council consider that the site selection process was not sufficiently rigorous. However, I am satisfied that the applicant has undertaken an assessment of alternative sites that is sufficient to satisfy the EIA

regulations. The applicant has selected the Ardley site and put this site forward for the proposed development. This proposal now has to be determined in accordance with the development plan unless material considerations indicate otherwise.

Land Resources

94. The site of proposed EfW Plant is on a site which has a planning permission for landfill which requires restoration. In that sense it can be classified as a "greenfield" site. NSCLP policy EN16 says development on greenfield land should only be permitted if there is an overriding need for the development and assessments have shown that it cannot be located on previously developed sites or within settlements. Assessments carried out by ERM and referred to by the applicant have shown that this development could be located on brownfield land except that no brownfield site is owned by the Industry so no development could take place imminently. The need for development is therefore of importance in deciding whether the policy can be complied with, although SEP W17 does identify existing waste management sites as potentially suitable for new facilities.

Landfill proposals

95. The application includes proposals to modify the landfill significantly to allow the EfW plant to be built. The main changes to the existing permission would reduce the extent of the landfill, extend the height of the southern end to that at the northern end, vary the phasing and alter the landscaping around the EfW Plant to incorporate more tree planting for screening purposes.

96. No objections have been received from consultees to the changes. The extended height and increased landscaping would offer better screening possibilities to the EfW Plant. The EfW Plant would divert burnable waste from the landfill and high landfill tax costs would be likely to ensure that the landfill did not take recyclable waste. There is still need to landfill those wastes that remain after pre-treatment has taken place as recognised by SEP policies W5 and W13.

97. SEP policy W4 specifies that waste planning authorities should provide landfill capacity for waste from London but the amounts for Oxfordshire are already provided for at the existing landfill site at Sutton Courtenay up to 2025 (a total of 3.52 million tonnes). Waste from London is imported to Sutton Courtenay by rail as required by OMWLP policy W2. Therefore, import of wastes from London to Ardley is not needed and the applicant has not proposed that waste be brought to the site by rail. SEP policies T1 and W17 favour sustainable forms of transport, such as rail, and a railway runs adjacent to the site. Generally, the distance waste would travel to the site is too short to justify a rail connection. Any new permission should restrict road imports of waste from London in order not to conflict with SEP policy W3 and to comply with OMWLP policy W2.

98. If permission is granted the existing conditions for the landfill should be updated and attached. In particular, conditions for good agricultural restoration should be attached as monitoring of the site has shown that improvements to the restoration methods should take place.

Household Waste Recycling Centre proposals (HWRC)

99. Modifications to the layout of the facility are part of the application. The new layout would improve capacity at the site and move the office away from the tipping area. No objections have been received to these changes. The HWRC would not have to share access with the quarry or the landfill and improved arrangements for car access would result.

100. The facility serves an area from Kidlington to Banbury including Bicester so is centrally placed to serve that catchment in line with SEP policy W3. It is not close to houses and has good access to the transport network. The proposal is for the site to continue as long as the landfill lasts so it complies with SEP policy W4. A condition on any permission should ensure its life is that of the landfill site and other conditions on the current permission should be updated and attached.

Conclusions

101. There is strong support in the South East Plan and elsewhere to permit appropriate waste treatment facilities to move waste up the hierarchy and help meet targets to divert waste away from landfill. These policies support provision of facilities such as EfW plants to deal with waste as part of a balanced/integrated strategy. Oxfordshire County Council is aiming to do this by achieving comparatively low waste arisings, high recycling rates, garden and food waste treatment and residual disposal through an appropriate facility.

102. The proposed facility would have a throughput of 300,000tpa and is intended to take commercial, industrial and municipal waste primarily from Oxfordshire. There is a need to provide for at least 425,000tpa of residual waste from these sources. Whilst Ardley is not within or adjacent to a built up area, it is close to Bicester and well related to the strategic road network which serves Oxfordshire as a whole. It is therefore well placed to meet the need that exists. The applicant is prepared to enter an agreement with the Council to restrict imports of waste so that at minimum of some two-thirds of the waste would originate in Oxfordshire.

103. There is conflict with policies which seek to prevent permanent built development in the countryside. There is however some support in the South East Plan for locating waste management facilities at mineral and waste sites which is proposed here. The visual impact on the countryside would be reduced by it being set down into the landfill site, by the surrounding landfill profile both now and when restored, and by tree and shrub planting.

104. There are no objections from those statutory consultees with relevant responsibilities on matters such as flooding, health, pollution and transport grounds as long as appropriate measures are included by conditions and agreement. Ecological, geological and rights of way matters can also be satisfactorily dealt with by conditions and agreement.

105. There would be an increase in HGV traffic from the site along the B430 both north through Ardley and south through Middleton Stoney. Routeing could be secured to take the bulking lorries north out of the site and conditions imposed to restrict the hours that lorries travel.

106. There are changes proposed both to landfill capacity and phasing, and to the operation of the household waste recycling facility, but none of these raises significant policy issues. Because the plant would be set down into the landfill site, the overall landfill capacity at the site would be reduced, but equally, provision of an EfW plant, would reduce the rate at which landfill capacity would be used up.

107. Although the development is contrary to or not fully supported by some policies - most particularly those protecting the countryside from built development - in this case I think that the need for a waste treatment facility to serve Oxfordshire, and the appropriateness of this location in relation to the strategic road network, justify granting planning permission.

RECOMMENDATION

108. **It is RECOMMENDED that:**

(a) subject to legal agreements to cover the following matters:

(i) limitation on waste import to the site from outside the County to allow:-
all residual MSW and a minimum of 50,000 tonnes of C&I waste a year to come from Oxfordshire to the EfW Plant and two thirds of waste to come to the landfill from Oxfordshire;

(ii) route of all large HGVs to/from the M40 via the B430 through Ardley;

(iii) provision of a construction travel plan – all vehicles to be routed to/from M40 via B430 through Ardley;

(iv) provision of an operational travel plan, with £1k monitoring fee;

(v) provision of a pedestrian crossing on the B430 in Ardley (£15k cost);

(vi) commitment to submitting an application to divert bridleway 27;

(vii) funding for improvements to the Rights of Way network (£200,000);

(viii) long term maintenance of the restored landfill;

(ix) public access to the old quarry face.

the planning application for the development described in planning application 08/02472/CM be approved subject to conditions to be determined by the Head of Sustainable Development but to cover matters to include the following:

1. **Construction works not to start until access works completed;**
2. **No waste to be treated until link to Electricity grid is completed;**
3. **No traffic movements except during between:-**
   7am – 7pm Mondays to Fridays;
   7am – 1pm Saturdays and;
   on 12 nominated Saturdays 1pm – 4pm;
4. **construction hours to be agreed;**
5. **no import of non-recyclable waste;**
6. **plan to be agreed for incinerator bottom ash operations;**
7. **details of changes for bridleway 27 provision on definitive line and implementation if line not diverted;**
8. **implement approved flood risk assessment and site drainage plan;**
9. **agree details of groundwater and surface water drainage plan;**
10. **agree plan for external lighting;**
11. **no external lighting outside hours permitted for traffic movements except for security;**
12. **control of recording and lifting dinosaur footprints;**
13. **maximum of 500,000tpa of waste to site until landfill completed;**
14. **maximum of 2,000tpa of waste to site each day until landfill ends;**
15. **conditions from existing landfill permission updated with an end date of 2019**

(b) the application being referred to the Secretary of State as a significant departure from the development plan and the Secretary of State not calling in the application for his own determination;

(c) the Head of Sustainable Development be authorised to refuse the application if the legal agreements recommended in (a) above are not completed within 10 weeks of the date of approval of the application.

CHRIS COUSINS
Head of Sustainable Development
Environment & Economy

Background Papers: Nil

October

ANNEX 1

Environmental Statement

1. The findings and conclusions of the Environmental Statement submitted with the application are described below (text in italics is officer comment).

Need

2. This plant would deal with all the MSW arising in Oxfordshire and 120,000 tpa of C&IW leaving only 300,000 tonnes to be disposed of by landfill. The diversion rate of C&IW in Oxfordshire would go up to 66.5%.

3. The applicant states that the size of plant is designed to accept between 40-50% of MSW in the medium to long term allowing 50-60% to be recycled and that current MSW recycling rates are 35% *[they are in fact currently c 47%]*. The process proposed would contribute to recycling through ferrous metals and bottom ash (as an aggregate) production and would also achieve energy recovery. The ES shows examples of countries where high recycling goes hand in hand with energy from waste treatment.

Alternative Sites

4. The ES reviews alternative sites for an EfW plant. The sites taken had been selected by a study undertaken by ERM which had been commissioned by the County Council as part of the background for site selection for strategic waste management systems for the LDF process. These sites were:

(b) Gosford Grain Silo;
(c) Former Quarry, Shipton-on-Cherwell;
(d) Land west of M40, Banbury;
(e) Culham Science Centre;
(f) Land at Banbury Cross Business Park, Banbury;
(g) Sutton Courtenay Landfill;
(h) Ardley Landfill;
(i) Land at Palmer Avenue, Bicester.

5. The key issues addressed by the applicant for each of these sites were deliverability (under the control of the waste management industry and with potential to deliver facilities by 2013); Green Belt; site access and highway network; proximity to international nature conservation sites and need for Habitat Directive Assessment and proximity to main centres of population.

6. The applicant considers that sites 1, 2 and 4 are not appropriate as they are in the Green Belt, that 3 and 5 are too far from Oxford, and site 8 is not owned by the waste management industry. The applicant considers that only 6 and 7 are deliverable, and that Ardley is better than Sutton Courtenay as it has better access and is close to junction 10 of the M40. It has no international conservation sites within 15 km while Sutton Courtenay has sites within 5

kms. Although Ardley is further from Oxford than Sutton Courtenay, journey times of 25 and 23 minutes from Oxford respectively are similar.

Alternative Technologies

7. The applicant utilised the Environment Agency's life cycle assessment scheme 'Waste and Resource Assessment Tool for Environment (WRATE)' to show how different methods of processing 300,000 tonnes of municipal solid waste compared. The comparison was of 6 indicators relating to mineral and fossil fuel depletion, global warming potential, human toxicity, toxicity towards eco systems, acidification and eutrophication (excessive growth of algae reducing oxygen in water). Each method was scored against the indicator and indicators valued against each other to give a total performance score. The following table gives these scores. The higher the figure, the better the performance.

		Total Performance Score
1	Landfill	1.75
2	EfW	4.64
3	Advanced Thermal Treatment (ATT)	5.02
4	Mechanical and Biological (MBT) Treatment with EfW	3.45
5	Mechanical and Biological (MBT) Treatment with landfill	2.22

8. The applicant states that EfW scores best on resource depletion, global warming and toxicity towards eco systems whereas ATT scores highest on eutrophication and close to highest on resource depletion and human toxicity. The applicant states that ATT is not a financially viable solution for treatment of municipal waste and there are no operational plants in the UK.

Sustainability Appraisal

9. A sustainability appraisal was carried out to cover, amongst other things, how the development is energy efficient, environmental implications of the use of building materials, sustainable drainage systems and water management and use of previously developed sites. A BREEAM rating (Building Research Establishment Environmental Assessment Method) was arrived at by considering the proposal against a number of sustainability criteria. It received a rating of 'good'.

10. The applicant states the proposal would cause landfilling to be significantly reduced, produce electricity thus reducing demand for fossil fuel use, be designed not to affect the surrounding area adversely and be appropriate to local landscape character.

Impact of EfW on Recycling Rates

11. The applicant states that the plant is designed not to burn more than 40-50% of the available MSW in Oxfordshire. As the current recycling rate is 35% *[actually 47%]* there is an opportunity to do more recycling. High recycling and EfW can exist together.

Landfill

12. It is proposed to reduce landfill capacity at Ardley by 600,000 tonnes. The Council's Minerals and Waste Annual Monitoring Report 2007 says that Oxfordshire has 11.6 million tonnes of non-inert void capacity at landfill sites more than needed for the period 2006-15. After 2015 it is expected that less landfill will be needed and the applicant says that loss of less than 10% of non-inert void capacity is not considered significant.

Air Quality

13. Assessments of pollutants from vehicles, pollutants from the chimney, dust and litter emissions during construction and operational phases and odours and bio aerosols all related to the EfW plant were found to be negligible.

14. The applicant states that modelling of the predicted impacts on air quality of emissions from the stack has shown that short and long term ground level 'process contributions' are small or very small (<5% of the applied standard) of all pollutants. The short and long term impacts of 'predicted environmental concentrations' are classed as negligible for all pollutants, and existing background dominates total deposition of these pollutants.

Landscape and Visual

15. A landscape and visual assessment was completed. The landscape impact was considered moderate on the existing landscape, which includes a landfill site, and moderate/substantial once the landfill was restored. The effect of the building would be directly linked to the high standard of design and materials and how it is perceived by individuals. The building is considered a landmark building and aesthetically pleasing. Restoration and landscape of the surrounding area would be positive in terms of habitat creation.

16. Significant visual effects would be experienced in the short to medium term from just south of Ardley, just west of Bucknell and immediately south of the EfW site. The most affected view is from Bucknell across low lying farmland. It is considered that the impact would reduce slightly as vegetation matures around the EfW plant.

Transport

17. The traffic and transport impacts were assessed. The new access has been designed to accord with all relevant guidelines and has been independently assessed. The pattern of accidents on the highway was assessed and it was

concluded the proposed development was acceptable from a highway safety perspective. The impact of development traffic on the operation of the highway network was modelled and it was considered that the proposed development would not have a bearing on the capacity of the B430, particularly at peak times. It was considered traffic levels during construction would not exceed those for the operational phase subject to mitigation measures including a travel plan.

Noise

18. An assessment was carried out on existing noise and the construction and operational phases for the proposed EfW. Noise levels during the construction phase for the four nearest houses were the same or only just above the ambient noise levels of those properties. Predicted noise levels during the operational phases were well below background noise levels. No noise increase from traffic and from the cumulative effect with other developments was established.

19. Assessments of noise from the landfill operations showed no or minor impact over background levels from the four properties.

Hydrology and Hydrogeology

20. A flood risk assessment was carried out. The EfW plant is proposed in flood zone 1 and, therefore, meets the test in PPS 25 for siting of new development. As the EfW plant is proposed at the base of a mineral working there is a threat to it from surface and groundwater flooding. Temporary pumping to the Gagle Brook is proposed during heavy rainfall or high groundwater.

Ecology

21. An Ecological Impact Assessment was conducted.

22. Direct effects are certain to occur in and around the EfW plant area. The site is already subject to Great Crested Newt mitigation strategy where newts are captured and released to newly prepared habitat on the restored landfill and the cleared areas prepared for landfill. There are no bats or badgers on site and no significant effects will occur. The site is an exceptional one for common lizards and grass snakes and these have been relocated with the newts, when found, and the programme will continue.

23. Air pollution modelling was carried out in relation to the stack emissions. The modelling indicates that levels of pollutants from the stack would be very low and are unlikely to significantly affect the integrity of any SSSI in the vicinity of the application site.

24. The restored landfill area incorporates wildlife enhancement features. It would include balancing lagoons on the southern, eastern and western parts of the site to provide wetland habitat for amphibians and invertebrates.

Palaeontology

25. Dinosaur footprints were discovered at the site during clay extraction in 1997. Forty trackways of two dinosaurs have been found. Some trackways have been moved to Woodstock Museum and the rest are being covered by basal liners of the permitted landfill cells. It is possible that more lie beneath the EfW plant area.

26. Natural England are considering designating a geological SSSI in the Ardley area if more trackways are found but that would not include this site.

27. Mitigation is proposed for ground works for the EfW plant. The layer where trackways may occur would be stripped and if any footprints are discovered work would stop and Natural England contacted for advice. Any footprints/trackways worthy of preservation would be removed under guidance of Natural England and the County Council.

Cultural Heritage

28. The assessment identifies no direct impacts on cultural heritage and negligible to moderate visual impacts on settings of heritage assets. The assets affected are Ardley village listed buildings and scheduled monument (moated ring work), Swifts House Farm (1.6 km north east of the site), Bucknell village listed buildings, Trow Pool water tower, Bucknell Lodge, Middleton Stoney village listed buildings, Middleton Park listed buildings (by Middleton Stoney) and RAF Upper Heyford.

Socio-Economic Impacts

29. A socio-economic impact assessment was undertaken. The development was judged to offer benefits to employment, the economy and tourism. It would help Oxfordshire meet its landfill directive targets and avoid costly penalties. It would supply the national grid with 180,000 hours of electricity a year. It would have positive impacts on Cherwell District Core Strategy in that it would create jobs and money would be available from the Viridor Landfill communities fund to help with amenities of communities and protection and enhancement of historical and architecturally significant buildings.

Climate Change

30. The landfill was considered to have no greater impact than the current landfill permission. The impact of the EfW plant was considered with regard to:

WRATE (life cycle assessment), Heat Plan (the potential for use of heat generated), surface water management, design and materials used to minimise energy consumption and CO_2 emissions and traffic emissions.

31. A WRATE assessment, using the Environment Agency's modelling tool, was carried out to assess the global warming potential compared to other waste

management technologies. It showed a negative environmental footprint i.e. a reduction in environmental impacts and a better one than for Advanced Thermal Treatment or Mechanical/ Biological Treatment with EfW. The negative footprint is attributable to generation of electricity from waste displacing fossil fuel generation.

32. The plan notes that the most efficient EfW plants use the waste heat (combined Heat and Power) which is pumped to consumers nearby. It is considered that the horticultural industry could be the main user but also the proposed development at Upper Heyford.

33. Climate change could result in increased incidences of heavy, prolonged rains. The surface water management scheme has been designed to accommodate these potential increases.

34. The emissions of NO_2 from vehicle movements to and from the site is judged as negligible as is the emission of NO_2 and PM_{10} (fine particles) from the EfW plant.

Cumulative Impacts

35. No adverse cumulative effects have been found in relation to air quality, landscape and visual effects, noise, ground and surface water, traffic, ecology or palaeontology. Positive impacts in relation to employment and climate change have been identified.

ANNEX 2

Consultations – 1st Round

The following are summaries of the consultation replies. Full responses are available in the members' resource centre.

1. Cherwell District Council

Object on the grounds that:-

1. Consideration is premature pending the production of a Minerals and Waste Development Framework which will allow comprehensive comparative site assessment as required by PPS 10. The application does not provide
2. an adequate or sound basis to consider allowing development which is a departure from the Development Plan.

3. The facility is an industrial one with a large chimney which will cause harm to the character and appearance of the countryside and be contrary to policies G2, G5, EN1 and E1 of OSP 2016, saved policies EMP4, C7, C8 and C9 of the adopted Cherwell Local Plan and policies EMP4, EN30, EN31 and EN34 of the non-statutory Cherwell Local Plan 2011.

The County Council is asked to vigorously examine impact on bridleways, traffic generation impact, air quality, impact of additional HGV movements on the local community's amenity, ecological impact and Environment Agency's concerns. If OCC are minded to approve they should go through departure procedures.

2. Ardley with Fewcott Parish Council

Strong objection on three grounds:-

1. Unsuitable location for this type of waste treatment facility, it is contrary to national, regional and local policy.
2. the implications for health have not been properly addressed to accord with PPS 10 or PPS 23; and
3. there are inadequacies in the ES.

1a. <u>Inappropriate development in terms of type and location</u>

- The process of selecting locations and types of facilities for Oxfordshire's residual waste has been at best obscure and misleading, contrary to the requirement for a Waste Development Framework (WDF) and to OCC's stated approach for selecting sites and technologies (appendix B of Waste Sites Development Plan Issues and Options Consultation March 2007).

- OCC was inviting submissions for treatment facilities at the same time as asking the public to comment on site selection. The Parish Council has never been 'informed', 'consulted' or 'involved' in inviting companies to

submit tenders for treating residual waste as was promised in the Statement of Community Involvement.

- OCC's website states that consultation on possible waste sites will take place as part of the WDF process. It is a sham. The market has dictated the location and type of facility to be provided.

- If planning permission is granted the public's comments on site selection cannot be incorporated. Lack of transparency has caused distrust and stress.

- The choice of EfW by the market does not take into account future changes in technologies, policies, economics or the benefits of a 'mixed bag' of solutions.

- Both applicants for planning permission (Ardley and Sutton Courtenay) claim their site is best which indicates bias in the site selection process.

- By inviting two companies to propose solutions in a competitive process permission needs to be granted to both to keep competition alive which will be contrary to policies WM1 and WM2 of OSP. If two permissions are granted how will development be stopped at the other in order to comply with WM1 and WM2?

- We understand Viridor will operate an EfW plant even if not awarded an OCC contract by burning C&I waste. They would appeal any refusal. They would bring in waste from other parts of the UK.

- If permission is granted a condition is requested that only Oxfordshire waste be treated to accord with the proximity principle.

1b. <u>Unsuitable technology</u>

- An incinerator only generating electricity wastes huge amounts of heat. The European Commission's thematic strategy on waste prevention and recycling says 'at low efficiencies incinerators might not be more favourable than landfill'.

- Policy W12 of SE Plan says EfW should only be part of an integrated approach with other technologies. An Ardley permission would not allow an integrated approach with other technologies for 25 years.

- OSP policy EG2 says new energy generation plant should include combined heat and power or waste heat recovery.

- OCC's needs assessment in 'Waste Arisings, Capacity and Future Requirement Study: Final Report January 2008' suggests one small residual waste treatment plant now and 4 more small plants by 2022. That would allow different technologies and be compliant with policy W12. One plant would ignore OCC's Needs assessment.

- The potential for heat use does not constitute a 'material consideration'.

- The applicant has not demonstrated in detail users of any heat although they suggest Upper Heyford (2 kms) or Bicester (6 kms). It is questionable whether the suggestions are realistic.

- If permission is granted there should be a condition to provide each house in Ardley with Fewcott, at no cost to the occupants, heat from the EfW.

1c. Unsuitable location

- MWLP policy W4 states proposals for re-use will not normally be permitted in the open countryside unless there is no other suitable site available.

- If the site selection process had been complete we doubt that Ardley Fields Farm would have been chosen. If the process had been completed it would have corrected errors which include:-

    - omission of a designated and potential SSSI
    - presence of a European Protected Species
    - assumption that waste could be delivered by rail, which is not possible due to impacts on an SSSI and on a large part of a restored landfill
    - incorrect understanding of local road connections –
        - B430 runs through Ardley, not around it;
        - pinch point at railway bridge stopping 2 HGVs passing each other at that point;
        - trunk road network (M40, junctions 9 and 10 and A34) are already congested with no plans for improvement;
        - that the site is an existing waste management facility does not recognise that PPS 10 says WPAs should not assume that it is appropriate to add or extend existing waste facilities. Should consider cumulative effect of previous waste facility on community's wellbeing. Impacts on environmental quality, social cohesion and inclusion and economic potential may be relevant. Engagements with local communities will help.

- DEFRA's guide – Designing Waste Facilities: A Guide to Modern Waste Facilities says efficient waste management lies in facilities being close to main sources of waste – our urban centres. Efficient use of energy in combined heat and power and minimising transport distances and encourage more efficient waste management.

- An Ardley plant could 'suck-in' waste and conflict with policy W3 of MWLP which states that motorised journeys should be minimised.

- The fact that the site is under the control of the waste management industry is not a PPS 10 criterion for site selection for waste facilities.

- The 50 employees would have to travel by car contrary to policy E1 of OSP which states development should be in or adjacent to urban areas with good accessibility from residential areas.

1d. Traffic Impacts

- There is no alternative to transport waste other than by road – an unsustainable method. Traffic generation figures of 404 HGV loads a day are based on 180,000 tonnes of waste a year being imported, but the facility would have a capacity for 300,000 tonnes a year so vehicle movements are a gross under-estimation.

- There is insufficient detail on the suitability of the road network, routeing agreements and positions of waste transfer stations, contrary to EIA regulations.

- It is contrary to PPS 10 which says consideration should be given to the social fabric of communities and PAs should reduce social inequalities to deliver safe, healthy and attractive places to live.

- Most traffic would pass through Ardley to the serious detriment of the village.

- The increase in vehicles means NO_2 limits in Ardley will be exceeded leading to the declaration of an Air Quality Management Area.

- It is not sensible to route all Oxfordshire's residual waste on a route already at capacity (M40 between J9 and J10 and the A34).

- There is no meaningful travel plan so is not compliant with G2 of OSP.

- There is no detail associated with IBA aggregates.

- If permission is granted there should be a new stretch of road to the east of Ardley village from J10 to the B430 at the railway. It should be in cutting and with low noise surfacing to the satisfaction of Ardley with Fewcott PC.

1e. Visual Impact

- The EfW building is of an overbearing scale, is not a landmark building but is an ugly, industrial one out of keeping with rolling fields of the area and will have a detrimental effect on conservation areas at Ardley, Fewcott and Middleton Stoney.

- If permission is granted the design and layout should be changed to ensure it is not visible from any location.

- The aerial view is unfortunate and I would not want it to become the Cerne Abbas Giant of the 21st Century, the layout should be changed.

- It is contrary to OSP policy G2 as its scale is inappropriate, harms the character and amenities of the area and does not have a high quality layout.

- It is contrary to OSP policy G5 in that it harms the countryside and OSP policy EN1 in that it will not protect, maintain or enhance landscape character.

- Light pollution will be caused at night in an area that has no major light pollution.

- The landscape scheme is confusing and full details of landscaping should be applied before any permission is granted.

Ecological Impact

- The ES is confused on whether SSSIs and European Protected Species (Great Crested Newts – GCNs) exist on site.

- The mitigating measures in the ES do not state how listed species will be safeguarded.

- Biological and ecological diversity will not be protected.

2. Implications for Health

- As OCC decided 'to ensure an independent assessment of health risks before commissioning any Energy from Waste Facility' 15 January 2009 it had concerns on health aspects of incineration.

- The HPA states 'there is no doubt air pollution (from all sources) can have an adverse effect on the health of susceptible people (young children, the elderly and those with respiratory diseases). Ardley has 121 over 60's and 172 under 16's and a Nursing Home with 35 beds and an active crèche at the Community Hall.

- We support an independent assessment of health risks and consider it is a material consideration as per (PPS 10).

- Viridor do not operate incinerators of this size and will be learning on the job and accidents will be caused. There is no comfort that it can operate safely.

- There is no permit application, against advice in PPS 23 that there should be. There is no indication that the P.C. could review the permit in the timescale of the planning application.

3a. Inadequacy of the ES

There is no consideration of:-

- the impacts and effects of the waste transfer stations required to serve the EfW plant nor of traffic transporting waste from them to the EfW plant;
- the effects of linking the facility to the National Grid;
- transporting hazardous fly ash to the Cheltenham disposal facility;
- the health impacts on human populations;
- more than a qualitative environmental impact of odour and bio aerosol particles above 10 microns in size.

3b. Cumulative effects

- No environmental impact of heat pipelines undertaken.

- No assessment of 82 m high stack with the 400 ft wind turbines proposed north of Ardley on the Conservation Area in Ardley.

- No assessment of cumulative effects of waste facilities with proposals for Eco-town at Bucknell and Weston-on-the-Green and proposed development at Upper Heyford, including the traffic, nor visual effect of EfW on them. [?]

3c. Climate Change

- The sustainability appraisal for the application was based on WRATE. WRATE has flawed assumptions on efficiency and bio-carbon and gives an over-estimation of the benefits of incineration and are not consistent with PPS 1 which requires developments to state how well they are adapted to climate change effects.

3. Bucknell Parish Council

Strong objection.

1. Traffic

- No detail of impact on local roads, which are congested.
- Waste tonnage will increase. Waste should be dealt with locally.
- HGVs frequently overturn on tight roundabouts on J10.
- No assessment of impact on County's waste transfer stations.
- Other developments will add to local traffic.
- Development will increase HGV by 45% on B430.
- B430 is congested and railway bridge cannot be traversed by two HGVs together.
- Congestion on A34 will adversely affect the national economy.
- Congestion at J10 and J9 means increased traffic in Bucknell, more traffic means more congestion on roads without pavements.

- More pollution and emissions, poorer safety.
- Development will add to congestion and further distress to residents.
- Would involve long lorry journeys across the county and beyond.
- Roads into Bucknell do not get serious repairs. Development will compound negative road quality and poor air quality.

2. CHP

- Proposal does not use heat, it is not energy efficient.
- No evidence that horticultural use of heat is possible.

3. Ecology

- Large populations of great crested newts locally and they are sensitive to pollutants. Construction work will destroy newt habitats.
- It will be impossible not to destroy newts. Policies for protection of protected species will be breached.

4. Flooding and Water Pollution

- The proposed sealed drainage and treatment system can fail.
- We are extremely concerned about possible pollution to water courses and aquifers. How can it be presented?
- Topography and hydrology is totally unsuitable for this industrial operation as is evidenced by the mitigating measures proposed. These will need to be maintained.
- Such a site should not be located above an aquifer and the underlying rocks are not impermeable.
- Wind and rain can spread toxins from the IBA area.
- Flood risk downstream of the Gagle Brook will worsen.
- Risk of flooding is high. How will pollution of watercourses be stopped.

5. Emissions

- Health risks are a material objection.
- Dioxin emissions are only spot measured twice a year (for six to eight hours). Actual emissions have been proven to be 30 to 50 times higher than spot measurements.
- If permission is given there should be mandatory continuous automated monitoring for WID pollutants, with constant reporting of this data online.
- No reliable data on small particles – cannot determine health impact.
- Water and soil tests should be made, downwind of the dominant wind groups, twice a year.
- Consideration should be given to emissions in times of temperature inversions.
- Viridor are inexperienced in operating large incinerators.
- If controls fail we will experience high levels of emissions, with consequences for health and the environment.

- Recently an incinerator at Nottingham breached emissions limits for dioxins.
- No detail on non-standard operating conditions or meteorological conditions.
- There are health risks associated with major accident or disaster.

6. Fly Ash

- There is still no detail on risks and impacts of fly ash transportation. It would be safer to bury it on site and it would reduce traffic movements significantly.
- Two thirds of the IBA plant area is exposed to wind and rain. IBA contains toxic compounds. How can these be stopped from blowing over land and water.

7. Agriculture

- Toxins from emissions will fall on agricultural land and be contrary to EU Commission recommendation of 2006 on reduction of such toxins in foodstuffs.

8. Recreation

- There will be negative impact on the use of Trow Pool and local rights of way.
- Extra traffic will threaten horse riders, walkers and anglers – need 20 mph speed limits.

9. Buildings

- It will be an eyesore on the edge of the Cotswolds AONB and a distraction to motorists on the M40. It will be obvious to view in Bucknell/Ardley and harmful to views from the Bucknell to Ardley and Bucknell to Middleton Stoney roads.
- Not compatible with Eco-town at Bicester.
- Concerned about fall in house prices.
- Extra buildings needed to process IBA are not shown.
- Concern about pollution and traffic vibration on buildings in Bucknell.

10. EIA

- The ES has not proved incineration is best solution to prevent climate change.
- Inadequacy of EIA means cannot see long-term effect on our communities – it is not compliant with regulations.

11. Incineration

- Burning waste is a waste of resources.

- Zero waste and incineration are incompatible.
- There is no consideration of risks associated with major accidents.
- The Council should commission independent analysis of environmental and financial impacts.
- Will undermine recycling schemes.
- Causes unavoidable emissions, smaller plants using other technologies would not.

12. Technology

- Should re-use, recycle, compost and MBT waste instead.
- No demonstration that proposal is best solution to reduce climate change gases.
- Incinerators are expensive and create only 1/10 of jobs per unit of waste than recycling.
- Long contract stifles emerging technologies.

13. Visual

- Does not respect landscape. Negative impact on views.
- Extra buildings mean more visual intrusion.

14. Other

- House prices will decline.
- No account of cumulative effects with other developments.

15. Questions

A series of questions are asked of Viridor and OCC as follows:

- Does incineration make air quality worse and does not contribute to improvement of air quality as suggested by national and local policies?
- Is incineration safe?
- Should there be mandatory continuous automated monitoring data for all pollutants with WID emission limits? Should it be reported online in real time?
- Low emissions can only be achieved if technology is reliable. Can that be guaranteed?
- Are there plans to measure current levels of contamination in the local environment and to monitor them? Who would do it and for how long?
- Has work on distribution of emitted particles in different wind sectors been carried out?
- Who would be responsible if adverse health conditions developed?
- Will breaches in emission limits always result in fines?
- How vulnerable is underlying aquifer to contamination? Who would be responsible if the aquifer was contaminated?
- How soon would the public be notified of a disaster? Would there be an Action Plan to deal with a disaster?

- Is it not contradictory to grant a permit for an incinerator when there are eco-developments proposed nearby?
- There is insufficient analysis of carbon dioxide release. How much CO_2 is being contributed to global warming?
- Will significant local traffic increase take place and consequent pollution?
- Do you agree that CHP is not possible because of lack of connections and that makes the Ardley proposal not economically and environmentally acceptable?
- Do you agree that there has been no demonstration that incineration will not undermine the waste hierarchy?
- Do you agree that incineration has a very low energy efficiency compared with other waste treatment methods?
- Do you agree that incineration destroys materials which could be recycled meaning that more raw materials are used in industry?
- To reduce global warming reduction, reuse and recycling are needed. Is it not time to discourage incineration?
- Can we be assured that Gagle Brook will not be contaminated?
- Can we be assured that there will be no contamination from the IBA area in dry windy weather or wet weather?
- If house prices go down, who will be liable to pay compensation?
- Should a company with virtually no experience in operating EfW receive a permit?
- Two incinerators would mean waste is drawn from surrounding counties contrary to the proximity principle.

4. Middleton Stoney Parish Council

Objects to incinerator for the following reasons:-

- the market-led process conflicts with national, regional and local policies;
- unsuitable technology, the needs assessment requires one small plant now and 4 more small plants by 2022;
- the location is contrary to PPS 10;
- the transport links are inadequate and contrary to PPS 10;
- visual impact is unacceptable and is contrary to OSP policy G2;
- road transport is greatest concern – mainly the increase in RCVs and HGVs on the B430 through the village. This road will soon be declassified and have a weight restriction. Additional car traffic is unwelcome and £1000 contribution to a green travel plan will have only a marginal effect. Haulage to the site has been incorrectly considered. Trip generation statistics must be incorrect and a full traffic assessment should be undertaken as HGV movements would increase by 30%;
- night-time deliveries are objected to.

5. Somerton Parish Council

Traffic

Traffic is the biggest concern. The B430 is at high capacity, prone to flooding and the narrow bridge over the railway is a hazard. The application does not address these issues. The additional traffic on the B430 will mean people will look for an alternative route through Somerton, both north and south. Closures of the M40 have caused this traffic congestion already. Other concerns are:-

- increased traffic from any Upper Heyford development will worsen living conditions;
- performance of J10, delays here are not addressed;
- no mention of routeing agreement for regular users of the facility;
- nothing offered for traffic calming to discourage speeding.

Therefore, object and request proposal is adjusted to reflect concerns and firm commitment given to funding of measures to counter severe deterioration to quality of life in Parish.

Other Aspects

- There is no reference to a community fund for projects.
- There is no liaison forum for local residents during construction phase.
- Traffic measurements appear to have been taken during half term period in February 2008 when a lighter load would be expected.

6. Lower Heyford Parish Council

Objects on transport grounds as B430

- is a rat run from A34 to M40 and already is congested;
- has a railway bridge where 2 waste lorries cannot pass simultaneously;
- is prone to flooding, reducing its viability as a transport route;
- has a higher than average accident rate, and safety must be a priority;
- increase in HGV traffic will pose risks on M40, A34 and B4030. The B4030 is unsuitable for lorries and a routeing agreement should be prepared if permission is granted.

Why is OCC considering 2 incinerators when only 1 is needed?

7. Caversfield Parish Council

Objects on following grounds:-

- risks to public health and the environment. There is more public information to show there are risks than not;
- increase in traffic will significantly impact on congestion levels on the strategic road network and damage regional and national economies. The M40 by the site has the second highest incidence of accidents of any road in the country;

- congestion will worsen with a knock on effect into Warwickshire, Northamptonshire and Buckinghamshire. Congestion on J10 will concern the Highways Agency and jeopardise implementation of the Route Management Strategy for the A43/A45;
- there will be an increase of 25 HGV movements an hour on the A34 between Pear Tree roundabout and the B430, which is already congested.

8. Bicester Town Council

Have grave concerns, including probable negative impact on quality of life of those in Bicester and surrounding parishes. Strong concerns on:-

a) Road Infrastructure

Application has not addressed increase in HGVs on county roads and through Bicester. Figures on road usage do not marry with number of HGV movements on local roads. Much of the waste should be moved by rail, cannot be done at Ardley. Location in north Oxfordshire means longer road journeys than a centrally located facility and more attractive position to attract waste from outside the county.

b) Health Issues

No real consideration of health issues. Must be independently investigated and local people reassured that there is no detriment to health.

c) Local heat and power

No calculation of how heat and energy will be fed to local homes and businesses. Should be a strong focus on providing cost effective heat and power locally, to offset negative impacts.

d) Technology

Want reassurance that only the most up to date and cleanest technology would be used.

Not convinced the application is the best or even an appropriate answer.

9. Stoke Lyne Parish Council

Strongly object for the following reasons:-

- traffic – road network cannot support increased amount of HGV traffic. Oxfordshire Local Transport Plan 2011 recommends that the B430 be downgraded and a weight restriction imposed. Congestion problem in area would be increased;

- visual impact – incinerator equivalent in size to a football stadium with chimney 78 m high. Will have considerable visual impact especially on surrounding villages;
- health and pollution – many concerns which should be fully and independently investigated so no detrimental impact on local health and will not pollute.

10. Chesterton Parish Council

- Existing roads and J10 not fit for this development as there is already congestion in the area and other developments (Bicester and Heyford) would add 5000 more cars;
- the Upper Heyford Consortium have proposed a direct motorway link which could be used by the waste facility;
- there is no proof that chimney emissions are not dangerous;
- a composting facility is an excellent plan providing traffic does not affect villages;
- 25 year contract may be too long. The plant may become uneconomic.

11. Steeple Aston Parish Council

Support Cherwell District Council's objections on several grounds:-

- impact on surrounding road network, not sufficiently researched, no decision should be made without full impact study;
- detrimental effect on local environment and other waste incineration systems should be thoroughly investigated;
- no decision should be made in advance of the WDF and a comprehensive analysis of alternative sites;
- 2 sites being considered, only 1 is needed;
- alternative sites should be evaluated on a like for like basis.

If the application is granted it should be referred to the Secretary of State for a final decision.

12. HSE

No objection.

13. National Grid

Negligible risk to gas and electricity networks.

14. SSE Power Distribution

No objection. Have marked existing plant and cables.

15. Natural England (NE)

- There are six SSSIs within 10 km of the site. Grassland habitats within them are unlikely to be significantly affected. Ardley Cutting and Quarry SSSI is unlikely to be affected provided conditions are attached covering:

- No equipment, materials or machinery stored within the SSSI.
- No encroachment of landfill materials or waste machinery.
- No deposition of windblown rubbish or dust.

- Dinosaur footprints and trackways have been found on the site but only areas outside the site are eligible for SSSI designation. If footprints are found they should be mapped and recorded, buried under landfill or lift or relocate them to protect them from weathering.

- Mitigation measures for bats, badgers and great crested newts are satisfactory.

- The proposal is unlikely to impact on AONBs. Full consideration of potential impacts from local viewpoints should be made.

16. Oxfordshire Geology Trust (OGT)

- If dinosaur footprints are discovered effective preservation methods need to be discussed with EN and OGT. Access should be allowed for recording geological/palaeontological features.

- Rock exposure preservation and public access to exposures would be welcomed.

- OGT would welcome inputs to design or content of the Visitor Centre on geology.

17. Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT)

See the comments under 'Consultation 2nd Round' later in this annex.

18. Highways Agency

- Concerned about potential for impact on M40 J10 and A43. The Transport Assessment shows an increase of 55 vehicles in the peak hours compared with 2500 vehicles in total – a 2% increase. The increase in congestion due to the development will be extremely small so not a material impact and should not lead to increase in accidents. Measures have recently been put in place on J10 which should reduce accidents.

- Improvements are planned for J9 to reduce delays leading to less diversion along the B430. Cherwell DC should assess infrastructure needs as part of the LDF process and policies and development location could have a useful effect on vehicle volumes.

- Suggest a condition limiting parking to that stated so congestion is not greater than assumed in the application.

19. South East England Regional Assembly (SEERA)

Permission should only be granted if:

- EfW facility only processes residual waste (to accord with RPG 9 policies W5 and W12 and proposed changes to SE Plan).
- The possibility of utilising waste heat should be fully considered.
- Proposal meets environmental and amenity criteria in RPG 9 policy 17 and proposed changes to SE Plan.

If permission is granted conditions/agreements should secure:

- Measures to manage and reduce pollution risks from EfW facility to the satisfaction of the EA (to accord with RPG 9 policy W12).
- Mitigation measures on air quality and noise to satisfaction of EA (to accord with RPG 9 policy E7 and proposed changes to the SE Plan policies NRM 9 and NRM 10).
- Measures concerning traffic generation (to accord with RPG 9 policy W16).
- Mitigation measures to protect and enhance site's biodiversity (to accord with RPG 9 policy E2 and proposed changes to SE Plan policy NRM 5).

20. Commission for Architecture and the Built Environment (CABE)

- Applaud the county's commitment to good design.

- More information is needed to fully assess the visual impact of the building. Not convinced it is fully successful. It is a landmark building due to its unusual dimensions. It is highly visible from motorway and train line and can be seen from surrounding villages. Need to assess how it addresses the site and how it looks from distance. Landscape around it should be of high quality, but that is not yet achieved.

- The building should contribute to a sense of local identity and regional diversity and be of appropriate design and scale for its location (PPS 7). Information provided so far does not assure us that that has been achieved.

- Proposed scheme is too varied and range of shapes and materials distracts from the simple strength such a building should have. It should be simplified. The current shape would generate disadvantageous spaces in the building, for example the ash storage roof is too low.

- Question the choice of materials. They are too numerous and could cause detailing difficulties. Detailing should be controlled by condition. More sustainable materials, such as timber, could have been used.

OCC must ensure that deliveries to and from plant do not cause nuisance in terms of noise, odour and pollution.

21. British Horse Society

See revised response under 2nd Round Consultations in this annex.

22. Campaign to Protect Rural England (CPRE)

Object as:

- Building with 82 m stack gives industrial feel to a very rural landscape. Query the scale.
- B430 is overloaded and this development would mean 125,000 movements a year. A comprehensive survey is needed of traffic, air quality and CO_2 emissions.

Why does county need two 300,000 tonne p.a. incinerators when it only produces 175,000 tonnes p.a. of waste to dispose of? Other counties' waste will be brought here. It is sensible to keep incinerators small to minimise impact on the landscape, minimise lorry miles and minimise CO_2 emissions and put combined heat and power closer to where it is required.

23. County Archaeological Services

Current proposals will not affect any archaeological sites as these have already been recorded and excavated and will not affect the setting of other sites.

24. Rights of Way, Countryside Service

See revised response under 2nd Round Consultations in this annex.

25. Transport Development Control

See revised response under ES Notifications in this annex.

Consultation 2nd Round

26. Cherwell District Council - Planning

The Planning Committee maintains its objections/comments on the application. Would welcome quantity and source controls, as proposed at Sutton Courtenay. They would be better than a catchment agreement. Treat both applications equitably, give full analysis of impacts, traffic generation and emissions.

27. Cherwell District Council – Environmental Protection

An enquiry from a member of the public regarding NO_2 concentration at a recording site at Ardley was responded to. A concentration of 40 ug/m^3 was recorded. The recording point was beyond the Ardley Community Hall towards J10. As the public are not regularly present close to the road in this area for long periods NO_2 may be exceeded without risk. Following further assessment it is concluded that traffic generated by the proposed EfW during construction and/or operation is unlikely to cause the annual NO_2 concentration to be exceeded at sites where the public may be at risk.

28. Ardley with Fewcott Parish Council

Strong objection. It is not in the best interests of Oxfordshire and Ardley Fields Farm is not an appropriate location for an EfW.

The Parish Council has the following comments on the additional information.

Item 2A (Further traffic information)

- The OCC Highway request for net traffic interest borne by the proposed development misses the point that the strategic road network is over capacity and glosses over location issues.
- Ardley is in a corner of the county away from sources of waste.
- Proximity is the primary consideration so the strategic road network is not congested unnecessarily.
- Transporting waste costs huge sums annually so fuel costs are more important than facilities being near a trunk road.
- EfW facilities are compatible with urban areas.
- The Parish Council have repeatedly asked for a pedestrian refuge along the B430 as it is dangerous to cross to get the school bus in the rush hour, but have been told by OCC Highways that the road is not suitable for it. We find it strange, but welcome, that one is proposed. But pedestrian crossings cost £120,000, how can £15,000 meet costs?

- The application is misleading in its assessment of traffic. It only calculates the increase over current levels. All the new movements should be used in calculating the traffic effect on Ardley.
- As the landfill will continue to operate at 300,000 tonnes per year the new facility will result in a doubling of traffic with all HGVs routed through Ardley and onto the already congested M40/A34 with detrimental effects on air quality and amenity in the village.
- The Highways Agency website says there is already a problem with the A34/M40 any increase will make the problem worse.
- OCC Highways comments that increases would not warrant refusal are incorrect.
- Transport is a key factor for this application, sustainability policies will be contravened, there will be additional congestion and queuing leading to increased costs to users in financial and emission terms, there will be a loss of amenity in our village, air quality limits will be exceeded and excessive costs for Oxfordshire residents would result from the distance traffic has to travel.
- All construction traffic would be routed through Ardley. There is no assessment on the effects of that construction traffic travelling through Ardley with respect to air quality, amenity and noise.
- The applicant argues that being close to the strategic road network makes the site sustainable. However, it is not the closeness to the road network but its adequacy and proximity of the source of waste that needs to be considered.
- The lack of proposals to link the site to the Chiltern railway line demonstrates a lack of sustainable credentials to this project.
- The proposed green travel plan does not contain details of how workforce traffic will be reduced. There is no alternative other than to drive.

Item 3A (Hours of Operation)

- Applicant has not taken OCC Highways recommendation for restricting waste delivery times to avoid congestion times on roads. The restriction is sensible as queuing at congested times leads to greater CO_2 emissions and fuel costs.
- If OCC granted permission without the bypass we ask for a restriction on the time of deliveries to preserve village amenity and minimise fuel and CO_2 costs, with no deliveries before 9.30 am or after 4.00 pm.

Item 7A (Planning Supporting Statement changes)

- We note the reduction in landfill capacity if the plant is constructed. As landfill will still be needed where will the replacement be? Why remove capacity at one location to provide it elsewhere? More cost to the taxpayer.
- OCC have said that the facility will be to meet Oxfordshire's needs only but the application proposes to treat waste from surrounding counties.

- RPG9 requires a joined up approach to providing waste facilities, meeting regional and sub-regional requirements in accordance with sustainable policies of making them close to the sources of waste. Ardley is not near any major sources of waste and can only be approached by a congested road network. There are proposals for incinerators at Calvert (Bucks) and Sutton Courtenay, within a few kilometres of the site. RPG9 seeks to avoid proposals that are close to each other.
- The alternative sites of Gosford Grain Silos, Bicester B and Banbury Cross are not considered properly. Fuel costs and carbon emissions should be considered for these sites.

Item 9B (Nitrogen Dioxide in Ardley)

- The Parish Council asked Cherwell DC to investigate air quality baseline levels. CDC installed a monitoring station on the B430 in the village. CDC will monitor the Ardley station for a year to decide whether an Air Quality Management Area needs to be declared.
- The applicant has not undertaken air quality assessment in accordance with current standards. Assessment under the new guidance would have shown an exceedence in the European limit of NO_2 at Ardley. The PC are convinced that additional traffic from the EfW would result in exceedence of the air quality limits for NO_2. Road schemes resulting in such exceedence are illegal. Therefore permission for an EfW would breach the limit, not be in legal compliance and be contrary to policy protecting the environment.
- Air Quality assessments should be undertaken in accordance with the new guidance. Until then it is believed the scheme would result in exceedence and be non-compliant.

Item 10B (Site selection criteria)

- The simplistic site selection criteria is not appropriate, detailed criteria are necessary. There is no information that proves the applicant's bias to the site is not just commercial. Fuel use and carbon emissions should have been used.
- Gosford Silos would fare even better, 4 small facilities would be even better.
- True costs will be ignored if selection is done by the proposer. OCC need to do it as part of LDF process to get best solutions.
- John Radcliffe incinerator could be used to treat Oxford's waste in the interim.

Item 14B (Environmental impacts)

- The applicant has proposed measures to control smells, litter, mud on roads and vermin. He claims the measures would not let the site get worse. The WPA should walk through Ardley towards the landfill to see current problems with the landfill: permanent mud and dust on roads and pavements, slimy surface on pavements in winter, litter in hedgerows and on verges, flies in the village in summer. These points are raised with Viridor but no promised 'mitigation' takes place.

Item 15B (WRATE)

- The response to queries on the WRATE methodology for sustainability appraisal misses the point that location is a key point.
- The location does not allow use to be made of the heat, therefore reducing its sustainability and contravening SEP policy W12.
- The assessment does not consider environmental and social costs of transporting the waste. The Parish Council has carried out its own assessment of CO_2 emissions from waste transport (see appendix 1 below). Transporting waste to Ardley rather than Sutton Courtenay would mean 663,396 kgs (16,585 tonnes) more of CO_2 over 25 years.

Item 17B (Planning Policy Review)

- Although the applicant has reviewed policy, it is not rigorous or of any note. Examples are:

  RPG9 – a good technical solution is not proposed (heat not used), poor location (too far from waste sources) and loss of landfill void.

  OSP – site is in open countryside, alternative sites not properly investigated, congested road network. Further congestion as extra traffic. Palaeontological features removed instead of kept in situ. Not served by public transport, no meaningful green travel plan.

  OMWLP – blights open countryside, out of keeping with rural area, loss of landfill void.

  NSCLP – not in accordance with several policies, it has an ugly, industrial form and will be lit at night in open countryside.

Annex 1 – Annual Cost for Transportation of Waste from the main waste producing centres of Oxfordshire to Ardley Fields Farm

A table was produced detailing the cost of transporting waste in terms of money and CO_2 emissions, to demonstrate poor site selection.

It concluded that the annual difference between CO_2 emissions and Fuel Cost of transporting waste to Ardley Fields Farm and Sutton Courtenay was as follows:

	Ardley Fields Farm	**Sutton Courtenay**	**Difference**
Kg CO_2	2,823,097	2,159,701	663,396
Fuel Cost	£1,137,666	£870,327	£267,339

The selection of Ardley Fields Farm (over Sutton Courtenay) would generate an additional 663,396 kg of CO_2 per year to be emitted and would cost tax payers within Oxfordshire an additional £267,339 for each year of the contract.

Over the 25 year concession, this would equate to an additional cost of 16,585 tonnes CO_2 and £6.7m.

Appendix 2 – Comments on SLR Consulting's letter dated 23 February 2009

(SLR's are Viridor's planning consultants. Their letter to Ardley and Fewcott Parish Council referred to specific parts of the ES in response to the PC's reply in round 1 of consultations)

Suitability of the site

The LDF process of site selection has not been completed and better technologies will arise as the site selection process continues.

The Parish Council consider the site is not suitable as:

- Lack of objection is not support or an indication that it is the best site for access. It has no rail access proposed, is in a corner of Oxfordshire and far from waste generating areas.
- Smaller facilities and different technologies are easier to deliver. A decision now lasts for 25 years and annual cost (+£1.1m) for Oxfordshire residents outweighs LATS fines.
- While nature conservation interests may be affected no concern is raised for people. The need for additional assessment is not a reason for exhibiting favouritism.
- Current policy means Green Belt is no longer a hindrance to waste management facilities. Facilities should be close to the source of waste. Ardley is about the furthest.
- SLR's conclusion is not consistent with the analysis of the criteria. An impartial analysis would mean Ardley Fields Farm would not fare well.

Heat Plan

There is no credible heat plan. It is unlikely one could be produced for this rural area.

Traffic

- The ES is misleading. The B430 goes through Ardley. OCC request funds for a pedestrian refuge on the B430 in the village which indicates the severity of the additional traffic.

- The pinch point at the bridge will lead to queuing of HGVs. At night the visibility for HGV drivers will be less assistance in avoiding a collision.
- Highways Agency website states the A34 and M40 between J9 and J10 is over capacity and subject to delays and congestion. Directing all Oxfordshire's rubbish here will lead to more congestion and costs. There are no immediate plans to rectify the problem.

Sustainability

There is no alternative for staff to get to the site other than driving. If the site was close to an urban area there would be. There are no meaningful proposals other than car sharing for any travel plan.

Clarification of operation

There will be 500,000 tonnes of waste at the site, 404 movements a day, 147,460 trips a year, through Ardley village. Lorries already disrupt Ardley village and the A34 and M40 are over capacity and congested. The ES is misleading in pretending that a doubling of traffic will not lead to more problems.

Ecology

The ES says in one section there is no SSSI on site, in another that there is. A reptile mitigation strategy has been undertaken as a result of consultation replies. This additional work gives confidence that proposals will meet policies with regard to protected species or duties under the Natural Environment and Rural Communities Act.

Visual Impact

Architects are not always right.

Air Quality

Cherwell DC will monitor air quality at a site in Ardley village for a year. As the air quality assessment did not use current standards, we think that additional traffic will result in exceedence of NO_2 limits in Ardley in breach of legal compliance.

Health Implications

The baseline air quality assessment is questioned and has now used current guidance. The claims of 'no significant effect on the environment or local communities' are not robust or defensible given the importance of emissions to health.

Welcome Viridor working with the EA.

Adequacy of the ES

The ES gives little information on environmental effects of construction.

29. Bucknell Parish Council

Some issues still not addressed.

1. Bridleways

- The bridleway (26) should use the brick railway bridge rather than the level crossing, it would be safer.

2. Traffic

- Not satisfied with statistics.
- Any increase in HGVs on the B430 would be against OSP policies TR16 and TR36.
- A new traffic survey is needed as the existing one is insufficient being only a 24 hour one.
- LTP calls for weight restriction on B430.
- B430 is congested and has a higher than national average accident rate.
- Railway bridge cannot be traversed by two HGVs together.
- The traffic model should be reviewed and local factors taken into account.
- Air quality will reduce with more congestion.
- Congestion will adversely affect the economies of Bicester, Kidlington and Oxford.
- There is no acknowledgement that with the new Dewers Farm quarry access near Middleton Stoney there will be three accesses to Ardley Fields rather than the one as at present. There is no consideration of the traffic effects on these.

3. Working Hours

Bucknell will experience noise pollution in the evenings from shunting and reversing alarms of lorries during waste tipping.

4. Light Pollution

There is no consideration of 24/7 operation on the night sky. Bucknell and other parishes will be adversely affected. Building works would cause light pollution.

5. CHP

- CHP would increase energy efficiency from 30% to 75%.
- To use heat, as proposed in developments several kilometres away, pipework would need to be provided at the cost of £7m. It would be financially unviable.
- Industrial development (on 15-20 ha) next to the site could be needed to utilise CHP. That would have a negative effect on Bucknell and cause major traffic and noise implications in the area.
- Proposals for industrial development should be submitted with this application, or if permission is granted, a condition should be attached that no further development takes place on site.

6. Ecology

- A named palaeontologist should be appointed before any engineering works begin.

7. Flooding and Water Pollution

- Treated leachate from Ardley is already being discharged into foul water drains that pass through Bucknell to the pumping station. Additives in the residue cause sewage to gel and block flow in pipes. Sewage floods within the village in wet weather. As Viridor designed this system can we have faith of the accuracy of the current application.
- We are extremely concerned about possible pollution to water courses and aquifers.
- Controlling measures can fail. If the IBA facility floods it will contaminate Gagle Brook.
- Topography and hydrology is totally unsuitable for this industrial operation as is evidenced by the mitigating measures proposed. These will need to be maintained.
- Such a site should not be located above an aquifer and the underlying rocks are not impermeable.

8. Emissions

- Continuous monitoring of emissions has not been addressed.
- Dioxin emissions are only spot measured twice a year (for six to eight hours). Actual emissions have been proven to be 30 to 50 times higher than spot measurements.
- If permission is given there should be mandatory continuous automated monitoring for WID pollutants, with constant reporting of this data online.

- Particles of less than 2.5 microns should be monitored and measured as they can enter deep into lungs.
- Water and soil tests should be made, downwind of the dominant wind groups, twice a year.
- Consideration should be given to emissions in times of temperature inversions.

9. Fly Ash

- There is still no detail on risks and impacts of fly ash transportation. It would be safer to bury it on site and it would reduce traffic movements significantly.
- Dioxins in fly ash can persist for decades if not centuries. Applicant needs to consider what will happen to them in the long term.
- The plant could produce 100,000 tonnes of fly ash.
- Two thirds of the IBA plant area is exposed to wind and rain. IBA contains toxic compounds. How can these be stopped from blowing over land and water?
- The proposed sealed drainage and treatment system could fail.

10. Questions

A series of questions was asked but all were included in the first consultation reply.

A sample of questionable comments from the additional information is set out with the objector's response.

- Para 2.3. Site is well located in respect of surrounding strategic road network – it is inaccurate (see our response).
- Para 2.5. Local highway authority believes omission of railway line from method of delivery is a missed opportunity to take vehicles off roads – if road traffic is not a problem why is rail suggested? If it is a problem, why is rail not being used?
- Para 2.6. No justifiable grounds for imposing delivery restrictions – a visit to junction 10 between 7.30 and 9.30 hours will make it obvious why there should be delivery restrictions.
- Para 5.3. Hours of operation of HWRC will be as existing – are these hours adequate? There is congestion by cars coming to the site on B430 at weekends.
- Para 7.1. We confirm the site is in "open countryside" – is it acceptable for plant that would attract businesses to use CHP to be so located?
- Para 7.1. EfW will manage waste from Oxfordshire and neighbouring counties – does it contradict claim that plant is for Oxfordshire waste? Proximity principle? Is it a way for OCC to receive large amounts of money from adjacent counties?
- Para 7.2. It is acknowledged that the landfill is temporary – an EfW plant would be permanent. Does it set precedent for further development?
- Para 9.2. It is not considered likely that NO_2 levels will increase significantly, especially as vehicle emission standards will improve – too much reliance on technology. Must also take into account increase in vehicles.

- Para 13.5. Alternatively, an overflow weir to convey flows from pond to the highway could be constructed in exceptional event of pump failure – adding further to traffic congestion and inconvenience for motorist?
- Para 13.5. Detail drainage arrangements can be made post-planning – why a delay?
- Para 13.6. A duty and standby pump arrangement could be provided to reduce likelihood of pump failure – it is needed or it is not, the statement is too superficial for a potentially difficult environmental situation.
- Para 13.15. No warranties or guarantees are expressed or inferred by third parties – we must know soundness of proposals. The statement is a rejection of responsibility if anything goes wrong or is proved to be false.
- Para 14.7. A specialist pest controller will inspect site once a quarter – surely it should be more often.
- Para 17.1. Capacity should be provided for waste from London and adjoining sub regions – proximity principle is being ignored.
- Para 17.5. Site is in open countryside – an admission it is a rural environment which would be intruded on if there are likely future building needs.
- Para 17.7. Haul road would be illuminated when it is dark. Building would be illuminated resulting in visible light in surrounding area – see our comments on light pollution.

Incinerators produce greenhouse gases, heavy metals, particulates, sulphur dioxide, acids, furan and dioxins. These may be released into the environment as gases and leachate. An accident could be catastrophic. Human error means no plant could be accident free and operate at full efficiency. Accidents could cause economic losses, public health impacts, psychological disturbances and loss of confidence in locally produced foods.

30. Middleton Stoney Parish Council

No change to original stance on the application.

It is disappointing to note that the OCC Highway Authority notes that 'a refusal on highway and transport grounds would not be appropriate or sustainable at appeal'. We contend that there will be a significant impact and that traffic flows have been underestimated by the applicant. A full Environmental Impact Assessment should be undertaken.

Consider the following:

- A survey at the gate and use of weighbridge data is needed to gauge the current correct level of traffic.
- The tonnage imported will increase by 66% and therefore there would be a 66% increase in traffic. That figure is a cause for concern and enough to trigger a full analysis. The vast majority of waste from District Councils will be brought by RCVs not HGVs (say 150k in total). If we assume 50k is already transported to the site (generating 45 movements per day) then the 100k via RCVs will result in around 100 extra movements a day (275 day working year). The remaining 120k of burnable commercial waste will arrive in a disparate variety of vehicles, whereas the applicant says it will be in HGVs alone.

- We have serious doubts whether routing will be policed satisfactorily.
- The declassification of the B430 is not merely a proposal (as the Highway Agency say) but a real and clear objective with commensurate weight restrictions for the road. There is a weight restriction for southbound traffic on the A34 near Weston on the Green. Therefore, the applicant is wrong in asserting that the B430 is an established route (southbound) for HGVs.

31. Bucknell Parish Council

Strong objection.

1. Bridleways

   - The bridleway (26) should use the brick railway bridge rather than the level crossing, it would be safer.
   - Development will interrupt and cause decline in local rights of way.

2. Traffic

   - Not satisfied with statistics.
   - Any increase in HGVs on the B430 would be against OSP policies TR16 and TR36.
   - A new traffic survey is needed as the existing one is insufficient being only a 24 hour one.

   - B430 is congested and railway bridge cannot be traversed by two HGVs together.
   - The traffic model should be reviewed and local factors taken into account.
   - Air quality will reduce with more congestion.
   - Congestion will adversely affect the economies of Bicester, Kidlington and Oxford.
   - There is no acknowledgement that with the new Dewars Farm quarry access near Middleton Stoney there will be three accesses to Ardley Fields rather than the one as at present. There is no consideration of the traffic effects of these.
   - Congestion at J10 and J9 means increased traffic in Bucknell, more traffic means more congestion on poorly maintained roads, more pollution and emissions, poorer safety.
   - Concerned about the pollution and vibration of traffic on buildings.
   - Would involve long lorry journeys across the county, waste should be dealt with near its source.
   - Viridor ignore that J10 is congested and has a bad layout.

3. Working Hours

   Bucknell will experience noise pollution in the evenings from shunting and reversing alarms of lorries during waste tipping.

4. Light Pollution

There is no consideration of 24/7 operation on the night sky. Bucknell and other parishes will be adversely affected. Building works would cause light pollution.

5. CHP

- To use heat, as proposed in developments several kilometres away, pipework would need to be provided at the cost of £7m. It would be financially unviable.
- Industrial development (on 15-20 ha) next to the site could be needed to utilise CHP. That would have a negative effect on Bucknell and cause major traffic and noise implications in the area.
- Proposals for industrial development should be submitted with this application, or if permission is granted, a condition should be attached that no further development takes place on site.
- No evidence that horticultural use of heat is possible.

6. Ecology

- A named palaeontologist should be appointed before any engineering works begin.
- Large populations of great crested newts locally and they are sensitive to pollutants. Construction work will destroy newt habitats.
- It will be impossible not to destroy newts. Policies for protection of protected species will be breached.

7. Flooding and Water Pollution

- Treated leachate from Ardley is already being discharged into foul water drains that pass through Bucknell to the pumping station. Additives in the residue cause sewage to gel and block flow in pipes. Sewage floods within the village in wet weather. As Viridor designed this system can we have faith of the accuracy of the current application?
- The proposed sealed drainage and treatment system can fail.
- We are extremely concerned about possible pollution to water courses and aquifers.
- Topography and hydrology is totally unsuitable for this industrial operation as is evidenced by the mitigating measures proposed. These will need to be maintained.
- Such a site should not be located above an aquifer and the underlying rocks are not impermeable.
- Wind and rain can spread toxins from the IBA area.
- Flood risk downstream on the Gagle Brook will worsen.

8. Emissions

- Health risks are a material objection.
- Dioxin emissions are only spot measured twice a year (for six to eight hours). Actual emissions have been proven to be 30 to 50 times higher than spot measurements.
- If permission is given there should be mandatory continuous automated monitoring for WID pollutants, with constant reporting of this data online.
- Particles of less than 2.5 microns should be monitored and measured.
- Water and soil tests should be made, downwind of the dominant wind groups, twice a year.
- Consideration should be given to emissions in times of temperature inversions.
- Viridor are inexperienced in operating large incinerators.
- If controls fail we will experience high levels of emissions, with consequences for health and the environment.
- Recently an incinerator at Nottingham breached emissions limits for dioxins.
- No detail on non-standard operating conditions or meteorological conditions.

9. Fly Ash

- There is still no detail on risks and impacts of fly ash transportation. It would be safer to bury it on site and it would reduce traffic movements significantly.
- Dioxins in fly ash can persist for decades if not centuries.
- The plant could produce 100,000 tonnes of fly ash.
- Two thirds of the IBA plant area is exposed to wind and rain. IBA contains toxic compounds. How can these be stopped from blowing over land and water?

10. Agriculture

- Toxins from emissions will fall on agricultural land and be contrary to EU Commission recommendation of 2006 on reduction of such toxins in foodstuffs.

11. Recreation

- There will be negative impact on the use of Trow Pool and local rights of way.

12. Buildings

- It will be an eyesore on the edge of the Cotswolds AONB and a distraction to motorists on the M40. It will be obvious to view in Bucknell/Ardley and harmful to views from the Bucknell to Ardley and Bucknell to Middleton Stoney roads.

- Not compatible with Eco-town at Bicester.
- Concerned about fall in house prices.

13. EIA

- The long-term effects of the development are not shown in the ES, it is not compliant with regulations.
- The ES has not proved incineration is best solutions to prevent climate change.

14. Incineration

- Burning waste is a waste of resources.
- Zero waste and incineration are incompatible.
- There is no consideration of risks associated with major accidents.
- The Council should commission independent analysis of environmental and financial impacts.
- Will undermine recycling schemes.
- Causes unavoidable emissions, smaller plants using other technologies would not.

15. Technology

- Incinerators are expensive and create only 1/10 of jobs per unit of waste than recycling.
- Long contract stifles emerging technologies.

16. Questions

A series of questions are asked of Viridor and OCC as follows:

- Does incineration make air quality worse and does not contribute to improvement of air quality as suggested by national and local policies?
- Should there be mandatory continuous automated monitoring data for all pollutants with WID emission limits? Should it be reported online in real time?
- Are there plans to measure current levels of contamination in the local environment and to monitor them? Who would do it and for how long?
- Has work on distribution of emitted particles in different wind sectors been carried out?
- Who would be responsible if adverse health conditions developed?
- How vulnerable is underlying aquifer to contamination? Who would be responsible if the aquifer was contaminated?
- How soon would the public be notified of a disaster? Would there be an Action Plan to deal with a disaster?
- Is it not contradictory to grant a permit for an incinerator when there are eco-developments proposed nearby?
- There is insufficient analysis of carbon dioxide release. How much CO_2 is being contributed to global warming?

- Will significant local traffic increase take place and consequent pollution?
- Do you agree that CHP is not possible because of lack of connections and that makes the Ardley proposal not economically and environmentally acceptable?
- Do you agree that there has been no demonstration that incineration will not undermine the waste hierarchy?
- Do you agree that incineration has a very low energy efficiency compared with other waste treatment methods?
- Do you agree that incineration destroys materials which could be recycled meaning that more raw materials are used in industry?
- To reduce global warming reduction, reuse and recycling are needed. Is it not time to discourage incineration?
- Can we be assured that Gagle Brook will not be contaminated?
- Can we be assured that there will be no contamination in dry windy weather or wet weather?
- If house prices go down, who will be liable to pay compensation?

Comments questioned by objector

A sample of comments from the additional information which the objector considers to be questionable is set out with the objector's response.

- Para 2.3. Site is well located in respect of surrounding strategic road network – it is inaccurate (see our response).
- Para 2.5. Local highway authority believes omission of railway line from method of delivery is a missed opportunity to take vehicles off roads – if road traffic is not a problem why is rail suggested? If it is a problem, why is rail not being used?
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- Para 17.5. Site is in open countryside – an admission it is a rural environment which would be intruded on if there are likely future building needs.
- Para 17.7. Haul road would be illuminated when it is dark. Building would be illuminated resulting in visible light in surrounding area – see our comments on light pollution.

32. Gloucestershire County Council

We are in the process of compiling our Waste Core Strategy and will consult on 'options' on strategic waste sites this summer. The Procurement process has been begun by the Waste Disposal Authority. The aim is to meet Gloucestershire's targets for MSW.

33. Northamptonshire County Council

We expect adequate facilities to at least 2020. We operate a 30 mile catchment restriction for our facilities, not one based on local authority areas. Such restrictions for Oxfordshire would not breach SEP policy W4.

34. South Northamptonshire Council

Objects. As reflected by the comments of Cherwell District Council concerns have been raised about whether this application is premature in the absence of a Minerals and Waste Development Framework. Other possible alternative sites should be properly and thoroughly assessed through the framework process.

The plans show that the structures, particularly the stack will be seen from Aynho, Croughton and Evenley. Given the height and design the Council thinks the development will be a conspicuous and alien feature in many views and be harmful to the character and appearance of the countryside.

35. Croughton Parish Council

Have concerns about effect on parish environment, especially air quality and traffic movements, therefore not in favour of application. The EfW would bring waste in 40 tonne trucks. The number of movements would be significantly increased, an estimated 2,400 additional movements a week bringing pollution, traffic vibrations and accidents on roads that are already busy, dangerous and congested.

Motorists will seek alternative roads using the B4031 from the A43 through the village. The proposal lacks any proper accommodation for the infrastructure. Other developments such as Bicester Eco village and Upper Heyford will add to traffic. Exhaust emissions and air and noise pollution are associated with adverse effects on health. Air Quality is already poor when traffic is at a standstill on the M40.

36. Evenley Parish Council (South Northamptonshire)

Support the objections of South Northamptonshire Council

37. Environment Agency

We remove our objection on the proposed waste water treatment method as the proposed package sewage treatment plant is in line with our advice.

The additional information is satisfactory with respect to assessing any obstruction to groundwater flow from the south-east pond, determining the general quality of groundwater beneath the proposed facility and indicating how hydrocarbons could be prevented from entering the surface water drainage system. There are still remaining issues which either still require assessment or have an unacceptable impact or unacceptable mitigation has been identified (subsequently addressed – see comments under ES Notification.

38. South East England Partnership Board (formerly SEERA and SEEDA)

No new significant regional issues arise.

39. Natural England

The applicant proposes to remove and preserve any finds of dinosaur footprints/trackways. NE would want to be consulted on any actions to protect features of interest.

A long term plan for amphibians at the site has been made and approved by NE. A visit to the site with the applicant's ecologist confirmed that the reptile receptor areas have previously had no population of reptiles but had had habitat enhancement works done to make them suitable for reptiles. New areas are being created for reptiles as the current areas are anticipated to reach carrying capacity. A good population of reptiles is now living in the 'habitat enhanced' receptor areas. Receptor areas are close to the Gagle Brook to create linkage to a future wildlife corridor down the eastern side of the site.

The part of the site for the location of the EfW Plant has already been cleared of amphibians and reptiles under the existing landfill permission requirements.

NE is satisfied with the mitigation measures for reptiles. There are no objections.

40. BBOWT

No reason not to accept assurances with respect to air quality impacts on local wildlife sites and on Trow Pool. We remove our holding objection.

41. Defence Estates

No objections.

42. HSE

No objection on Nuclear Safety grounds.

43. National Grid

Negligible risk.

44. Highways Agency

No new comments. The B430 is a county road for which the Highways Agency are not responsible.

45. Food Standards Agency

We do not routinely comment on planning applications. We normally assess potential risks to the food chain and provide a response to the EA under permitting regulations.

46. Thames Water

No objection as foul flows will discharge to a private package plant which proposes to discharge to the Gagle Brook.

47. CABE

These views supersede all previous views.

Applaud OCC for commitment to deliver good design. Understand that OCC have analysed the location of the plant, determined it is suitable and potential nuisance to local residents minimised.

Setting in landscape

The plant is highly visible. Design of the landscape around it should be of highest quality and could do more to frame the plant. For such a building a level of detailing similar to PPS7 houses should be provided.

Architecture

It will not create a successful piece of architecture. The scheme is too varied and the range of shapes and materials distracts from the simple strength this structure could have. We question whether an industrial building needs this complexity: it should be simpler.

Materials

Efficiency and long life should be the guiding principles. The combination of numerous materials and the way they meet could cause difficulties in detailing. Materials should be subject of conditions to safeguard the quality of design.

Conclusion

We support an EfW Plant on the site and the commitment to quality. We believe EfW Plants should achieve a convincing balance between industrial aesthetics and trying to make them less prominent. The proposal has not achieved this yet. A coherent design approach bringing form and content together could be helpful in creating a new architectural language for EfW Plants.

48. British Horse Society

The applicant has taken on board the need to improve the public rights of way network near the proposed plant for the benefit of users. I am sure Countryside Services will ensure proposals are practicable and will be implemented. I would not object to the application.

49. English Heritage

Section 12 of the ES does not adequately address the impact of the proposal on the Upper Heyford Conservation Area. The chimney and, possibly, the buildings will be visible from the Conservation Area.

50. Transport Development Control

See comments under 'Notification of ES changes' in this annex.

51. Countryside Services

Rights of Way

The commitment to apply to divert bridleway 27 is welcomed. If the diversion is not successful then details of any measures for retaining the bridleway on its original

route (including width, surfacing, fencing, materials, signage) would need to be agreed with Countryside Services. The wooden bridge over the attenuation pond may well not be the most suitable structure or solution so any agreement should enable the best means of access here.

The proposed provision of on-site measures is also acceptable from an access network development perspective provided the legal agreement is acceptable and route provision is agreed in advance by Countryside Services. Either the applicant should provide the facilities or fund the Countryside Service to undertake the work.

The proposal to fund off-site measures is also acceptable from an access network development perspective providing the agreement and amount of money for funds is acceptable or that the applicant undertakes the work.

52. County Ecologist

Ecology

There are no designated wildlife sites which would be directly impacted.

The main concern is the potential indirect impact of chimney emissions on Ardley Cutting and Quarry SSSI which is only 0.8 km from the proposed EfW plant.

The quarry supports a number of protected species including a large population of great crested newts.

Natural England has no concerns for SSSI, protected species and geodiversity and, therefore, I have no objection on these points.

There are 26 local wildlife sites within a 10 km radius of the site, 3 within 2 km. I have limited expertise on air quality emissions and can only make general assumptions on the impact of emissions on wildlife sites. However, the EA say that any permit application will take account of local wildlife sites and protected species: the quality of discharges necessary to protect human health means impacts on wildlife are unlikely.

BBOWT say the additional information addresses their initial concerns, that impacts on the hydrology of Trow Pool are unlikely and, although we have no in house air quality expertise, we accept assurances on air quality impacts on Local Wildlife Sites.

The EA are doing their own air quality modelling which will be considered with the permit application. A permit may not be able to be issued until any wildlife issues have been resolved.

If permission is granted species-rich and limestone grassland and wetland habitats will be created. They would be established in the 5 year aftercare period but I would like to see a longer-term management provision made for these areas. This is normally achieved by a 20 year management plan secured by a legal agreement with costs falling on the developer.

Landscape

OWLS has identified the landscape type of the site as 'Wooded Estatelands'. It comprises rolling topography with localised steep slopes, large blocks of ancient woodlands and mixed plantations of variable sizes, large parklands and mansion houses, regularly shaped field pattern with arable dominating, small villages with strong vernacular character.

The proposal's landscaping conforms to the pattern of fields and woods. Most trees and shrubs proposed are native species but I would like a number of amendments to tree/shrub mixes which could be achieved by condition.

More exotic and non-native species are proposed immediately around the EfW Plant. I have no objection to these as they will generally be hidden and will not conflict with general landscape character.

Visual Impact

The landscaping could not screen the top of the chimney stack only mitigate some of the visual impact.

The stack and plume will be clearly visible, Viridor say its impact will lessen at distances greater than 1.5 km, but it will remain a permanent feature in the local landscape.

A decision has to be made on whether the development demonstrates special circumstances which outweigh the potential, permanent visual impact.

53. Archaeology

Current proposals do not affect any archaeological sites or features and the distance and proposed landscaping will also prevent any significant impact on the setting of other sites.

Notification of ES changes

54. Cherwell District Council

The Council's objections remain unaffected by the latest submission.

55. Bicester Town Council

- Issues raised in first consultation remain unresolved.
- How will CPA consider issue of Eco-Town and energy generation from the Incinerator together? Little joined up thinking.
- How can preferred supplier be identified in advance of planning decision?
- Application has not properly assessed issue of HGV traffic on local roads.
- Waste should be moved by rail, that is not available at Ardley.

- Ardley location means longer road journeys than a central facility and a wider catchment beyond county boundary.
- Health not given real consideration. Should be fully and independently investigated.
- No description on how heat and power will be supplied to local people and business. Cost effective supply could offset negative impacts of EfW.
- The most up to date and cleanest technology should be used.

56. South East England Partnership Board (Regional Planning Body)

There are no new regionally significant issues.

57. Environment Agency

The additional detail has satisfactorily addressed our objections on remaining points and the objection is removed.

- Conditions are recommended:
  - The first requires compliance with certain submitted plans and details. In order to prevent flooding by ensuring satisfactory storage of/disposal of surface water from the site and to reduce the impact of flooding to the proposed development.
  - The second requires the submission of and compliance with a surface water and groundwater drainage scheme. The scheme would ensure the risk of flooding to the surrounding environment is prevented and that on-going maintenance of the scheme is carried out.
- The French drain system will not affect landfill cells and the effect on water quality and contaminant migration would be minimal. The hydrological impacts of dewatering have been satisfactorily addressed.
- Any contaminated water would be collected in the surface water lagoon prior to discharge to the Gagle Brook. Standards of discharge will be controlled by a discharge consent issued by the EA. An Environmental Permit is likely to require groundwater monitoring and measures to deal with unacceptable levels of contamination, if they occur.
- The EA would require a licence to abstract more than 20 cubic metres of water a day.
- The EA set out planning informatives (to be attached to any permission) relating to:
  - EA consent for works or structures within 8 metres of the Gagle Brook;
  - EA impoundment licence for retaining water above normal ground level;
  - need for an abstraction licence from the EA.

58. Natural England

No additional comments.

59. CABE

Previous comments still stand.

60. Southern Gas Networks

There are no SGN gas mains in the area.

61. National Grid

The risk is negligible to our network.

62. Transport Development Control

Transport Assessment

The applicant's TA assumed 202 HGV loads (404 movements) a day of which 65 loads (131 movements) would be new. There were no significant accident patterns.

Location

- The site is well located in respect of surrounding strategic road network to receive waste from the county. It is not accessible except by car contrary to PPG13. However, such a facility would be unlikely to be built in an accessible, residential area.
- Disappointing that opportunity that the more sustainable form of waste transfer by rail access has been missed.

Increase in traffic

- As there was local concern on potential increase in traffic movements on the B430 (especially HGVs) the data held by the County Council on the B430 was reviewed and further surveys were carried out in June 2009.
- There were five traffic counting sites on the B430: Weston on the Green, Oxford Road south of Akeman Street (M1), south of B4030, Ardley (M3) and south of Middleton Stoney (M2).
- 24 hour movements at these sites were between 7,237 and 8,948 movements.
- 12 hr movements averaged 6,380 with 6.5% being HGVs (i.e. 415). The increase in these average figures from the development is about 2%, which is not significant over a day.
- The 2009 12 hr survey was conducted at M1-M3 sites which showed 7,057 (183 HGVs) and 9,154 (34 HGVs) movements at M1 and M2 respectively.
- The 2009 12 hr survey at weekends (Saturday & Sunday) on M1-M3 showed between 3,867 and 7,733 movements of which between 12 and 91 were HGVs (0.3 to 1.4% of the total).
- The figures show that HGV movements are minor in comparison to the total vehicle numbers. However, the figures show that an increase in HGV movements at the weekend may be noticeable to residents on the B430. Need to consider operation restrictions at weekends to ensure they are not noticeable.
- The Transport Assessment demonstrates there is capacity on the highway network to take the traffic from the development. This is supported by the fact that before the M40 opened the A43 (before B430 classification) was used by 14,000 to 15,000 vehicles daily.

- The split of 60:40 (northbound:southbound) in RCV (Refuse Collection Vehicles) trips appears acceptable in principle and has used agreed figures for the Upper Heyford proposal.

Traffic Generation

- Once the EfW is commissioned waste delivered to the site would increase from 300,000 tpa to 500,000 tpa – an increase of 67%. The TA assumes that the majority of material (165,000 tonnes) would be delivered by large HGVs carrying 20 tonnes average and not RCVs, which carry 8 tonnes. Use of large vehicles would reduce trips to 202 per day (404 movements).
- In the absence of any comparative site the TA's assumptions are the only way of measuring traffic generation and is considered reasonable. However, it may have been appropriate for the TA to have added 10-20% to the calculations to cover all possible scenarios when traffic generation could have been higher, such as delivery of waste by vehicles smaller than 20 tonnes or vehicles not carrying a full load. However, any such increase would not justify a refusal on highway grounds. I am satisfied with the assumptions in the TA on trip rates.

Local Highway Capacity

- The submitted Transport Assessment (TA) shows that junction 10 (J10 of the M40) is slightly over capacity but that is for the Highways Agency to comment on.

Downgrading the B430

- Local residents have objected on the basis that the Local Transport Plan 2006-2011 (LTP) proposes a downgrade of the B430 to an unclassified road with a weight restriction. However, the proposed scheme is only a proposal not an "objective", is subject to funding and is in the current LTP. It was in to prevent/deter through traffic from the A34 to J10 on the M40 but not access to future and existing development.
- If the proposal is not carried out by 2011 it may be carried over to the new LTP but would be subject to reassessment.
- The applicant was asked to fund the downgrading of the B430. However, as the proposed facility is unrelated to existing traffic movements it was considered the request did not meet Circular 5/05 guidance.

Access arrangements

- The new access and right hand turn lane are acceptable but will require a legal agreement (section 278) for off-site highway works on public land.
- The site should have a sustainable drainage system (SUDS).

Parking

- Parking levels are acceptable for cars and cycles although cycling to work may only be for on-site.

Travel Plan

- A Travel Plan is to be submitted (non car). A Travel Plan Co-ordinator will liaise with OCC. A monitoring fee of £1,000 will be required by OCC and requested via a Section 106 agreement.
- A Construction Travel Plan is to be submitted for approval of the WPA and, again, would be requested via a Section 106 agreement. It would route all construction traffic via the M40, and assess any damage to the highway and recover costs of any remedial works.
- Wheel washing and road cleaning must be included in any agreement.

Traffic Routeing

- Operational routes and hours must be considered in order to minimise any impact on local residents. It is considered that RCVs should not be subject to routeing as they will arrive in different directions and no one village would have an undesirable level of traffic. However, bulkers (large lorries from waste transfer stations) should access via the M40. Operational routes should be covered by a legal agreement.
- The Planning Authority must decide on operating times for RCV/HGVs to minimise/protect and deter affect on environment/amenity of Ardley, Middleton Stoney and Weston on the Green.

Pedestrian Crossing

- Ardley residents have requested a pedestrian crossing previously. A crossing would be required as a result of traffic increases through Ardley (cost £15,000). The applicants have agreed to provide it.

Controlling traffic generation

- It is important to limit traffic generation by condition to that proposed, that is 500,000 tonnes of waste to the EfW plant and landfill with a maximum daily tonnage limit of 2,000 tonnes. (10% above average as assumed in the TA).

Section 278 Agreement

- All off-site highways work would be secured by a Section 278 agreement. It may be appropriate for a Grampian condition on any permission to secure these works are carried out before development commences.

Summary

- Subject to these matters refusal on highway and transport grounds is not appropriate or sustainable at appeal.
- EfW facility would have good strategic links.
- Difficult to see how site meets policies for sustainability as set out in PPG13; but unlikely that site could be sited in a residential area and have a good range of transport modes.
- Unlikely to be a significant impact on capacity of B430 or in terms of safety.

- To minimise traffic impact, restrictions on total annual and daily tonnages, routeings and timings are recommended.
- Recommend following conditions:
  11. total tonnage restricted to that in TA (500,000 tonnes pa, 2,000 tonnes daily);
  12. off-site works to be constructed prior to development;
  13. cycle and car parking as submitted;
  14. restrictions on times of traffic generation.

  And following agreements:
  1. £15k for pedestrian crossing in Ardley;
  2. £1k for travel plan.
  3. routeing of bulkers via Ardley to M40;
  4. Travel Plan and Construction Period Travel Plan.

63. Countryside Services

64. County Ecologist – No comment.

65. Rights of Way – No comment.

66. County Archaeological Services

The proposal will not affect any archaeological features and distance and landscaping will prevent any significant impact on the setting of other sites or features in the area.

ANNEX 3

Representation for 19 Parish Councils on first Round of consultations

The Acting Chairman of Bucknell Parish Council has gathered signatures from 19 Parish Councils asking for the Secretary of State to call in the application. The Parishes are Ardley with Fewcott, Middleton Stoney, Bucknell, Fritwell, Chesterton, Caversfield, Weston on the Green, Upper Heyford, Stoke Lyne, Hardwick with Tusmore, Souldern, Tackley, Kirtlington, North Aston, Cottisford and Juniper, Wendlebury, Launton, Hethe and Croughton. Stratton Audley Parish Council joined later.

The grounds for call in are that the proposed development:-

1. has attracted significant regional controversy;
2. conflicts with national and regional planning policy; and
3. could have wide effects beyond the immediate locality.

1. Controversy

- OCC is running two parallel and contradictory processes to select sites and treatment methods for residual waste. The first secretive process allows the market to decide. The second, the WDF process, follows regional planning guidance. OCC is biased towards the first.
- There was no independent evaluation as to whether these were the best and most sustainable sites.
- OCC is judge and jury at its own trial and cannot consider the planning application impartially. That is contrary to article 6 of the European Convention on Human Rights. The application should be independently assessed.
- Evidence for controversy can be found in local media coverage.
- Controversy has made the proposal a 'political football' and could jeopardise the impartiality of the WPA.

2. Conflict with Policy

- There is inadequate mitigation on risks to palaeontological interests (dinosaur footprints).
- Ardley has potential to be an SSSI so permission should not be granted as it could adversely affect it.
- Approval could prejudice moves for more recycling.
- The local road network is unsuitable.
- A sustainability assessment, as required by this Act, has not been done for the WDF.
- There has been no 'strategic environmental assessment' (SEA) for the WDF and, therefore, no strategic environmental impact of the site has taken place in accordance with PPS 10 procedure.

- Public participation on WDF should take place'before decisions are made. Proposal ignores requirements for local spatial planning (PPS 12).

- SEP Policy W12 says EfW solutions should only be part of an integrated approach but only EfW is being considered. No consideration can be given to alternatives for 25 years.
- OCC has abandoned the RPG 9 approach to site selection and chosen a market approach contrary to RPG 9.
- By inviting two companies to propose solutions and in order to keep competition alive, there is a need to grant both. Two permissions is twice the capacity needed for Oxfordshire's needs contrary to WM1 and WM2 of OSP.

3. Wide Effects of Development

- Congestion on the Strategic Road Network will damage regional and national economies.
- The EA object on pollution risks.
- The Flood Risk Assessment is inadequate.
- A groundwater assessment is needed.
- An Environmental Permit is required.
- The Planning Authority should seek opportunities to use heat and electricity in accordance with PPS1.
- The permit application should fully assess impacts on SSSIs.

ANNEX 4

Representations

Introduction

All of the representations and related documents referred to in this section are available in full to read in the members resource centre. A total of 628 representations have been received from members of the public over the three consultation and notification periods held. These include those originally sent to Councillors, the waste management team and Cherwell District Council, which were forwarded to the planning department.

The application was initially sent out to consultation in November 2008. The statutory consultation period is 21 days, but an extended consultation period was provided to reflect the complex and controversial nature of this application. There were 612 representations received.

There was a second round of consultations in March 2009 due to amendments to the application and environmental statement. 10 representations were received.

There was a round of notifications following the further amendments to the Environmental Statement. At the time of writing the report 6 representations were received.

Any letters received following the drafting of the report will be considered in an addendum.

Support for the proposal

Three letters of support were received during the first planning consultation. The points made are listed below.

- Will divert waste from landfill.
- Electricity will be generated.
- Recycling collections could stop as the Incinerator would consume all waste. Money would be saved thereby.
- Landfills pollute adversely affecting wildlife and water resources so waste should be incinerated.
- After burners should be used in Incinerator plant to reduce harmful emissions.

Objections to the proposal

The vast majority of representations received were objections to the proposal, and raised a considerable variety of concerns about it.

The main areas of objection are set out below in bold. Officer comments on the individual topics is set out below the objections.

Set out subsequently are issues raised by consultees that have not been directly dealt with in this annex or in any of the reports relating to this application together with officer comment.

It is important to recognise that the mere numbers of objections on particular topics do not necessarily reflect the weight that should be given to that issue. The role of the committee as decision maker is firstly to identify whether that topic is a material consideration, and secondly to attribute appropriate weight to it. A particularly compelling planning objection may be raised by only a few people, and conversely a large number of people may raise a matter that is not a planning consideration at all.

TRAFFIC

Traffic in general
J9 and J10 – congested
Cost of congestion to businesses and economy
M40 – congested/already over capacity
A34 – overcrowded and congested
B430 – already congested/cannot cope with extra traffic/at capacity
B430 – used as a rat run when M40 is busy or blocked
Difficult to leave or enter village due to congestion
Middleton Stoney – congestion unacceptable/near capacity
B430 – congestion will lead to greater use of smaller/feeder unclassified roads – impact on smaller roads not considered
Christmas period already completely congestion – would be worse
B430 – already used heavily by lorries
Lorries – cannot guarantee they will not enter site at peak times
Already congestion from recycling facility

The B430 has sufficient capacity to accommodate traffic from this development. The B430 and motorway junctions are congested only at peak times and when there is congestion on the M40. The proposed development traffic could access at peak times but would not add to that congestion or exacerbate its effects as it would represent only 1% of the total traffic on the B430. The Highways Agency are not concerned about increased levels of traffic on the M40 or A34.

Narrow railway bridge cannot accommodate lorries in both lanes – increased risk of accidents
B430 – too narrow
Narrow railway bridge – application claims movement over bridge will be 'self-regulating' but many lorry drivers cannot see bridge adequately
Narrow railway bridge – OCC will be liable for any accidents on bridge
Narrow railway bridge – safety risk

There have not been accidents at this bridge during the life of the landfill site as drivers have good, long visibility when approaching it. The bridge would still be visible from long distances. Otherwise the B430 is wide enough to accommodate HGVs travelling in both directions.

B430 – already has high accident rate/will increase

Statistics show that the B430 does not have a high accident rate.

Increased safety risk to motorists on B430, M40 and A34
J9 and J10 – already high accident rates
B430 – no lighting or crossing points (or footpath on both sides)
B430 – traffic does not adhere to speed limit/road too fast
B430 – impossible to cross
B430 – bisects village
B430 – dangerous for children
B430 – dangerous for pedestrians (no pavement)
M40 – high accident rate
B430 – not enough pavements/too narrow
B430 – children's car/coach pick-up – dangerous
Additional traffic on feeder roads – dangerous
Lorries – speed of lorries causes dangerous backdraft
A34 – dangerous/frequent accidents
Traffic – frightening
Traffic – cost of emergency services (for road accidents)
Too dangerous to socialise in village due to traffic

Accident rates for the B430 indicate that HGV traffic is not a greater danger than it would be elsewhere. The greatest potential for danger is in Ardley and the applicant has agreed to provide a pedestrian crossing to reduce danger here.

Traffic – dust and dirt
B430 – cleaning of roadside already inadequate
J10 – dirty and rubbish-strewn already

HGVs accessing the EfW plant would not pick up dust and dirt. HGVs accessing the landfill would need to use a wheel wash. An appropriate condition to keep mud off the highway would be required if permission is given.

Bicester ring road – already heavy congestion/will increase
Bicester – roads used as rat runs

The traffic generated from any development at the site would not increase traffic on Bicester roads discernibly.

B430 – inappropriate volume of traffic/lorries for a B road – road classification due to be/should be downgraded
B430 – more traffic may compromise downgrading of road classification
Application claims no current road infrastructure deficiency or capacity difficulty – this is misleading and false

The capacity of the B430 is adequate to take the increase of HGVs as proposed. The downgrading of the road classification is a matter for the Local Transport Plan

Traffic – 365 days p/year, 24 hours p/day

The proposal for unrestricted traffic generation is not acceptable. The report considers what traffic generation restrictions should be made in order to protect local amenity.

B430 – prone to flooding

Flooding would not be so frequent that it would disrupt the operation of any EfW Plant.

Traffic – noise and stress
Traffic – smell
Traffic – visual intrusion
B430 – will be taking more than 1 lorry every minute
Conservation areas – impact on
Ardley Church is on B430 – traffic noise disrupts services
Traffic – noise disturbing businesses
Traffic – movement/vibrations disturb sleep
Traffic – deterrent to tourists – costly
Should be restriction on hours of delivery
Night time road use should be banned/restricted
Lorries are noisier and more visually apparent than other road vehicles and should be limited, by condition, to normal daytime work hours and to limit the effect on Ardley and conservation areas on the B430.

J9 and J10 – badly designed

The Highways Agency says improvements have been made to J10 and are planned for J9.

B430 – already in poor condition
Traffic – cost of road repairs

The B430 is not in a bad condition. If permission is given the Council, as Highway Authority, would monitor the site during the construction period in order to secure rectification of any damage caused.

Middleton Stoney – crossroads inadequate/tailbacks at traffic lights at peak times/difficult to drive across

The expected increase in traffic as a result of the development is 1%. The effect on Middleton Stoney at peak times would not be discernible.

B430 – should be weight restriction/ignored

There is a weight restriction on the bridge across the A34 from the B430. The applicant has agreed to route the heaviest HGVs on the shortest route to the M40 through Ardley if permission is given.

Traffic – greenhouse gas emissions

The report notes that there would be increased overall road transport of waste if permission was granted. That would include an increase in greenhouse gas emissions from the traffic.

Application does not take into account lorry movements to landfill
Application – estimate for lorry movements understated

The Transport Assessment does take into account movements to the landfill.

Flow survey – need local actual and projected flow to assess practicability especially during peak times
Flow survey – forecast/model inaccurate
Flow survey – taken during half term – misleading and deceptive
Flow survey – does not consider other aspects of B430 e.g. road-side pub, 5 junctions, 5 access points
Flow survey – need full traffic study to assess impact on/from proposed developments

The Council undertook its own flow surveys this year in response to objections on the inadequacy of the Transport Assessment. The surveys did not indicate that HGV movements from the development would be unacceptable.

Should use rail or water, not road (contradicts W16 and W17)
No provision in application for transport of London waste via rail
Rail – no existing rail infrastructure
Rail – constructing rail infrastructure would damage SSSI
Rail – constructing rail infrastructure would cause severe disruption if connected to main line
Rail – no plans for rail depot at another site
Rail – should be rail freighted to existing incinerator in Ruislip, North London
Rail – plenty of other sites with existing rail facilities

There is no possible connection for water transport. Rail transport would be possible but the generally short length of journeys would not justify a rail connection. Other existing incinerators would not have the capacity to process all the waste that this development could.

Application should not assume the rising cost of transporting material will reduce traffic as transport costs are relatively inelastic
Application assumes waste will be transported in 8-wheel tippers – may be smaller vehicles so would be more traffic

In future, the costs of transportation would mean that waste would generally go to the nearest facility and would be transported in the largest vehicles.

Application assumes lorries will always be carrying maximum waste capacity – not necessarily – likely to be more lorry movements than stated to meet waste capacity

The costs of transport would mean that HGVs would carry as great a load as possible, movements would be limited.

Seeking HGV prohibitions (for village roads) is expensive

Yes it is. If permission is granted routeing and limitations on hours of traffic generation would have a significant amenity effect.

B430 – impact on structure of properties on roadside

The increase in HGV traffic from any permitted development is not sufficient to cause unacceptable increase of structural problems for properties on the roadside.

B430 – lorries should be covered/sheeted when leaving site to prevent debris

HGVs carrying waste are subject to non-planning legislation to prevent dropping of loads onto the road.

B430 – lorries should be banned

The B430 is designed to act as a road for all traffic. The amenity effect of HGV traffic can be secured by routeing and hours of traffic generation conditions.

Lorries – movement restrictions are not policed – pointless

Routeing agreements are policed. It would be essential to word any routeing agreement so that it could be easily enforced.

More pollution from stationary/congested traffic

As any HGV traffic from any permitted development would be small it would not add to pollution discernibly.

Access – inadequate – causes congestion

There is a new access proposed. If permission is given it would be designed to ensure it is safe. It should not increase congestion on the B430.

Lorries – drivers do not always follow agreed route
Lorries – drivers show disregard for oncoming traffic

HGV driver conduct is not a material planning consideration.

Site should have its own slip road to divert traffic away from Ardley and B430

The cost of providing the slip road would not be justified.

Access – redesign of entranceway will have no affect on reducing traffic

The design of the entranceway would not in itself reduce traffic.

Middleton Stoney – split by heavy traffic

Middleton Stoney would not be split any more by the limited increase in traffic as a result of this development being permitted.

Application focuses on traffic volume impact on J10, not within Ardley

It is clear that Ardley would suffer an increase in HGV traffic. Restrictions on traffic generation times are proposed if permission is given to reduce the amenity effect.

Application does not include routeing agreement or explain how waste will be transported from transfer stations to Ardley

The applicant has now agreed to a routeing agreement which would include any large HGVs only accessing the site from the M40 through Ardley.

Cyclists and pedestrians put off due to high speeds
Cycle storage facilities in proposal is empty 'green' gesture

Cycling is unlikely to be preferred way to access the site because of the distance and danger for cyclists on the B430 but any permission should make provision for those choosing to cycle.

Traffic report 'written from desktop'

The Transport Assessment took into account traffic from the continuing quarrying but concluded there was still sufficient capacity on the road to cope with it.

Quarry traffic is extra strain on roads

The Transport Assessment took into account traffic from the continuing quarrying but concluded there was still sufficient capacity on the road to cope with it.

Traffic levels quoted in application will be exceeded

If permission is granted it is recommended that there should be a condition limiting the overall level of traffic to that proposed.

Greater capacity – more movements – impact on Middleton Stoney
Impact on residents at peak times/throughout day

The report shows that the increase in total traffic movements on the B430 would be 1%. The increase in HGVs on the B430 would be 31% until the landfill closed when levels would fall to those experienced now. Most of those movements would take place during the day and would be discernible. If permission is granted it is

recommended that HGV movements are restricted to times similar to the current landfill to avoid impact in the evening and at weekends.

No HGV movements outside daytime hours – disturb residents – few HGVs at night

Any HGV movements from the development would seriously adversely affect residents at night. If permission is granted it is proposed to attach a condition preventing night-time HGV movements to and from the site.

HEALTH AND AIR POLLUTION

Air Pollution – general
Air Pollution – cumulate with traffic/proximity of M40
Air Pollution – already poor
Air Pollution – no explanation of how emissions (from incinerator and traffic)
Small particulates – dangerous
Small particulates – lack of monitoring/studies
Small particulates – DEFRA admits small particulates cause illness
Small particulates – quarterly monitoring not enough
Small particulates – already legislated in US since 1997
Small particulates – not mentioned in application
Small particulates – new legislation due in 2011 – may make incinerator obsolete
Dioxins – not enough known
Dioxins – long term risk of dioxins not considered
Dioxins – US Environmental Protection Agency have found dioxins may be 1000 x more toxic than previously thought
Dioxins – application claims plant will operate at temperatures high enough to destroy dioxins – cannot be guaranteed
Hazardous waste – hidden pollutants e.g. particulates, heavy metals, nitrogen oxides, radioactivity, persistent organic pollutants
Hazardous waste – toxic emissions will build up over time
Hazardous waste – threat of dioxins proven in Irish pig meat
Hazardous waste – need tighter controls on emissions
Hazardous waste – dangerous dioxins and furans emitted
Hazardous waste – bottom ash and toxic fly ash emitted
Dust/soot turns everything black
Greenhouse gases – contradicts green strategy/emission reduction targets/environmentally sustainable waste policies
Emissions data used as evidence in application is out of date
Emissions data not compared in different scenarios (different waste types have different reactions to incineration – no comparison given in evidence)
Emissions data – use of support fuel not taken into account in the applicant's emissions assessment
Emissions data – unclear whether manufacture of activated carbon and lime were taken into account in the emissions assessment
Emissions data – unclear whether the directly and indirectly emitted flue gas, have been taken into account in the applicant's emissions

Onus (and cost) should be on government and companies to reduce toxic emissions
Acid rain – increase
Damage to buildings and environment due to increased acid rain
Health risks – general
Health – higher risk to children
Health – higher risk to elderly
Heath risks – not enough known
Health – respiratory illness already bad – will inflame
Health – long-term impact not evident
Health – perception of risk
Health – infant mortality rate will increase
Health – increased cancer risk
Health – HPA warns of health risk
Health – similar risk to living next to a motorway
Health risks – should be no risk, not just minimal risk
Health – no independent assurance of safety
Health – no proposal for dealing with health concern
What is the price of the local population's health?
Health – no directive/policy on long-term health issues
Health – should not forget historical underestimations e.g. CFCs, TBT, PCBs – later deemed inappropriate/unsafe
Health – breaches Clean Air legislation
Health – high voltage cables emit ionising radiation – link to leukaemia
Health – will be more people at risk
Food contamination – accumulation in food chain
Incinerators more polluting than gas-fired power stations
No evidence that incinerators are safe to humans/livestock/flora and fauna
OCC/Viridor liable for risking health of residents – will be costly
Need more evidence that incinerators are better for health and the environment than landfills
Incineration does not get rid of waste – just spreads it around downwind of proposed plant
Need more studies on comparative air pollution impact on residents
EA's 2001 CLARINET stated health studies should compare upwind and downwind impact
Weather conditions will vary – no assessment of impact on composition and deposition of emissions
No guarantee of clean air
Need regular air quality surveys at peak traffic times
Contravenes Stockholm Convention on Persistent Organic Pollutants
Organic certified producers – impact on
HPA not independent body – cannot give balanced view of health risks – has got it wrong in the past
HPA has not taken into account all the scientific evidence on incineration
Monitoring – emissions monitoring inadequate (emissions standards based on what can be measured and what is technically measurable, rather than what is safe)
Monitoring – incinerator in Belgium breached emissions restrictions
Monitoring – incinerators emit the most during start up and shut down

Monitoring – emissions breaches rarely prosecuted – use of sanctions inadequate
Amenities – impact of pollution on Tusmore House
Livestock – impact of emissions
No assessment of potential impact on soil/land use

The comments all relate to health impacts of the development and air pollution issues. These will be addressed in detail as part of the Environmental Permit application which is being considered by the Environment Agency and upon which the Health Protection Agency will provide comments. The issue on how health concerns relate to the planning process is covered in the covering report for both Ardley and Sutton Courtenay sites.

Air pollution – will pass EU recommended levels (contravention of European Waste Directive)
Air pollution – affect on community centre and football club
Air pollution – NO2 levels in north of village are already at UKAQ limit poor air quality
Hazardous waste – concentration of NO2 not assessed
Emissions – application claims traffic emissions will not increase despite increase in waste imports to the site – misleading and false

The Environmental Health Officer has confirmed that increased traffic from the proposed development would not increase NOX levels to above permissible levels for residents of Ardley.

INCINERATION AS AN UNSUITABLE TECHNOLOGY

Should be smaller facilities instead of one large facility

One smaller plant per district may or may not be a better solution. The advantages and disadvantages of that have not been investigated.

Is incineration safe?
Is the technology reliable?
Will breaches always be fined?

These are matters for consideration under the Environmental Permit application.

Recycling – Cherwell has highest rate of recycling rate in the South East – conflicting
Should reduce and recycle (incinerator encourages more waste)
Recycling – Oxfordshire is one of the best counties for recycling
Recycling – will compromise other authorities' efforts towards waste reduction and recycling, as well as our own
Wasted opportunity to recycle more as newer technology becomes available
Recycling – no need for incineration – recycle instead
Recycling – need to improve recycling facilities instead
Resource waste – loss of revenue by burning recyclables
Incineration will stifle waste hierarchy business innovation

The development is proposed to treat the residual waste that remains after reduction, reuse and recycling measures have been applied.

Recycling – will reduce incentive (especially for 'high calorific' waste e.g. card, paper, textiles, plastic)

There is no evidence to show that having a facility to treat residual waste inevitably causes a reduction in recycling. There are countries that have high incineration rates that also have high recycling rates.

Incinerators are inappropriate/already being phased out elsewhere
Incinerator technology old and out-of-date
Incinerators may become obsolete within contractual period – prevents development of better alternatives
Incinerator – unlikely to be upgraded once installed – technology will remain old and out-of-date
Incinerators may be considered unsafe within the contractual period

The application has been submitted and must be determined on its planning merits not on its engineering merits.

Should chose other alternatives
Other authorities are using alternatives e.g. Hertfordshire
OCC should take lead on seeking alternative waste strategies
Incineration just a quick-fix – need longer term solution
Alternatives are proven at commercial scale
Should seek safer, greener alternative, even at extra cost
Long term contract – does not take into account how alternative technologies will develop
Long term contract – restricts development of alternative technologies
MBT – fewer emissions, safer, more efficient, cheaper, won't contaminate water, quieter, less polluting
MBT, AD and PG already proven and used in Europe
MBT – Viridor proposing MBT elsewhere e.g. Cheshire
Plasma Gasification – fewer emissions, safer, more efficient, more sustainable, allows for smaller facilities, quicker to build, less visually intrusive, more profitable, inert residues useful for construction – being adopted all over the world
Plasma Gasification not included in tendering process
Gasification – alternative waste treatment
Anaerobic Digestion – safer and fewer emissions
Pyrolysis also an alternative – less polluting, more efficient, fewer particulates emitted
Biological Drying Plants – another alternative
Should be integrated approach with alternative technologies

These are matters for consideration as part of the procurement process and are not material planning considerations.

Landfill better – will be covered over when expired where as incinerator will be huge blot on landscape for many years
Landfill – should not send untreated biodegradable waste to landfill (should use anaerobic digestion for this waste instead)
Landfill already on proposed site – should make an additional incinerator less appropriate for the site, not more
Too costly

Biodegradable waste will increasingly be sent to new facilities for treatment that are in the planning pipeline. Landfill tax rates will be a disincentive to sending it to landfill. The landfill would take waste that could not be recycled or burnt. Treating waste in an EfW plant is better in climate change terms than landfill.

Households should dispose of their own waste – should design domestic (or community) boilers with built-in filters to burn mixture of waste, biofuels and other fuels

It is likely that new developments will deal with more of their own waste in future but there will still be a need for a facility to deal with residual waste from existing development.

Should encourage supermarkets/producers to reduce packaging and use biodegradable/re-usable materials instead

Supermarkets/producers already reduce packaging and recycle but need a facility to send residual waste to.

Should not 'burn' water – will reduce power generation efficiencies significantly.

The plant is designed to burn waste with a water content. Power generation might be better if it was burnt in a facility where water was driven off beforehand.

Need a more sustainable solution.

The application that has been submitted must be considered to determine whether it is a sustainable solution acceptable in planning terms.

UNSUITABLE LOCATION

Should be in City/Oxford
South Oxfordshire has larger population than Cherwell – proposal does not adhere to proximity principle
Located within Woodland Estates land in the Landscape Area of the Oxford Wildlife Landscape Study
Deal with waste close to source
Proximity principle – Ardley contradicts this
Should be located on A41 immediately down from motorway – fewer houses nearby, major motorway access, dual carriageway

Other sites with existing industrial furnaces and railway connections e.g. Didcot
Power Station and Chinnor and Shipton-on-Cherwell redundant cement works should be used
Should be located on Ministry of Defence land instead
Increased pollution due to waste being transported further
Increased transport costs due to waste being transported further
Self-sufficiency – import of waste from other counties
Increased greenhouse gas emission due to waste being transported further

The report considers the locational aspects of the development. There are disadvantages in the location in terms of the need for and effects of increased transport and its location in the countryside.

Proximity to residential area
Needs to be nearer population to benefit from CHP

The proposed EfW Plant site is not close to residential areas.

Further industrial development in the Green Belt.

The site is not in the Green Belt.

Industrial development inappropriate in rural area.

The report notes that siting of such a Plant in the countryside is contrary to policy.

Deterrent to (new) residents

The EfW Plant may deter potential new residents but that is not a material planning consideration.

Should be located near to areas of lowest recycling rates.

An EfW plant would not adversely affect recycling rate targets for any part of Oxfordshire. A facility is needed to deal with waste that cannot be recycled. It would deal with residual waste after recycling had taken place.

Should be one facility per parish, or at least one per district.

One smaller plant per district may or may not be a better solution. The advantages and disadvantages of that have not been investigated.

VISUAL IMPACT

Visual impact on landscape
Building design does not have 'positive' influence on landscape – will/should not be considered a 'landmark'
Not in keeping with historical setting
Built heritage – impact on

Screening will be inadequate
Screening will not shield view from South and East
More visually intrusive than landfill
Visual impact on Ardley and Bucknell conservation areas not addressed
Other smaller applications rejected on grounds of aesthetics – why not these larger, uglier proposed developments?

These points are addressed in the report.

Visual images of chimney are misleading in scale and impact. Design of stack has changed.

The originally submitted plans show a twin chimney design. The only plan which shows the chimney in the additional information shows it as a large single stack. However, the purpose of the plan is to show maximum ground water levels and the EfW plant and chimney are only diagrammatic.

ENERGY AND COMBINED HEAT AND POWER

CHP – lack of (contravenes Structure Plan Policy EG2)
CHP – provision not properly assessed
CHP – residents will not benefit – misleading
CHP – customers not yet identified/confirmed
CHP – exhibition and supporting website implied CHP would be provided –
Energy/CHP – wasted as not enough demand nearby – development too far to be energy efficient – energy loss
Energy – less efficient than CHP unit
Energy – recovery not efficient

The lack of [proposals for the use of heat is disappointing and is not compliant with SEP policy NRM12 which says policies should encourage CHP in all developments.

Energy – plant will not supply amount promised in application/only supply minimal amount
Energy – exhibition and supporting website implied energy efficiency – misleading

The application proposes a level of electrical energy output based on experiences of similar developments.

Energy – potential for rows of pylons for distribution
Energy – pylons to transfer electricity (if necessary) should run along M40, not through village
Energy – will not be fed into national grid
Energy – no plan for electricity distribution/link to grid
Energy – disruption from linking to grid not considered
Energy – proposal for provision may not receive planning permission
Energy – proposal for provision likely to be on different time-frame to incinerator proposal
Energy – proposal for provision may not receive planning permission

The applicant has said that making the connection to the National Grid will be by underground wires and would join the grid near Bicester and the route is shown in the application. The applicant has said the connection would be permitted development (i.e. would not need planning permission). That may or may not be the case; they would have to meet certain criteria to avoid the need for permission. If planning permission is needed any application would be considered on its merits.

Energy – proposal for provision likely to be on different time-frame to incinerator proposal

I think it is important to secure the energy production from burning waste and any permission should have a condition requiring the connection to the National Grid to be in place and operational before any EfW Plant is finally commissioned.

Energy – should be renewable instead

Energy from waste is not a form of renewable energy in planning terms but both forms of energy production are encouraged by Government Policy.

POLICIES

Contravenes PPS9 and PPS10 (rural roads policies)
Contravenes TR16 and TR36 of Non-Statutory Cherwell Local Plan
Contravenes Climate Change Act 2008
Contravenes PPS1
Contravenes RPG9
Contravenes W12
Application process contravenes Article 6 of European Convention of Human Rights
Application process contravenes Article 10 of European Convention of Human Rights
Contravenes Appendix B of Waste Site Development Plan Issues and Options Consultation
Conflicts with local/national planning policy
Contravenes policies G2, G5, EN1, EN2, E1, WM1 and WM2 of Oxfordshire Structure Plan
Contravenes policy W4a (overriding need)
Proximity principle – contravenes policy W3b and c

The compliance with relevant development plan policies and Government planning policies is fully considered in the reports.

ADEQUACY OF APPLICATION PROCESS

Consultation – inadequate
Consultation – insufficient time/rushed
Consultation – should consult/publicise more widely
Consultation – 'open invitation' approach to determining facility type and location

Consultation – residents should be consulted on/involved in/informed of
Consultation – not all affected parishes informed of proposal – deliberate attempt to suppress public opposition
Consultation – some residents have only recently heard about proposal
Consultation – Bicester not sufficiently informed
Consultation – objections largely ignored
Application does not include some necessary infrastructure – contradicts Statement of Community Involvement
Unfair and unrealistic to expect residents to have the time to read such a huge application
Unfair that residents and Parish Councils should fight against companies with far more resources – not equally matched
OCC have jeopardised community involvement

The applicant conducted consultations with local parish councils before submitting the application. The Council consulted for a period of 7 weeks on the first round of consultations and longer with the most affected Parish Councils which reflected the size of the application. There was a statutory 21 day consultation on changes to the application (round 2) as these were limited. The changes to the Environmental Statement were also notified for a period of three weeks. Each round was advertised on site and in the press. 12 Parish Councils and Bicester Town Council were consulted and a representation was received from a group of 20 local Parish Councils. The time given for and scope of consultation is in line with the Statement of Community Involvement and has been extensive and resulted in considerable correspondence being received.

Consultation – information given is inaccurate
Consultation – insufficient information
Application – replaces lorry 'movements' with 'trips' and 'loads' – deliberate attempt to mislead public
Environmental Statement – inadequate
Projected annual emissions of incinerator not stated in application – deliberate omission
Emissions – EA should be consistent in asking for more information/refusing Veolia's North Quay incinerator application did not have enough information on CO2 permit
Application claims reduction in the county's CO2 emissions over duration of contract – misleading and assumes CHP will displace electricity production elsewhere – won't necessarily happen
Environmental Statement – inadequacy means it's not possible to assess long-term effects on environment and community – not compliant with EIA regulations
Application – images A, B, C, H, P not representative in scale and visual impact
Application – artist's impression cuts out chimneys – misleading
Application does not show any plans for additional buildings that would be required for processing bottom ash on site
Application overstates number of working days and hours in the year
Plant will be on all the time – wasteful/inefficient/unnecessary
Sites selection and evaluation by OCC inadequate

Application - misleading absence of 'incinerator' in wording
Application – assumptions and findings used to support application should be supported with evidence (e.g. detailed model results and literature review) and be made public for greater transparency
Viridor/SLR's responses to comments/objections are unconvincing – they lack detail and appear dismissive

The application contains a considerable amount of information and evidence and some of the conclusions and assumptions have been challenged by objectors and consultees. Some objections are not specific so no comment can be made about them. Information on emissions are a matter for the Environmental Permit application. The site selection process carried out by the applicant was inadequate and is considered in the main application. It is evident from the application that waste would be incinerated. Plans do show properly scaled images and chimneys. There are no additional buildings needed for the IBA processing.

Undemocratic in the face of public opinion
OCC both proponent and determining body – impossible to judge application impartially – vested interest/biased

The planning process requires locally elected members to determine this application; it is a democratic process. No members and officers are involved in both the procurement and planning process. The application should and can only be judged on its planning merits.

Consultation responses been taken into account?

It is evident from the report that consultation responses and objections have been fully considered.

Need independent EIA
Independent studies – need more
Need independent validation of assertions in application (or at least validation by OCC)
Need independent evaluation of site selection process and suitability of selected site

Regulations allow applicants to undertake their own Environmental Impact Assessment. Consultees, the public and the planning authority can respond to the conclusions of the Assessment and have done so. These bodies are independent from the applicant.

Applicant already owns proposed site – should not have any bearing on outcome of site selection

That the site is owned by an operator and ready for development is a reasonable site selection criterion.

Application process allows applicant to determine whether an EIA is necessary – applicant has a vested interest to claim the impact is not sufficient to warrant assessment!

The applicant has satisfied regulation requirements on traffic assessment.

Application did not include Pollution Prevention and Control Permit

The Permit process is separate from the Planning process.

BREEAM Building Design Assessment – application states the proposal has 'scored well' but it only has a 'good' rating, one above the basic pass score – misleading

The rating received is, as stated, 'good' and is not misleading.

Should enforce environmental protection more – legislation is nothing without enforcement

Any facility approved will be monitored closely by the Environmental Agency with regards to pollution matters. The Planning Authority will monitor planning compliance. Close monitoring should ensure that enforcement is seldom if ever needed.

Application does not assess impact on waste transfer stations

The application does not include provision of waste transfer stations so the impact on them cannot be assessed.

Application – fossil carbon composition calculated by assuming expansion of recycling schemes – why is this assumed in the application?
Application – assumptions based on municipal waste composition in 2004 – outdated/waste arisings will have changed since then
Application – assumptions based on municipal waste composition in 2004 – have changed since 2004 - outdated/the proportion of fossil carbon in residual waste is increasing

Assumptions made are based on nationally available Government targets.

Application refuses to critique GLA Report, even though it has been peer reviewed and has an appendices with an Omissions Rationale, Literature Review, Waste Compositions, Detailed Model Results – and it is published on the GLA website – more transparent than Viridor's application

Viridor has used the Environment Agency's WRATE system which is robust and widely used.

CUMULATIVE IMPACT

Cumulative impact with other proposed development e.g. wind farm at Fewcott, hard shoulder on M40, new village at Upper Heyford, Eco-town, expansion of Bicester

There are a number of development proposals in the area which may add traffic to local roads. They will only be permitted if traffic generation would not cause unacceptable, adverse traffic effects. The emissions from any permitted EfW Plant would be monitored and controlled to meet stringent pollution limits and even with another one permitted at Calvert should not adversely affect air quality in any development area close by.

Proximity to eco-town and wind farm (both downwind) – conflicting
Cumulative impact with proposed incinerator in Calvert, Bucks (is there enough waste to supply them both?)
Already suffer from motorway on doorstep
Application summary claims 'no significant adverse cumulative effects' – misleading and untrue

Any emissions from an EfW Plant in tandem with emissions from the M40 is not a matter for this application, it is for the Environmental Permit application.

BIODIVERSITY

Biodiversity – impact on
Animals – impact (in general)
Contravenes Schedule 5 of Wildlife & Countryside Act 1981 and Reg 39 of Conservation Regs 2007 (and NERC Act) – protection of newts
Newts – impact on

The applicants carried out appropriate biodiversity surveys as part of the Environmental Statement and the results have satisfied English Nature, BBOWT and the Council's ecologist. Proposals for new habitats for protected species have been made for the restored landfill and some of them are already in place on the existing restored landfill. The applicant is willing to enter a 20 year agreement to manage these new habitats.

ASH

Ash disposal – temporary storage of waste leachate and bottom ash – unsafe
Ash disposal – re-use of toxic ash unsafe
Ash disposal – EA considering reclassifying bottom ash as hazardous waste due to ecotoxicity (increasing cost of ash disposal from £2.50 per tonne to £40) – would increase overall cost of proposal and make it less worthwhile/efficient

At the moment incinerator bottom ash (IBA) is permitted to be processed to produce an aggregate. The Environmental Permit application process should consider

whether IBA processing can be permitted here. The Environment Agency has not objected to the planning application on the proposal to store and process IBA.

Ash disposal – increased transport of waste
Ash disposal – transport of ash by road will increase safety risk
Ash disposal – vehicle movements for transport of ash not assessed/included in application
Ash disposal – should be able to deal with whole process of incineration without transporting residue off-site
Ash disposal – landfill of toxic ash unsafe

The transport of ash precipitated from the flue of the EfW plant has been considered in the applicant's Transport Assessment and the Highway Engineers in the Council consider that the local roads have sufficient capacity to deal with such transport. The Environment Agency control the transport of waste and need to be assured that such transport is safe. It is not a matter for the planning application. The landfill near Cheltenham is licenced by the Environment Agency to take the ash which is classed as a hazardous waste. The landfill at Ardley is not licenced to take hazardous waste. The amounts of flue dust that would be created are no so great that there is a clear planning advantage in depositing them in any special cells at Ardley.

PALAEONTOLOGY

Palaeontological and geological importance – impact on
Ardley has potential to become SSSI – should not jeopardise
Palaeontological features – application claims contractors will be briefed on what to look for but Viridor acknowledges that the working methods mean any features will be hidden or destroyed – inadequate and misleading
Palaeontological features – should build visitor's centre to educate public about our natural history instead

There is no proposal for Ardley to become an SSSI. The potential for land to the south to become an SSSI is discussed in the report. The report also covers protection of any dinosaur footprints and access to the remaining quarry face. The proposal includes building a visitor centre which if permission is granted, could be used for educating the public on natural history of the area.

BUILDING

Plant too big
Building design – unattractive/inappropriate/unsympathetic
Building design does not have 'positive' influence on landscape – will/should not be considered a 'landmark'
Building design – not energy efficient
Building colouring/cladding should be graded to reduce visual impact
Building size may distract road users

The implications of the size and design of the building are discussed in the report. The Environmental Statement used the BREEAM system to rate the plant as 'good'

in terms of energy efficiency. The colours proposed for the Plant would not result in any greater visual impact than is already apparent. There is no reason to think that any EfW Plant would be more distracting to road users than any other feature by the road.

ENVIRONMENT

Environment – general
Noise from operations
Odour
Contravenes policy W3 b and c (minimise nuisance from noise, dust, fumes, odour, visual intrusion, and traffic)
Amenities – impact on Trow Pool
Measures for mitigating dust inadequate
Vermin due to storage of waste before incineration

The environmental effects of the proposal have been considered in the report and it is concluded that they would not result in material objections to the proposal.

Other smaller applications rejected on grounds of aesthetics – why not these larger, uglier proposed developments?

The design of the building is considered to be acceptable but the report says such large buildings are also considered harmful to the countryside.

Application implies incinerators are 'green' – misleading

That the proposal for the EfW Plant is 'green' is not a material planning consideration. The environmental and climate change effects of the proposal are discussed in the report.

CONTRACT

Market should not determine the location or technology
OCC should release more information about site and facility selection process to public/other authorities
Long term nature of contract (DEFRA advises against long contracts)
Long term contract – other authorities who've agreed to long term contracts have openly regretted doing so e.g. Kent
Long term contract – too long when waste technology disposal technology is constantly progressing
Long term contract – does not take into account changes in policy
Long term contract – does not take into account economic shifts
Market-led/biased
Economy-led/avoidance of fines
Insufficient waste in county to supply proposed level
OCC should not be technology neutral
Potential cost of penalties/fines for insufficient supply
Council tax will inevitably rise
If council taxes do not rise, other services will suffer to cover the costs

Burden on provision of existing council services
Requires public funding
Tendering process did not allow for other technologies to even be proposed
Councillors not given chance to debate/vote on facility type
Facility, type and location determined by market

Effects on the contract for an EfW Plant are not material planning considerations.

AMENITY

Residents have suffered enough
Detrimental to quality of life
Amenities – site located opposite Ardley playing fields
Longer operating hours – 365 days a year, 24 hours a day
Detrimental to local community – nursing home, dog kennels
Impact on local businesses (due to incinerator and increased traffic) e.g. 2 pubs
Less attractive to tourists
Amenities – needed for expansion/development in the area
Amenities – e.g. footpaths, bridleways, fishing – impact on

The EfW Plant would be permanent so residents of Ardley and Middleton Stoney will continue to experience HGV traffic beyond the end of the life of the landfill. If permission is given it is proposed to attach conditions limiting hours of traffic generation to those similar to the current landfill significantly protecting amenity at the weekend and at night. The increase in traffic during the day would not be so great as to adversely affect tourism or local businesses. If permission is given there would be improvements in the Rights of Way system. It has been concluded that the proposal would not affect Trow Pool and therefore would not affect fishing there.

Viridor not contributing to village amenities

Viridor have proposed to contribute to a Community Fund. It would be for Viridor and the Parish Councils to arrange details.

PROPERTY PRICES

Housing (and land and businesses) – reduced value
OCC liable for loss of business/ruining business prospects
Cannot leave/escape development due to loss of property value – would not sell
Reduced house values – should be compensated
Will move away if permission is granted

The effects on property prices are not a material planning consideration.

WATER ENVIRONMENT

Water contaimination
Contravenes policies W3d and W7c (risk to water environment, pollution of aquifers and impact on floodplain)
Flood risk
Flood risk – potential to disrupt efficient and safe running of incinerator

The applicant and the Environment Agency (EA) have considered effects on the water environment in detail and have concluded that subject to appropriate planning conditions and licences from the EA there was no objection with regard to effects on the water environment.

Leachate from landfill causes sewage floods in Bucknell. As Viridor designed the sewage system can we trust them?

Current problems do not mean any new permission will operate with problems for local residents. Trust in the operator is not a material planning consideration.

INEXPERIENCE OF OPERATOR

Viridor – inexperienced in operating EfW Plant
Viridor – could they be trusted to operate plant safely/manage an emergency operation? – inexperience increases risk of accidents

Viridor are a major waste disposal company employing experienced staff and the proposal is for a tried and tested technology. They are aware that they must comply with any conditions imposed on any planning permission or Environmental Permit and that any operations would be closely monitored.

LANDFILL

Landfill – increase to lifetime
Restoration – impact on/must wait longer

The current landfill is expected to last to 2017. If permission is given there will be a reduction in inputs but also a reduction in void, to accommodate the EfW Plant. The life of the landfill would only be an additional 2 years. Restoration would take place progressively, as now, but overall restoration would be delayed for two years.

ENVIRONMENTAL PERMIT

Pollution Prevention and Control Permit should not be awarded/would not be deserved

This is not a material planning consideration.

CLIMATE CHANGE

Energy – GLA Report says incineration performs worse than any other technology except landfill – application implies the opposite – misleading and false
Application claims EfW has lowest contribution to climate change of alternative waste treatment options – but report from Eunomia for Greater London Authority ranked it one of the biggest contributors – Viridor refuse to critique this
Need to reduce carbon footprint, not increase it
Should not burn plastics – more carbon intensive than coal-fired power station (should be recycled or buried instead)

These are matters for the Environmental Permit application.

Consideration of elements of process lacked detail

These matters may mean that Energy from Waste is not as efficient as first thought. However, the applicant has used the WRATE system which is considered to be robust.

MONITORING

Monitoring – should be more strict
Monitoring – should be independent
Monitoring – self-monitoring inadequate
Monitoring – should be no advanced warning of inspections
Monitoring – should be continuous
Monitoring – EA inspections/monitoring inadequate
Monitoring – soils and livestock should be monitored regularly for contaminants

The points made on monitoring appear to relate to issues that would be monitored by the Environment Agency as part of the Environmental Permit, rather than by Oxfordshire County Council in relation to monitoring planning conditions. Compliance with matters covered by planning conditions would be monitored by Minerals Waste Monitoring Officers several times per year if permission was granted. Planning conditions should not cover matters which are covered by the environmental permit. The Environment Agency could issue an enforcement notice if any condition on an environmental permit is contravened, or even if they think it likely. Contravention of a permit condition is an offence (maximum £50,000 fine or 12 month prison sentence). In addition to or instead of penalties, the court may require the convicted person to take steps to remedy the situation. The Environment Agency also have powers to take steps to remove a serious risk of pollution or to remedy it and recover the cost from the operator.

Monitoring – application wrongly states that monitoring location no. 2 is not near any long term receptors even though it is near houses and village hall

The Environmental Health Officer says the monitoring station is not sufficiently close to sensitive receptors that any exceedance of pollution levels at the station will not be a risk to people in Ardley.

GENERAL

OCC has duty of care
OCC should be serving interests of Oxfordshire residents, not companies

OCC has duty to determine the planning application on its planning merits.

Deterrent to investment – will inhibit growth/impact on economy

No reason to conclude that an EfW Plant would inhibit investment.

DEFRA say waste arisings are decreasing – no need for incinerator

The covering report sets out the need for the development taking into account targets for diversion from landfill and recycling and concludes that there is a need to provide a facility to deal with residual waste.

Cherwell (and other authorities) are opposed to the proposal

It is not who objects but the strength of the objection that matters.

Precedent will be set for further applications on the site/in the area – risk of becoming industrial area

Any future development near any EfW Plant would have to be determined on its planning merits.

Viridor will build EfW plant irrespective of contract
May end up with 2 large scale facilities, far exceeding capacity needed in county
Oxfordshire could become incineration capital of the South East

It is very unlikely that Viridor would invest in a Plant if it did not get the Council contract for treating residual waste because of the uncertainty of obtaining enough waste to justify the investment. The covering report considers the implications of granting two permissions.

Smaller domestic applications rejected for aesthetic reasons – hypocritical/unfair

All applications considered on their planning merits regardless of size.

Community cohesion at risk due to proposal

It would be difficult to see how community cohesion in the area would be at risk through the grant of this application.

Local MPs/Councillors not representing constituents views

The support or otherwise of MPs or Councillors is not a material planning consideration.

Development Plan – prematurity

The covering report considers the implications of prematurity.

Viridor – existing joint venture with Grundon on Colnbrook waste incinerator – already running 1 year behind schedule

The speed of implementation of another development is not relevant to the determination of this application.

No benefits/compensation for residents e.g. renewal of children's play area

Benefits for the community must be commensurate to the amenity disbenefit of the proposal and must meet the tests for conditions/agreements. The applicant is willing to provide a pedestrian crossing in Ardley. Apart from determination of the application Viridor have stated they would contribute to a Community Fund.

Jobs – do not justify/not worth incinerator
Jobs – claims of creating jobs for local residents and the local economy misleading – most workers at the recycling centre are migrant workers – does not benefit local people

The provision of jobs in the local area is not a major planning consideration for this application.

Chimneys pose danger to low-flying aircraft

If an EfW Plant was built it would have to comply with flying safety regulations.

COMMENTS MADE BY CONSULTEES WHICH HAVE NOT BEEN ADDRESSED IN THE MAIN REPORT OR UNDER REPRESENTATIONS ARE LISTED BELOW TOGETHER WITH OFFICER COMMENTS:

Chimney will cause harm to the character and appearance of the countryside

This point was made by many objectors within a general visual objection. The main report concludes that the Plant would cause harm to the character and appearance of the countryside and that would include the chimney.

OCC was inviting submissions for treatment facilities at the same time as asking the public to comment on site selection. The Parish Council has never been 'informed' in inviting companies to submit tenders for treating residual waste as was promised in the Statement of Community Involvement
OCC's website states that consultation on possible waste sites will take place as part of the WDF process. It is a sham. The market has dictated the location and type of facility to be provided
If planning permission is granted the public's comments on site selection cannot be incorporated. Lack of transparency has caused distrust and stress

The Council is procuring an EfW Plant and consultation processes for it are not material planning considerations. At the same time the Council is producing a Waste Development Framework (WDF) that does involve consultation in line with the Statement of Community Involvement. The planning application has involved the applicant in consultation with Parish Councils and the Council have consulted widely on the application. If the application is approved the WDF will be preceded to a significant extent.

Both applications for planning permission (Ardley and Sutton Courtenay) claim their site is best which indicates bias in the site selection process
By inviting two companies to propose solutions in a competitive process permission needs to be granted to both to keep competition alive contrary to policies WM1 and WM2 of OSP

Both applicants have stressed the best aspects of their developments and concluded theirs is the best. In any event, the applications must be decided on their planning merits by the Planning Authority. There is no planning need to grant two applications.

If permission is granted a condition is requested that only Oxfordshire waste be treated to accord with the proximity principle

If permission is granted the Planning Authority would seek to ensure most waste comes from Oxfordshire. However, regional policies do allow for some cross boundary movement of waste.

An incinerator only generating electricity wastes huge amounts of heat. The European Commission's thematic strategy on waste prevention and recycling says 'at low efficiencies incinerators might not be more favourable than landfill'

An EfW Plant would generate more electrical energy more efficiently than a landfill site.

The potential for heat use does not constitute a 'material consideration'

The use of heat would comply with SEP policy NRM12 and so is a material planning consideration.

If permission is granted there should be conditions to provide each house in Ardley with Fewcott, at no cost to the occupants, heat from the EfW

Supplying heat to all properties in Ardley cost free is not commensurate with the amenity disbenefits of the development or with the tests for conditions and agreements and so cannot be secured.

If the site selection process had been complete we doubt that Ardley Fields Farm would have been chosen. If the process had been completed it would have corrected errors which include:-

- **omission of a designated and potential SSSI**
- **presence of a European Protected Species**
- **assumption that waste could be delivered by rail, which is not possible due to impacts on an SSSI and on a large part of a restored landfill**
- **incorrect understanding of local road connections –**
  - **B430 runs through Ardley, not around it;**
  - **pinch point at railway bridge stopping 2 HGVs passing each other at that point;**
  - **trunk road network (M40, junctions 9 and 10 and A34) are already congested with no plans for improvement;**
  - **that the site is an existing waste management facility does not recognise that PPS 10 says WPA's should not assume that it is appropriate to add or extend existing waste facilities. Should consider cumulative effect of previous waste facility on community's wellbeing. Impacts on environmental quality, social cohesion and inclusion and economic potential may be relevant. Engagements with local communities will help.**

If a site selection process had taken place as part of the WDF process it may well have chosen a different site. However, the application must be determined on its planning merits.

The fact that the site is under the control of the waste management industry is not a PPS 10 criteria for site selection for waste facilities

The applicant is entitled to choose his own site selection criteria. However, the application must be determined on its planning merits.

It is contrary to PPS 10 which says consideration should be given to the social fabric of communities and PAs should reduce social inequalities to deliver safe, healthy and attractive places to live

The EfW Plant is sufficiently far from villages not to prejudice PPS 10 considerations.

There is no detail associated with IBA aggregates

There is sufficient detail to understand the proposed operations. If permission is granted more details of operation of the IBA could be required by condition.

If permission is granted there should be a new stretch of road to the east of Ardley village from J10 to the B430 at the railway. It should be in cutting and with low noise surfacing to the satisfaction of Ardley with Fewcott PC

The cost of such a bypass is not commensurate with the amenity disbenefits of the development.

If permission is granted the design and layout should be changed to ensure it is not visible from any location

It is not practicable to hide the building.

The aerial view is unfortunate and would not want it to become the Cerne Abbas Giant of the 21st Century, the layout should be changed

The aerial view will seldom be seen and does not warrant a change in layout.

The landscape scheme is confusing and full details of landscaping should be applied before any permission is granted.

The landscape scheme is not fully detailed and if permission is granted further details should be required by condition.

As OCC decided 'to ensure an independent assessment of health risks before commissioning any Energy from Waste Facility' 15 January 2009 it had concerns on health aspects of incineration.

This was a matter for procurement process and is not a material planning consideration.

There is no consideration of more than a qualitative environmental impact of odour and bio aerosol particles above 10 microns in size.

Odour and bio-aerosols have been considered as part of the ES.

No environmental impact of heat pipelines undertaken

Heat pipes are not a part of this application. They may well be permitted development. If not, their environmental impact will be considered as part of any application.

The sustainability appraisal for the application was based on WRATE. WRATE has flawed assumptions on efficiency and bio-carbon and gives an over-estimation of the benefits of incineration and are not consistent with PPS 1 which requires developments to state how well they are adapted to climate change effects

The WRATE system is used widely. I am not aware that there are flaws in any assumptions used which would give a significantly different rating for EfW Plants.

Objects to incinerator for the following reasons:-

- **Haulage to the site has been incorrectly considered. Trip Generation statistics must be incorrect and a full traffic assessment should be undertaken as HGV movements would increase by 30%.**
- **Night-time deliveries are objected to.**
- **Traffic measures appear to have been taken during half term period in February 2008 when a lighter load would be expected.**

The Council carried out its own surveys as a result of objections and the results are set out in the report. I agree that night time deliveries should not be allowed for amenity reasons. If permission is granted a condition should prevent night time deliveries.

The additional traffic on the B430 will mean people will look for an alternative route through Somerton, both north and south. Closures of the M40 have caused this traffic congestion already. Nothing offered for traffic calming to discourage speeding. Therefore, object and request proposal is adjusted to reflect concerns and firm commitment given to funding of measures to counter severe deterioration to quality of life in Parish.

Additional traffic from the site would not add more than 1% to total traffic and would not cause more congestion in Somerton. Funding measures to counter adverse effects in Somerton are not justified.

There is no reference to a community fund for projects

The applicant has said he would contribute to a local community fund. It would not be a requirement of any permission as it would not meet the tests for a planning agreement. Any contribution would be a matter for the applicant and local communities.

There is no liaison forum for local residents during construction phase

There is a local liaison committee for the Ardley site and, if permission is granted, it should be convened regularly.

Objects on transport grounds as increase in HGV traffic will pose risks on B4030. The B4030 is unsuitable for lorries and a routeing agreement should be prepared if permission is granted.

If permission is granted the Council would seek a routeing agreement to ensure large HGV's only access from the M40 via Ardley. Smaller HGVs such as Refuse Collection Vehicles could use the B4030 without significant problems.

A composting facility is an excellent plan providing traffic does not affect villages

Composting is not proposed on the site. A composting site is already located close by.

Why does the County need a 300,000 tonnes p.a. incinerator when it only produces 175,000 tonnes of waste?

The County produces some 175,000 tonnes of MSW and a much larger tonnage of C&I which justifies building a plant to process it.

Conditions/Agreements should secure management of pollution risks and air quality from the EfW Plant

Management of these matters are for the Environment Agency to secure through the Environmental Permit application process.

Would welcome quantity and source controls as at Sutton Courtenay

The application provides for input of Commercial and Industrial Waste unlike Sutton Courtenay. There is a need for treatment facilities for such waste and the implications of the greater throughput at Ardley is considered in the report.

Pedestrian crossings cost far more than the Council has indicated

The applicant has agreed to provide a crossing and I am informed that the cost would be £15,000.

Highways Agency website says there is a problem with the A34/M40 and any increase would make the problem worse

The Highways Agency does not object to the proposed development.

The proposed green travel plan does not contain details on how workforce traffic will be reduced. They will have to drive

If permission is granted a travel plan would be agreed and would need to reduce workforce traffic.

If permission is granted times for deliveries should be restricted to 9.30 am to 4.00 pm

The development would not materially increase congestion because it would represent only 1% of the overall traffic. Therefore, it would not be reasonable to restrict their traffic at these times. Restrictions should be similar to those for the existing landfill. That would give a significant amenity effect in Ardley at night and at weekends.

If landfill capacity is reduced, as proposed, where will the needed replacement be?

The loss of landfill capacity is contrary to SEP policy W13. Alternative landfill capacity would need to be permitted elsewhere. It is not possible to say whether this could be provided easily.

Viridor takes no action on mud and dust on the road, slimy road surfaces, litter in hedgerows and flies in the village

I am not aware that the existing site creates major problems as described. Any EfW Plant can be better controlled than a quarry and landfill and are unlikely to create these problems.

Transporting waste to Ardley rather than Sutton Courtenay would mean 16,500 tonnes extra of CO2 would be produced from traffic and would cost Oxfordshire taxpayers an extra £267,000 over 25 years

It is probable that an Ardley site would result in a greater production of CO2 from traffic than Sutton Courtenay would. The cost to taxpayers depends on more than the cost of transport. In any event, cost is not a material planning consideration.

Annual cost of fuel to access Ardley (+£1.1m) outweighs LATS fines

Costs of fuel and LATS fines are not material planning considerations.

The baseline air quality assessment is questioned. Claims of no significant effect on local communities are not defensible

This is a matter for the Environmental Permit application.

A full EIA transport assessment should be undertaken. It should consider:

- **gates survey to gauge correct traffic level**
- **66% increase in traffic**
- **policing of routeing**
- **declassification of B430**

The applicant's transport assessment and the Council's surveys give sufficient information to gauge transport effects. A gate survey was carried out and the increase in traffic from the proposed development was gauged. Any routeing agreement should include provision for easy monitoring and enforcement. Any declassification and weight restriction as a result of implementation of a Local Transport Plan (LTP) would affect through traffic only and prevent rat-running of HGVs. The provisions of any LTP would not affect HGVs accessing sites within the restriction area.

Bridleway 26 should have a diversion over the brick railway bridge rather than use the level crossing

The possibility of using the brick railway bridge should be discussed with the applicant.

Local rights of way will be interrupted and decline

Rights of Way would not be interrupted. A diversion would have to be in place before the definitive line of bridleway 27 was abandoned.

Bucknell would experience noise in the evenings from lorry reversing alarms

It is proposed that should permission be given the hours for traffic generation would be similar to those for the current landfill and would cease in the early evening. In any event, lorries visiting the EfW Plant would only reverse inside the building. Bucknell is separated from the site by the M40 and noise from that source is likely to be greater than any emanating from the site.

Heat use is unviable because of cost of pipework

There is little detail in the application on use of heat. The viability of its use at distance is unknown.

A named palaeontologist should be appointed

If permission is granted a condition would be needed to control how dinosaur footprints are protected.

Zero waste and incineration are incompatible

National targets for recycling and diversion of waste do not include zero waste as a target.

No consideration of risks of major accidents

Risks are those associated with pollution and are a matter for the Environmental Permit application process.

Does incineration make air quality worse?
Should there be mandatory continuous automated monitoring data for pollutants?
Are there plans to measure current contamination in the environment?
Has work on distribution of emitted particles been carried out?
Who is responsible if adverse health conditions develop?
How soon would public be notified of a disaster – is there an Action Plan?
Insufficient analysis of CO2 release. Global warming effect?
Will there be contamination in dry windy weather or wet weather?
Who would be responsible for contaminating the aquifer?

These are matters for the Environmental Permit application.

Is CHP not possible because of lack of connections? Does it make Ardley not acceptable environmentally and economically.

CHP has not been proposed and the viability of connections not assessed. Lack of CHP does not meet the aspirations set out in SEP policy NRM12 which is disappointing but does not make the development unacceptable.

Does incineration undermine the waste hierarchy?

The report confirms that there is a need for a facility to deal with waste that cannot be recycled and should not be landfilled. It would move waste up the hierarchy to an appropriate level.

Does incineration have low energy efficiency compared with other treatment levels?

The proposal is for an EfW plant, not straight incineration. Applying the WRATE assessment shows that it is comparable to other treatment methods and better than landfill.

Does incineration destroy materials that could be recycled?

An EfW Plant would not prevent national targets for recycling being achieved.

To reduce global warming should incineration be discouraged?

An EfW Plant would process residual waste that could not be recycled, reused or reduced and has less global warming effect than landfilling.

A number of statements in the additional information document are questioned

These are discussed in the report or in answers to representations.

The chimney will be seen from Aynho, Croughton and Evenly

The building does not comply with countryside policies in the Cherwell Local Plan. The view of the chimney contributes to that. However, views of the chimney from these villages would not be significant.

Section 12 of the ES does not adequately assess the impact of the proposal on the Upper Heyford Conservation Area. The chimney would be visible from there

Another part of the ES assesses the impact. The chimney would be visible but the distance means views would not be significant from the Conservation Area.

How can supplier be identified in advance of planning decision?

Contract provisions are not material planning considerations.

ANNEX 5

RELEVANT DEVELOPMENT PLAN AND OTHER POLICIES AND GUIDANCE

Waste Management Policy

Waste Policy Statement
PPS10 contains guidance on making decisions regarding waste management and promotes sustainable waste management, the moving of waste up the 'waste hierarchy' and disposing of waste to landfill as a last resort after reduction, reuse, recycling and energy recovery.

South East Plan
SEP policy W3 refers to regional self-sufficiency and states that waste authorities and waste management companies should ensure management capacity equivalent to the amount of waste arising and requiring management within the region's boundaries. Provision for recycling, recovery and composting should be made reflecting targets.

SEP policy W4 states that waste planning authorities should plan for net self sufficiency. A degree of flexibility should be used when applying the sub-regional self sufficiency concept and where appropriate and consistent with SEP policy W3 capacity should also be provided for waste from adjoining sub regions.

SEP policy W5 sets out targets for the diversion of waste from landfill for the region and goes on to state that the optimal management solution will vary according to the individual material resource streams and local circumstances and will usually include one or more of: re-use, recycling, mechanical/ biological processing, thermal treatment. Priority should be given to processes higher up this hierarchy. It states that sufficient landfill should continue to be provided for residues and waste that cannot practicably be recovered.

SEP policy W13 states that provision should be made for continuing but declining landfill capacity. Non-inert landfill capacity should be husbanded to provide for disposal of residual non-inert waste.

SEP policy W16 states that policies should aim to reduce the transport and associated impacts of waste movement.

SEP policy W17 states that in identifying suitable sites for waste management facilities, priority should be given to safeguarding and expanding suitable existing (permanent and temporary) waste management sites. The suitability of sites should be assessed on the basis of characteristics including good accessibility from existing urban areas, good transport connections, compatible land uses and ability to meet environmental and amenity criteria.

OMWLP policy W2 states that provision will be made to accept waste from London and other parts of the South East for treatment/disposal within Oxfordshire, provided that the treatment/disposal is consistent with regional, structure and local plan

policies. Proposals for the treatment or disposal of waste from London requiring road transport for the principal component of its journey will not be permitted.

OMWLP policy W5 states that waste treatment plant, machinery, buildings and stockpiles must be properly screened from the surrounding landscape. Such screening – by landscaping or other means – should be in place before any waste stockpiling or treatment begins.

SEP policy W6 sets targets for recycling and composting within the South East region until 2025. It states that waste planning authorities should adopt proposals to assist delivery of these targets.

SEP policy W7 states that waste planning authorities should provide for an appropriate mix of development opportunities to support the waste management facilities required to achieve the targets set out in SEP.

SEP policy W12 states that waste development documents should only include energy from waste as part of an integrated approach to management and that proposed waste facilities should operate to the required pollution control standards and include measures to ensure that appropriate materials are recycled, composted and recovered where this has not been carried out elsewhere. Proposed thermal facilities should, wherever possible, aim to incorporate combined generation and distribution of heat and power.

Recycling (applies to HWRC)

SEP policy W3 – Proposals for recycling permitted provided site is close to waste/market, well located to transport network, no nuisance, no risk to water environment, no conflict with other policies.

SEP policy W4 – Permit recycling in open countryside only if: overriding need and no other site available and/or forms part of landfill site and will be removed once it's complete.

Impacts on the local Environment

Pollution and Amenity

PPG23 covers planning and pollution control. It states that, 'any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to impacts on health, is capable of being a material planning consideration, in so far as it arises or may arise from or may affect any land use.' It also states that 'where it will save time and money, consideration should be given to submitting applications for planning permission and pollution control permits in parallel and co-ordinating their consideration by the relevant authorities'. It states that, 'planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced' and advises that 'the controls under the planning and pollution control regimes should complement rather than duplicate each other.'

Other matters that PPG23 states may be material considerations in the determination of planning applications include the possible impact of potentially polluting development on land use, including effects on health, the natural environment or general amenity, the potential sensitivity of the area to adverse effects from pollution, the environmental benefits that the development might bring, the economic and wider social need for development, the existing, and likely future, air quality in an area, the need for compliance with any statutory environmental quality standards, the need to limit and where possible reduce greenhouse gas emissions and possible adverse impacts on water quality.

PPG24 provides Government Policy on noise. It outlines the considerations to be taken into account in determining applications for development which will generate noise and advises on the use of conditions to minimise the impact of noise.

SEP policy NRM9 states that local authorities should seek an improvement in air quality in their areas.

SEP policy E7 states that local authorities should work with the Environment Agency and others to play a positive part in pollution control and encourage measures to improve air quality. At the planning application stage local authorities should ensure that air quality is taken into account along with other material considerations.

SEP policy NRM8 states that measures will be developed to address and reduce noise pollution at regional and local level.

CLP policy ENV1 (and NSCLP policy EN3) state that development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other type of environmental pollution will not normally be permitted.

NSCLP policy EN5 states the Council will have regard to likely impact of development on air quality from its operation or traffic generated. Development which has a significant adverse impact on air quality will not be permitted. Council will seek to improve air quality through control of development.

NSCLP policy EN6 states:
Council will seek to avoid unnecessary light pollution. External lighting schemes will need to demonstrate that:

(i) lighting scheme is minimum needed;
(ii) light pollution is minimised;
(iii) no detrimental impact on residential amenity, character and appearance of the landscape, nature conservation or highway safety.

Ecology and Geology

PPS9 on Biodiversity and Geological conservation sets out the Government's objectives for planning and biodiversity and geological diversity. The broad aim is that planning and development should have a minimal impact on biodiversity and enhance it wherever possible. The objectives set out to achieve this include the promotion of sustainable development by ensuring that biological and geological diversity are conserved and enhanced so that development decisions integrate

biodiversity and geological diversity with other considerations and the conservation and enhancement of wildlife and geology by sustaining and improving the quality and extent of natural habitat, physical processes and species.

PPS9 also identifies key principles to follow in the determination of planning applications. These include that decisions should be made on the basis of up to date information about the environmental characteristics of areas, appropriate weight should be attached to designated sites and the aim of planning decisions should be to prevent harm to biodiversity. Where granting a planning permission would result in significant harm to those interests, planning authorities should be satisfied that the development cannot reasonably be located on any alternative sites that would cause less harm. In the absence of such alternatives adequate mitigation should be put in place. Where harm cannot be prevented or mitigated against appropriate compensation measures should be sought. If significant harm cannot be prevented, mitigated against or compensated, permission should be refused.

SEP policy E1 states that priority should be given to protecting areas designated at an international or national level for their intrinsic nature conservation value.

SEP policy E2 states that the region's biodiversity should be maintained and enhanced with positive action to achieve the targets set in national and local biodiversity action plans through planning decisions and other measures.

SEP policy NRM5 states that local planning authorities shall avoid a net loss of biodiversity and actively pursue opportunities to achieve a net gain across the region. The highest level of protection shall be given to sites of international conservation importance. Where a likely significant effect cannot be excluded an appropriate assessment will be required. If this is unable to conclude that there would be no adverse effect on the integrity of the site the plan or project will not be approved. Damage to nationally important sites and county wildlife sites will be avoided. Plans shall require green infrastructure in conjunction with new development.

OMWLP PE14 states that sites of nature conservation importance should not be damaged.

CLP policy C1 states the Council will seek to promote the interests of nature conservation. Development which result in loss or damage to SSSIs or other designated wildlife sites will not normally be permitted. The Council will seek to protect sites of nature conservation value.

CLP policy C2 (and NSCLP policy EN25) states development adversely affecting any species protected by the Wildlife and Countryside Act 1981 or Habitats Directive 1992 will not normally be permitted.

NSCLP policy EN23 states development which may affect a known or potential site of nature conservation value will submit an ecological survey to establish the ecological impact.

NSCLP policy EN24 states the Council will seek to promote nature conservation interests through control of development. Development damaging to sites of ecological or geological value will not be permitted unless:

(i) for internationally important sites no alternative solution and over-riding public interest for the development;
(ii) for nationally important sites need for the development clearly outweighs ecological or geological value or national policy to safeguard such sites; or
(iii) for regionally or locally important sites the reasons for development outweigh ecological or geological value.

Where development is permitted damage must be minimal and conditions and obligations will be used to protect and enhance ecological or geological interest or provide mitigation.

NSCLP policy EN22 states development proposals will be expected to incorporate features of nature conservation value in the site and such features should be retained and enhanced. Conditions and obligations sought to secure protection and management or secure compensatory measures.

NSCLP policy EN27 states development proposals should incorporate creation of new habitats wherever possible. The Council will assist in their establishment where it is for environmental education and passive recreation.

Landscape

SEP policy C4 states that outside nationally designated landscapes positive and high quality management of the region's open countryside should be supported.

CLP policy C8 states sporadic development in the open countryside including developments in the vicinity of motorway or major road junctions will generally be resisted.

CLP policy C7 states development will not normally be permitted if it would cause demonstrable harm to the topography and character of the landscape.

CLP policy C9 states beyond the existing and planned limits of the towns of Banbury and Bicester development of a type, size or scale that is incompatible with a rural location will normally be resisted.

CLP policy C10 states development which would have a detrimental effect upon the character and appearance of historic landscapes, parks and gardens and battlefields and their settings will normally be resisted.

NSCLP policy EN30 states sporadic development in the countryside beyond the existing and planned built-up limits of settlements including developments in the vicinity of motorway or major road junctions will be refused.

NSCLP policy EN31 states beyond the existing and planned limits of the towns of Banbury and Bicester development of a type, size or scale that is incompatible with a rural location will be refused.

NSCLP policy EN34 states the Council will seek to conserve and enhance the character and appearance of the landscape through the control of development. Proposals will not be permitted if they would:

(i) cause undue visual intrusion into the open countryside;
(ii) cause undue harm to important natural landscape features and topography;
(iii) be inconsistent with local character;
(iv) harm the setting of settlements, buildings, structures or other landmark features;
(v) harm the historic value of the landscape.

NSCLP policy EN36states the Council will seek opportunities to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.

NSCLP policy EN37 states in exercising its development control functions the Council will welcome opportunities for countryside management projects where:

(i) all important trees, woodland and hedgerows are retained;
(ii) the ecological value of the site will be enhanced; and
(iii) new tree and hedgerow planting using species native to the area and of local provenance is encouraged and subsequently managed.

Rights of Way

SEP C6 states that local authorities should encourage access to the countryside particularly by maintaining and enhancing existing rights of way, identifying opportunities and planning for routes within and between settlements and where possible making routes multi-functional to allow horses, pedestrians and cyclists to use them.

OMWLP policy PE11 states that the rights of way network should be maintained and individual rights of way retained in situ. Diversions should be temporary, safe and convenient and should be reinstated as soon as possible. Any proposal for permanent diversion should fulfil the functions of recreational and communications use of the right of way. Improvements to the rights of way network will be encouraged.

NSCLP policy R4 states the Council will safeguard and, where possible, enhance the existing public rights of way network. Development over public rights of way will not be permitted unless a suitable diversion can be secured which will not prejudice public rights.

Public Access

OMWLP policy PE12 states in appropriate cases public access will be sought to restored mineral workings, planning permission would not be granted until its provision and long-term management has been secured.

Design

SEP policy CC6 states that decisions associated with the development of land will promote the creation of sustainable and distinctive communities. This will be achieved by developing a vision which respects and where possible enhances the character and distinctiveness of settlements and landscapes and creates a high quality built environment which promotes a sense of place.

SEP policy CC4 states that the design and construction of all new development will be expected to adopt and incorporate sustainable construction standards and techniques.

Impacts on Water Environment

Government policy on flood risk is set out in PPS25. This aims to ensure that flood risk is considered at all stages of the planning process. Planning authorities should consult the Environment Agency and they should provide advice on flooding for all development on land exceeding 1 hectare. Site specific Flood Risk Assessments should be provided for development over 1 hectare in flood zone 1 and for all proposals in flood zone 2 and 3.

SEP policy NRM1 relates to the protection of the water environment. It states that development should not be permitted that presents a risk of pollution.

CLP policy ENV7 (and NSCLP policy EN12) states that development which will directly adversely and materially affect water quality of surface or underground water bodies, such as rivers and lakes, will not be permitted.

CLP policy ENV12 states that development on land known or suspected to be contaminated will only be permitted if
(i) adequate measures are taken to remove the threat;
(ii) the development is not likely to result in contamination of surface or underground water resources;
(iii) there is no conflict with any other policy in the plan.

NSCLP policy EN11 states development will only be permitted where adequate water resources exist or can be provided without detriment to existing use.

NSCLP policy EN13 says river corridors will be protected and enhanced where possible. Development by watercourses should:
(i) conserve existing value and restore natural elements;
(ii) not adversely impact nature conservation, fisheries, landscape, public access or water related activities;
(iii) promote appropriate public access;
(iv) identify locations for water related activities;
(v) make adequate provision for maintenance; and
(vi) make adequate provision for buffer zones.

NSCLP policy EN14 states in flood risk areas new development or land raising will not be permitted if proposals:
(i) result in net loss of floodplain storage;
(ii) impede floodwater flow;
(iii) increase the risk of flooding elsewhere.

NSCLP policy EN15 states new development generating increased surface water run-off affecting watercourses such as increased risk of flooding or damage to habitats will not be permitted unless appropriate source control and/or attenuation measures are included. Developers should pay for these measures.

Landfill

SEP policy W14 states that high quality restoration and, where appropriate, aftercare should be secured on waste management sites.

OMWLP PE13 states that landfill sites should be restored within a reasonable timescale to an afteruse appropriate to the location and surroundings. Restoration proposals should be submitted at the same time as any planning application for mineral working.

OMWLP policy W7 states that proposals for landfill sites will be assessed against the following criteria:
a. there is a definite need for the facilities which cannot be met by existing or permitted landfill sites;
b. no material damage or disturbance to the environment or to the amenities of residential and other sensitive uses;
c. no impedance of floodplains or risk of pollution;
d. no material damage within a Site of Special Scientific Interest or other site of nature conservation importance;
e. no material damage to an ancient monument or archaeologically important area;
f. no adverse effects on an Area of Outstanding Natural Beauty;
g. no injury to the visual amenities of the Green Belt or conflict with its purposes;
h. suitable access and transport routes;
i. progressive restoration and completion within an acceptable period;
j. meet with hydrological and geological requirements for safe disposal.

Traffic and Transport

PPG13 sets out the Government guidance in relation to transport. The key objective is to promote more sustainable transport choices.

SEP policy T1 states that management proposals and policies should favour sustainable modes of transport, encourage development which is located and designed to reduce average journey length, improve the maintenance of the existing transport system, include measures to minimise negative environmental impacts and where possible enhance the environment and communities.

SEP policy T5 states that development documents and transport plans must identify categories of major traffic generating development for which travel plans should be developed.

SEP policy CO5 states that there should be a co-ordinated approach in effective management and development of transport networks in Central Oxfordshire and access to Oxford from major towns will be a priority.

SEP policy T2 states that development plans should include policies that give priority to: the maintenance of the existing transport system, improvements to the overall levels of safety and access, reduction of the environmental impact of movement and ensuring that new transport infrastructure enhance the communities and environment affected.

CLP policy TR7 states development that would regularly attract large commercial vehicles or large numbers of cars onto unsuitable minor roads will not normally be permitted.

NSCLP policy TR1 states all traffic generating development must contribute to achieving the objectives of the Local Transport Plan.

NSCLP policy TR3 states a transport assessment and travel plan must accompany development proposals likely to generate significant levels of traffic.

NSCLP policy TR4 states before proposals for development are permitted the Council will need to be satisfied that all appropriate mitigation measures required to support that development are identified within an implementation programme. Such measures will include highway improvements, traffic management measures, improved public transport and/or facilities and measures to improve pedestrian and cycle accessibility.

NSCLP policy TR8 states development that would prejudice pedestrian and cycle circulation or route provision will not be permitted.

NSCLP policy TR11 states development likely to attract vehicular traffic will be required to:

(i) Accommodate within the site the necessary highway safety requirements relating to access, turning and servicing.
(ii) Include appropriate measures to minimise the visual impact of vehicles and parking areas.
(iii) Comply with maximum standards for car parking.
(iv) Provide parking for people with disabilities in accordance with the Council's standards.
(v) Provide cycle parking in accordance with the Council's standards.

Development proposals which do not have regard to these criteria will not be permitted.

NSCLP policy TR16 states development that would generate frequent heavy goods vehicle movements through residential areas or on unsuitable urban or rural roads will not be permitted.

Energy

SEP policy NRM12 states that policies should encourage the integration of combined heat and power (CHP) in all developments.

NSCLP policy D9 states in assessing development proposals the Council will seek to ensure that energy efficiency design principles are incorporated by means of:

(i) minimising energy loss through appropriate urban form, siting of buildings and soft landscaping;
(ii) maximising natural (passive) solar heating, natural lighting, and natural ventilation by means of appropriate layout and orientation;
(iii) minimising energy consumption by means of building design;
(iv) ensuring that the aesthetic implications of the green technology proposed are appropriate to the particular context of the proposals;
(v) providing adequate accommodation for waste separation and recycling facilities.

Employment

SEP policy RE3 states that local development documents should provide a range of sites for general employment purposes in locations which are accessible to the labour supply, make efficient use of underused sites, focus on urban areas and promote the use of public transport.

Historic Environment

Government policy on planning and the historic environment is set out in PPG15 as amended by Circular 01/01 and 01/07. This urges planning authorities to ensure they have appropriate specialist advice on any application which, by its character or location, might have an adverse impact on any sites or structures of the historic environment. PPG15 states the Secretary of State's view that the desirability of preserving or enhancing conservation areas should be a material consideration in decisions regarding proposals outside the conservation area, but which would affect its setting or views into or out of the area.

NSCLP policy EN39 states development should preserve listed buildings, their features and settings, and preserve or enhance the character or appearance of designated conservation areas, as defined on the proposals map. Development that conflicts with these objectives will not be permitted.

Hazardous Substances

NSCLP policy EN20 states proposals for new installations handling hazardous substances will not be permitted in close proximity to housing and other land uses which may be incompatible from the safety viewpoint or in proximity to environmental areas of particular sensitivity or interest. Proposals relating to an existing

establishment will not be permitted if it would increase risk to human health or the environment.

Land Resources

NSCLP policy EN16 states development on Greenfield land including the best and most versatile (Grades 1, 2 and 3a) agricultural land will not be permitted unless there is an overriding need for the development and opportunities have been assessed to accommodate the development on previously developed sites and land within the built-up limits of settlements.

If development needs to take place on agricultural land, then the use of land in grades 3b, 4 and 5 should be used in preference to higher quality land except where other sustainability considerations suggest otherwise.

Environment

MWLP policy PE18 sets out a Code of Practice for the operation of mineral workings and waste disposal operations to regulate them by imposition of conditions and seeking of planning obligations.

NSCLP policy EN1 states in determining planning applications the Council will take into account the likely impact of a proposal on the natural and built environment and will seek to enhance the environment whenever possible. Development which would have an unacceptable environmental impact will not be permitted.

NSCLP policy EN2 states in exceptional circumstances, where a development proposal is essential, but is likely to result in demonstrable harm to the environment and has no acceptable alternative, then in addition to appropriate mitigation measures, the Council will seek compensation for the environmental resource harmed or lost in order to conserve and enhance the overall quality of the environment. The type of environmental compensation should be the same as the resource which is being replaced. Replacement of some environmental resources will not be appropriate in any circumstances.

NSCLP policy EN3 states development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other type of environmental pollution will not be permitted.

Tall Buildings

NSCLP policy D10a states for tall buildings will only be approved when:

(i) They relate well to their context, including both topography and built form.

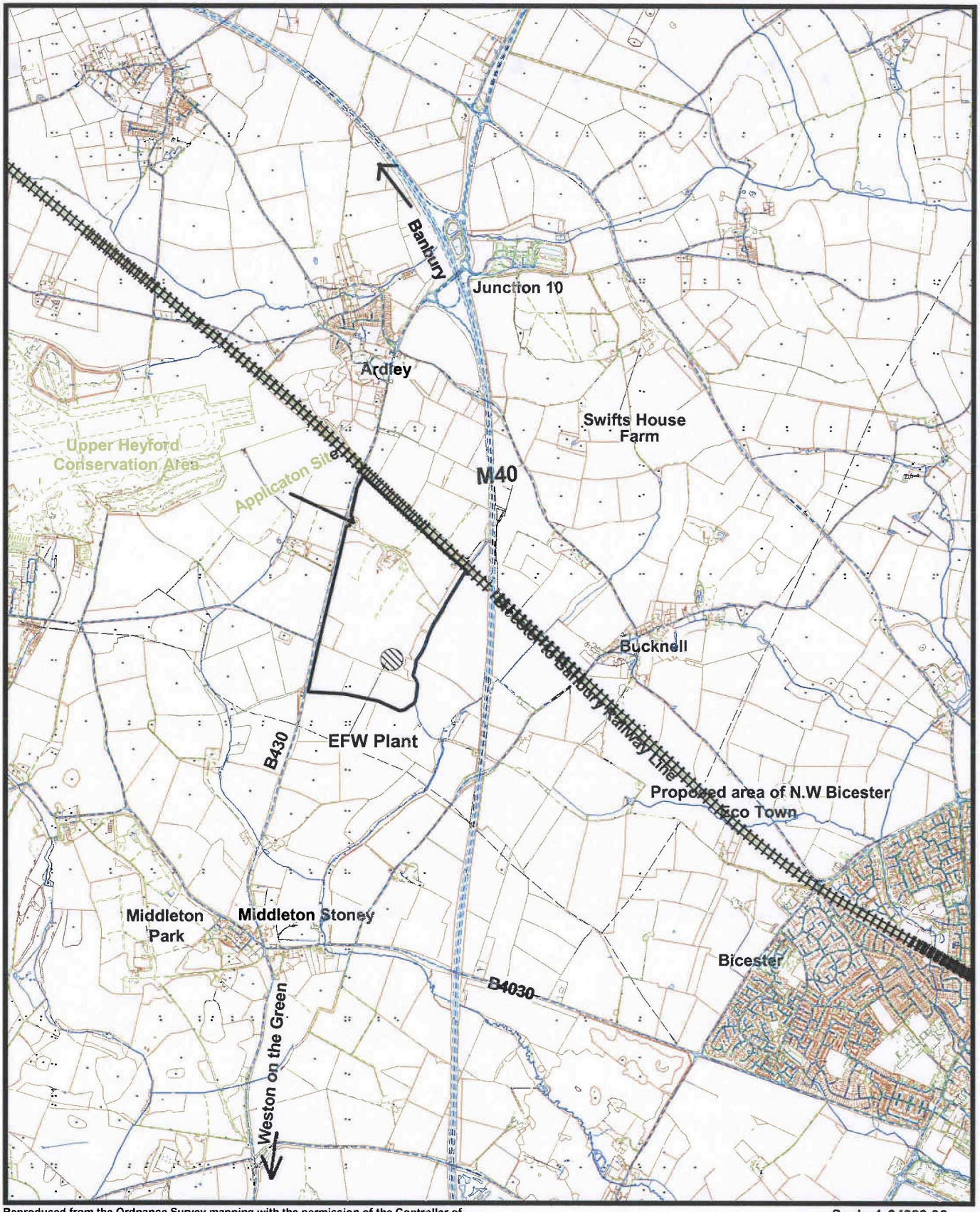
(ii) They will not damage or detract from:
- listed buildings and their settings including the backdrops to landmark buildings
- Conservation Areas and their settings
- open spaces including rivers
- skylines and other important views.

(iii) Their architectural qualities including their scale, form, massing, silhouette and facing materials respect their location and their relationship to other structures.
(iv) They contribute positively to public spaces in the area including their permeability for pedestrians, particularly disabled people, and cyclists.
(v) They do not have an adverse impact on the local environment, including overshadowing, microclimate effects and night time appearance.

Other issues

SEP policy E8 states that development plans should set out policies on the level of protection to be offered to the best and most versatile agricultural land and ensure that soils are protected.

Plan 1 - Location Plan



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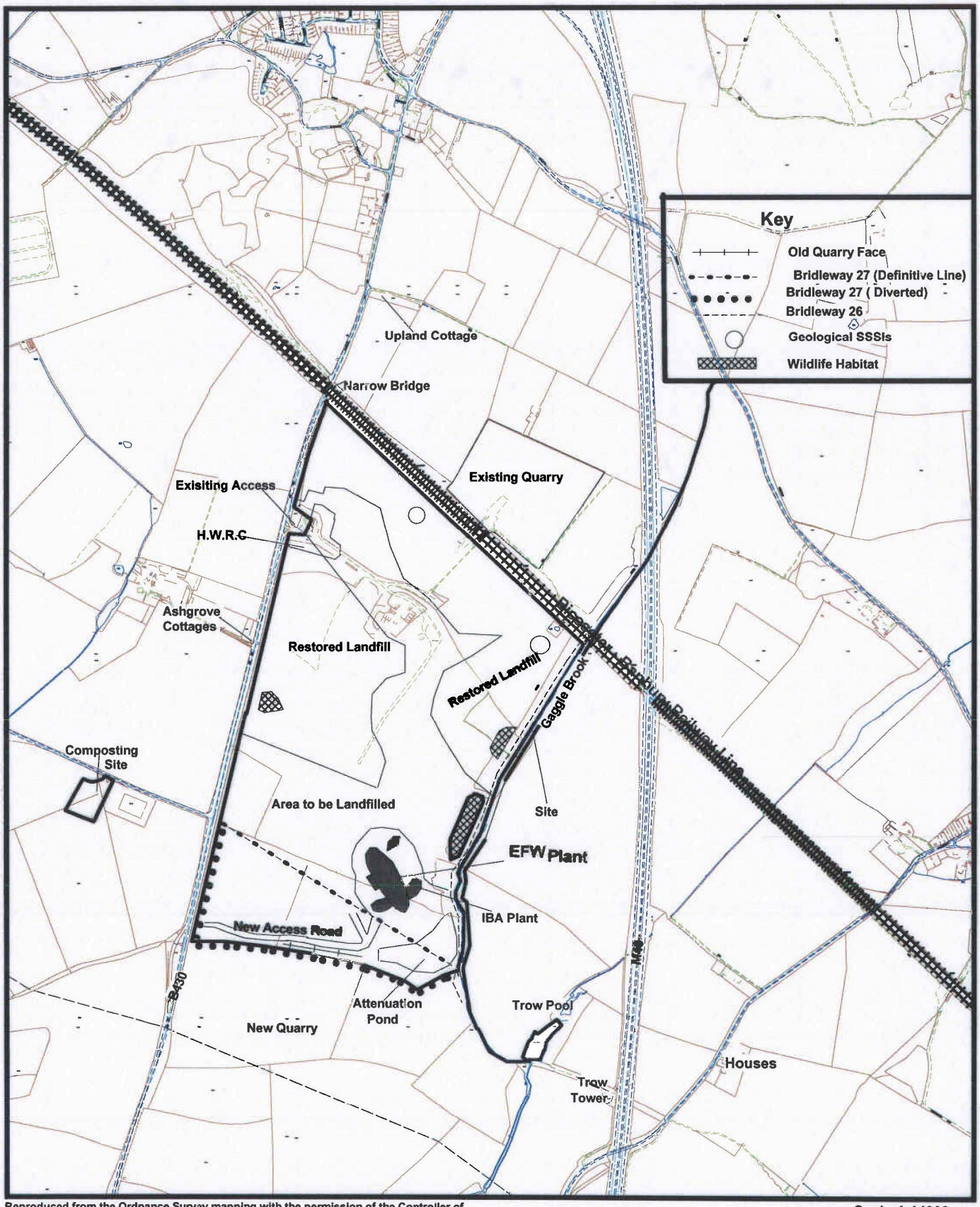
Plot Date:6/10/2009
By: T.Philp
Dept:

Plan 2 - Site Plan



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Dept: