

ENVIRONMENTAL QUALITY

INTRODUCTION

- 12.111 This section contains policies on pollution control, contaminated land and unstable land and hazardous substances. Pollution may be caused by the release of substances in the air, ground or water or by excessive noise, dust, vibration, light or heat. Land uses with the potential to cause pollution should be properly controlled and similarly those land uses which may be affected by pollution should be either kept away from its sources or protected by other means. The following policies together with policies LP10, LP39 and LP40 seek to address this land use issue. It should be recognised that these issues are also controlled by other environmental protection legislation and potential developers should be aware of these matters.

POLICY LP46: POLLUTION CONTROL

Planning permission will not be granted for development proposals where it is likely to cause significant adverse environmental impacts through air, noise and light pollution as set out below.

Air pollution

- 1. Development proposals will not be permitted when they are likely to:**
 - a) lead to current national standards or objectives being exceeded individually or in combination with other land uses; or**
 - b) be adversely affected by existing poor air quality.**

Noise pollution

- 2. Development proposals which are noise-sensitive will not be permitted if the users would be adversely affected by noise from existing or proposed noise-generating uses.**
- 3. Development proposals which are noise-generating will not be permitted if the noise has a significant adverse impact on the users of existing or proposed neighbouring noise-sensitive development.**

Light pollution

- 4. Development proposals which include external lighting will be permitted in the urban area provided that there is no significant adverse impact from increased levels of light pollution on the environment or on residential amenity.**

EXPLANATION OF POLICY LP46

Air pollution (Point 1 of policy LP46)

- 12.112 The Borough Council seeks to protect air quality standards within the Borough. The Borough Council regularly monitors air quality and produces up to date reports on its website through the Annual Air Quality Reports. There are currently no major industries in the area that are considered likely to be a significant source of air pollution. The key source of air pollution is from road

traffic with some contribution from shipping. There are currently no Air Quality Management Areas (AQMAs) in the Borough.

12.113 Development that would contribute to a reduction in air quality, such as generators of significant levels of new traffic, will be refused where air quality standards are likely to be breached and the effects cannot be mitigated. It will be necessary to ensure that the health and well-being of users of a particular proposed development will not be harmed by existing levels of air pollution, even if these currently meet national standards. It will be necessary to demonstrate that major schemes in combination with other development will not have a detrimental impact on internationally important habitats within the area.

12.114 All major planning applications should be supported by sufficient information as necessary, to allow a full consideration of the impact on the air quality of the area of the proposal.

12.115 The NPPG provides a number of examples of possible mitigation options. Where mitigation is appropriate the type of measure will depend on locationally specific factors, the type of development and whether the mitigation measure is proportionate to the likely impact. Measures could include:

- Ensuring the design and layout of the development allows sufficient separation distances from sources of air pollution;
- Using green infrastructure, in particular trees, to absorb dust and other pollutants;
- Incorporating means of ventilation;
- Promoting infrastructure to promote modes of transport with low impact on air quality; and
- Contributing funding to measures designed to offset the impact on air quality from new development.

Noise (Points 2 and 3 of policy LP46)

12.116 Noise can cause unacceptable impacts on the health and quality of life of local residents as a result of new development. The NPPF emphasises the need to mitigate and reduce adverse impacts on health and quality of life from unacceptable levels of noise from new development including, where appropriate through the use of planning conditions.

12.117 It is inevitable that development will create some noise. However, wherever practicable, noise sensitive developments such as housing should be separated from major sources of noise. Appropriate measures such as improved insulation standards will be applicable where such separation cannot be avoided.

12.118 Where noise is likely to be a material consideration, a noise impact assessment will be submitted alongside the planning application. The Council will expect any proposals likely to generate noise (including construction noise) to take account of the impact of this on any noise sensitive population. Similarly, in assessing proposals for noise sensitive development, the Council will expect the developer to take into account existing noise levels and foreseeable changes to these. Where necessary, the Council will require a noise assessment which will be expected to:

- Identify all significant sources of noise;
- Determine the relevant noise exposure category;
- Assess the likely short and long term impacts of noise generated or exposure to noise;
- Propose noise protection measures; and
- Demonstrate that there is no significant effect on the integrity of European sites within the vicinity and other important nature conservation interests.

12.119 Wherever possible developers should aim to achieve higher sound insulation standards than the Building Regulations²⁵⁰ for flats and attached houses for the purposes of residential amenities.

Light Pollution (Point 4 of policy LP46)

12.120 Lighting can be used to help reduce crime, fear of crime and enhance the use of sports facilities and other functions. Good standards of design can help to minimise the effects of light pollution. Poor lighting schemes can have a number of negative impacts. When assessing proposals which include outside lighting it will be necessary to ensure proposals minimise light pollution and consider the following:

- the potential impact on the amenities of local residents and those particularly sensitive to light intrusion;
- highway safety issues;
- the need to reduce wasted light to limit light pollution and reduce energy consumption;
- the need to maintain dark skies for nature conservation where this is appropriate;
- ensure that there is no significant effect on the integrity of European sites within the vicinity; and
- the need to ensure a safe environment for users at night.

12.121 All lighting should be the minimum necessary to be effective and be designed to limit spillage above the horizontal plane. Planning conditions regarding the use of lighting may be appropriate in some instances. Further advice relating to the consideration of light pollution is set out in the latest Government guidance.²⁵¹

12.122 All major applications are required to submit a lighting assessment. In certain other cases it may also be appropriate to prepare a lighting scheme where the proposal may have a particular impact as outlined above.

12.123 Proposals for the lighting of buildings within Conservation Areas will be assessed against the relevant policies in the Local Plan in particular LP10: Design and the current best practice.

12.124 Proposals for outdoor lighting outside of the urban area boundary will not normally be acceptable however there may be certain instances where schemes are necessary for particular functions (see LP3) and consequently it will be necessary to minimise the impact of any lighting.

²⁵⁰ Performance standards set out in the Building Regulations provided for England and Wales Approved Document E (2003 edition with amendments 2004).

²⁵¹ See NPPG for further details <http://planningguidance.planningportal.gov.uk/blog/guidance/light-pollution/>