

## Chapter 2

# Environment

## Introduction

- 2.1 Concern for and interest in conserving the environment of the Babergh District was a significant factor in shaping the Babergh Local Plan. Many policies are directly concerned with the environment and some will be found in separate chapters dealing with the “Countryside and the Rural Economy” and “The Built Environment and Conservation”. Others concerned with development incorporate environment safeguards. These interests have broadened into a wider concern for “green issues” and better quality in our environment. Their aim is to achieve development in a form which is, as far as possible, sustainable in the sense that development meets the needs of the present without compromising the ability of future generations to meet their own needs.
- 2.2 There has been a considerable amount of new environmental legislation from Europe and central Government since the Babergh Local Plan Alteration No.1 was adopted, together with new and revised Planning Policy Guidance and Statements and the new Regional Spatial Strategy. Consequently, many of the policies in this chapter are new and try to address issues raised.
- 2.3 These policies have been produced in consultation with internal and external partners who have detailed and specialist knowledge of environmental issues.
1. To encourage sustainable patterns of development.
  2. To ensure that the water quality and water resources of the District are protected.
  3. To protect people and property from flooding, hazardous installations and contaminated land.
  4. To encourage the saving of energy and the use of alternative and renewable energy resources.
  5. To facilitate and promote a sustainable approach towards waste management.
  6. To protect the environment from light pollution.
  7. To protect noise-sensitive developments from noise disturbance through development control.

## Objectives

8. To protect open spaces within settlements which are of value in recreational or amenity terms against development.
9. To protect and enhance the biodiversity of the District.

## Policy Context

- 2.4 PPG12: Development Plans states that development plans "...should be drawn up in such a way as to take environmental considerations comprehensively and consistently into account". This includes issues such as energy conservation and the efficient use of energy; global climate change; a reduction in greenhouse gases; air quality and pollution; noise and light pollution; flood protection and the protection of groundwater resources, and waste minimisation and recycling. PPG12 remains in force for current development plans but has otherwise been replaced by PPS12: Local Development Frameworks.
- 2.5 Specific guidance on these issues is set out in Planning Policy Statements (PPSs) and Planning Policy Guidance Notes (PPGs) such as PPS10: Planning for Sustainable Waste Management, PPG19: Outdoor Advertisement Control, PPS22: Renewable Energy, PPS23: Planning and Pollution Control, PPG24: Planning & Noise and PPS25: Development and Flood Risk.
- 2.6 Regional Spatial Strategy (RSS6: East of England Plan) draws attention to the desirability of conserving the quality of the environment.
- 2.7 The Suffolk Structure Plan 2001 and the East of England Plan (RSS) outline a number of aims concerned with guiding new development, and protecting and enhancing the environment through the principles of sustainable development.

## Biodiversity

- 2.8 The Babergh District has a wealth of important and varied natural habitats – grassland, woodland, rivers, estuarial mudflats, saltings etc. Many of these habitats have their importance recognised by various designations, e.g. Special Protection Areas, Ramsar Sites (sites protected under the Ramsar Convention as being wetlands of international importance), Sites of Special Scientific Interest, Local Nature Reserves or County Wildlife Sites.
- 2.9 The Suffolk Wildlife Trust has carried out a full survey of habitats in the Babergh District and identified sites which, although not designated as Sites of Special Scientific Interest or Local Nature Reserves, warrant protection for their regional or county-wide biodiversity interest. These sites form part of a County Register of Wildlife Sites. A list of the sites in the Babergh District has been adopted as Supplementary Planning Guidance.

## Species and Biodiversity Action Plan

- 2.10 There is a perception that damage to the environment is due to agricultural intensification and the scale of new development, resulting in a widespread loss of habitats throughout the countryside. As a result, wildlife features highly on the agenda of many individuals, in addition to the concerns expressed by organisations that have a specific interest in it.
- 2.11 Often, the term “biodiversity” is used to describe the value of wildlife in a given area, such as the species present and habitat types. Earlier Local Plan policies did not reflect this wider context, which is recognised as important in areas other than formally designated sites. This more sustainable approach will protect wildlife in general, rather than focus on designated locations.
- 2.12 The Suffolk Biodiversity Action Plan 1998 (as updated) identifies species and habitats that should be priorities for protection and enhancement. This document will be used to help assess development proposals affecting wildlife on (and adjoining) sites that are the subject of planning applications.
- 2.13 Wildlife corridors are important features that should be retained and enhanced, to protect and promote biodiversity and to prevent fragmentation and isolation of species and habitats.

**EN01** Development will not be permitted which, directly or indirectly, would have a material adverse impact on existing or proposed Special Protection Areas, Special Areas of Conservation, Ramsar Sites, National Nature Reserves and Sites of Special Scientific Interest.

**EN02** Development will not be permitted which, directly or indirectly, would have a material adverse impact on existing or proposed County Wildlife Sites, Regionally Important Geological/Geomorphological Sites or Local Nature Reserves.

**EN03** Development will not be permitted which, directly or indirectly, would have a material adverse impact on protected species.

**EN04** All development proposals must provide for the protection and, wherever possible, the retention, of existing semi-natural features on the site, including rivers, streams, ponds, marshes, woodlands, hedgerows, trees, features of geological interest, and also including wildlife corridors and green wedges.

**EN05** Development proposals that are acceptable in principle must, wherever approved, include measures to mitigate the effects of the development on features of biodiversity interest.

2.14 Protected species include those protected by Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 (as amended), the Protection of Badgers Act 1992 and The Conservation (Natural Habitats Etc.) Regulations 1994; or habitats or species targeted in the Suffolk Biodiversity Action Plan.

## Habitat Creation

2.15 In some instances development on sites that have no particular wildlife value can potentially benefit biodiversity. This can be achieved through habitat creation, or by making other land available for public enjoyment. It can be a simple scheme based on appropriate planting, or a comprehensive scheme including provision for public access. The District Council will seek to identify opportunities for habitat creation when considering development proposals. Particular emphasis will be given to the creation of habitats and the needs of species identified in the Suffolk Biodiversity Action Plan.

**EN06** If development is proposed, the scope for habitat creation for wildlife will be actively sought. If new habitats are created, measures will be put in place to ensure suitable management and if appropriate, public access in perpetuity. The targets included in the Suffolk Biodiversity Action Plan will be taken into account.

## Local Nature Reserves

2.16 Opportunities may arise, such as through the consideration of development proposals, for land forming part of the application site - and which has biodiversity value - to be secured for wildlife benefit and quiet public enjoyment. This could be achieved by designation of the land as a Local Nature Reserve under the National Parks and Access to the Countryside Act 1949.

**EN07** Where appropriate, when development is proposed opportunities will be sought to designate Local Nature Reserves. Where such reserves are designated steps must be taken to secure their long term retention for the benefit of wildlife and public enjoyment.

2.17 The Stour and Orwell estuaries provide the District's coastal zone with a distinct and precious character. Both estuaries are Special Protection Areas, Ramsar Sites and Sites of Special Scientific Interest. The Special Protection Area is also defined as a European Marine Site under the Habitats Regulations 1994. The Orwell estuary and the north shore of the Stour also fall in the Suffolk Coast and Heaths Area of Outstanding Natural Beauty. They are faced with threats from development, increased recreation, pollution and rising sea levels. It is essential that this coastal zone is protected and that its qualities, some of which are internationally recognised, are assured of a sustainable future.

2.18 Since 1993, the District Council has been working with others who have particular interests in the Stour and Orwell estuaries to develop a sustainable management strategy for these internationally important areas. The result of this partnership has been the production of the Stour and Orwell Estuaries Management Plan 2004. This will be used to help assess proposals for development in the Stour and Orwell estuary areas. In addition, a Management Scheme for the European Marine Site has been prepared. The District Council supports this document, which provides a framework to enable the relevant authorities to carry out their responsibilities and functions, in line with the requirements of the Habitats Regulations, and with regard to the nature conservation features for which the Stour and Orwell Estuaries European Marine Site has been designated.

**EN08** The unique character and ecology of the Stour and Orwell estuaries and their landscape setting will be safeguarded and conserved through the strict control of development.

2.19 The conservation of energy is an increasingly important environmental factor to be taken into account in the planning of the District. It has implications for decisions made at the strategic and local levels. The distribution of proposed new housing and employment has been influenced by the need to reduce travelling from home to jobs, shopping and recreation and, where possible, facilitate travelling by means other than the car. The design and layout of new development can also influence energy requirements in relation to microclimate, orientation etc.

## **Stour and Orwell Estuaries**

## **Conservation of Energy**

**EN09** Development proposals including extensions, rehabilitation, and changes of use of land or buildings, must be designed and built to a high sustainable development standard. This requirement relates to location, design, layout, construction and use of materials. Factors that need to be addressed include:

- alternative and renewable sources of energy
- efficient use of energy and materials, including renewable and recycled materials that do not have adverse environmental impacts

2.20 The design of buildings, their layout and density, and the materials used in their construction, can all have a major impact on the amount of energy consumed during their use.

2.21 Principles of energy conservation should therefore be introduced at an early stage of the design process: building orientation; insulation levels; using appropriate materials to maximise solar gain and so reduce heating costs; avoiding overshadowing; and designing positive natural ventilation can all contribute to the energy efficiency of a development. Landscape design may also be used positively, to shelter buildings and decrease heat loss on exposed sites, or to reduce solar gain and overheating and thus eliminate the need for air-conditioning.

2.22 Consideration may also be given at the design stage to opportunities for reducing reliance on non-renewable energy sources, and by using solar panels or photo-voltaic cells (which absorb sunlight and convert it into energy), where appropriate.

## Renewable Energy

2.23 It is European and central Government policy to encourage the development of renewable energy. This will help reduce the emission of “greenhouse gases” – the gases which cause global warming. Planning Policy Guidance Note 12: Development Plans specifically requires local planning authorities to consider energy conservation and climate change in their Development Plans. Development Plan policies can help by adopting the following aims:

- to reduce energy demand where it is influenced by land use and development;
- to maximise opportunities for the supply of renewable energy and combined heat and power generation (CHP); and
- to develop “robust” low-energy patterns and forms of development, for example, those which can use renewable energy and solar power.

- 2.24 The Government's publication "New and Renewable Energy Prospects for the 21<sup>st</sup> Century - Conclusions in response to the public consultation" sets out its targets for renewable energy generation. The targets are for 5% of UK electricity to be met from renewable sources by the end of 2003 and 10% by 2010, subject to the costs to consumers being acceptable. Therefore, there is a real need to create more generators of renewable energy; and Policy EN10 seeks to facilitate this while safeguarding important interests.

**EN10** Planning permission will be granted for development proposals for renewable energy generation, subject to there being no unacceptable impact on the local environment in terms of noise; smell; visual intrusion; residential amenity; relationship to adjoining uses; landscape characteristics; biodiversity; cultural heritage; public rights of way; the water environment; public safety; the treatment of waste products; and highway and access considerations.

- 2.25 In the past, development has taken place in flood plains, putting people and property at risk from flooding. Such development also reduces the ability of the flood plain to do its job by impeding or displacing water flow. It can also increase the risk of flooding elsewhere. Unless carefully sited and designed, existing and new development may be at risk from flooding.
- 2.26 Engineered flood-defence schemes can adversely affect the environment and associated ecosystems by altering, or interfering with, natural processes. Due to an increased awareness of the risk of flooding, and in line with Government advice in PPG25: Development and Flood Risk, the precautionary principle should be applied. In other words, whenever we are not sure of the likely impacts of a particular development on the flood plain, it is better not to proceed with the development in the first instance.
- 2.27 Development proposals in flood risk areas will be determined with the help of supplementary planning guidance in order to allow for periodic updates, the acquisition of new information, the evolution of new approaches and changing circumstances, such as climate change. In this regard, the Environment Agency's Indicative Floodplain Maps are the primary information source. However the District Council will also need to refer to local sources of information on flood risk from 'ordinary watercourses' (on which the Environment Agency has less information) and from other causes of flooding that can lie outside floodplains, such as localised land drainage problems. Opportunities to restore or enhance the functional floodplain should be taken in the design of development proposals.

## **Protection of Floodplains and Washlands**

**EN11** In areas at risk from flooding, as shown on the Environment Agency's current Indicative Floodplain Maps, or as identified through other sources, proposals for new development or the intensification of existing development in undefended areas will be refused, unless the development itself and any other affected areas are adequately protected from flooding to at least the minimum standard required by PPG25 for the lifetime of the development and no increased flood risk will occur elsewhere.

All planning applications for development in functional floodplains or flood risk areas whether defended or not should be accompanied by a full Flood Risk Assessment, detailing the level and nature of risk and outlining possible mitigation measures.

In functional floodplains the grant of planning permission for built development will be wholly exceptional and limited to essential infrastructure. Such infrastructure should be designed and constructed so as to:

- remain operational even at times of flood;
- result in no net loss of functional floodplain storage;
- avoid impeding water flows; and
- avoid increasing flood risk elsewhere.

In considering all planning applications for development in functional floodplains and flood risk areas the sequential approach of PPG25 will be applied.

Within defended areas development proposals will only be permitted where it can be demonstrated that the existing flood defences provide adequate protection from flooding now and for the lifetime of the development and that no increased flood risk will occur elsewhere.

- 2.28 The culverting of watercourses can adversely affect hydrological processes, archaeological remains, landscape character and biodiversity, so it will be refused planning permission unless there is no practical alternative or there is minimal adverse effect. Where such culverting does take place, appropriate safeguarding and mitigation measures will be sought to address any adverse impact.

**EN12** Planning permission will be refused for the culverting of ditches and watercourses associated with new and redevelopment proposals - except where there is no practical alternative, or the detriment would be so minor that it would not justify a more costly alternative. In all cases where it is appropriate to do so, adequate mitigation must be provided for the damage caused.

2.29 The Babergh District lies in one of the driest parts of the UK. Water is a valuable natural resource, which should be managed and used efficiently. Several techniques are available to conserve water and use it more efficiently, such as grey-water\* recycling systems in houses, low-flush toilets, water-efficient appliances, and simple measures i.e. water butts and down-pipes. More complex systems used in Best Management Practice also contribute to conserving water.

\* Non-foul waste water (such as used bath water)

**EN13** Development proposals must incorporate measures for the conservation and efficient use of water in the design and layout of new development, and in the design of new buildings.

**EN14** Development will not be permitted where adequate water resources do not already exist, or where their provision is considered likely to pose a risk to existing abstractions, water quality, fisheries, amenity, inland navigation, landscape and biodiversity interests. Development proposals will be refused where:

- infrastructure cannot be made available before the development is occupied; or
- water provision will cause unacceptable environmental effects.

## Water Conservation

## Water Supply

## Surface Water Run-off

- 2.30 Water discharged from new developments can seriously affect the quality of the receiving watercourse. It can also represent a loss of resource from the natural system and cause flooding. Best Management Practice techniques can reduce the quantity of water run-off to be dealt with, slow the velocity, allow filtration and provide protective treatment of surface water. The design of sustainable drainage systems should be based on the requirements of document CIRIA 522. Sensitive design of sustainable drainage systems can bring biodiversity benefits, such as the potential of water retention areas, water channels and small-scale wetland areas, as new habitats for a variety of flora and fauna.
- 2.31 In designing sustainable drainage systems, applicants will need to consider the question of adoption and the future maintenance of such drainage systems. Applicants will need to satisfy the District Council on this issue before planning permissions are granted. Therefore, where highway drainage is involved, applicants are advised to discuss their drainage proposals with the Water Authority and the Highway Authority.

**EN15** The use of Sustainable Drainage Systems\* for dealing with surface water run-off from new developments will be required unless, following an adequate assessment, soil conditions and/or engineering feasibility dictates otherwise. Consideration should be given to opportunities for the creation or improvement of wildlife habitats within such schemes.

- 2.32 \*Sustainable Drainage Systems (SuDS) is a common term used in the environment and development industry. It is also used in legislation to describe the most up-to-date best practice available for dealing with an issue. Given that knowledge and understanding is evolving, it is commonly accepted that SuDS is the term that best describes the most up-to-date advice.

## Water and Sewerage Infrastructure

- 2.33 The Water Authority is responsible for providing a fresh and foul water strategy that takes into account the development requirements proposed in the Local Plan. Interested parties should contact the Water Authority as soon as possible to discuss details of the strategy more fully before making an application for planning permission.

- 2.34 Land drainage is partly the responsibility of the Environment Agency while Anglian Water Services Ltd is responsible for the surface water system. Developers will need to make adequate arrangements for draining surface water in all developments. Where redevelopment of previously developed sites occurs developers will need to take every opportunity to ensure that surface water flows do not discharge to the foul sewerage system and cause 'sewer flooding', in order to safeguard the environment and reduce the effects on existing facilities. The Water Authority will resist any drainage proposal that envisages surface water being discharged to the foul sewerage system.

**EN16** Development proposals which pose an unacceptable risk to the quality and quantity of ground or surface water will not be permitted. Proposals with an unacceptable risk to related considerations such as amenity, landscape characteristics, biodiversity or cultural heritage will also not be permitted unless satisfactory mitigation measures to safeguard water quality and quantity are included.

## Water Quality and Resources

- 2.35 Industrial estates with many individual businesses can cause particular problems with regard to pollution of surface waters. The Environment Agency has powers to prosecute polluters.

**EN17** New employment development on allocated sites will be required to provide appropriate facilities for vehicle washing, waste collection and the implementation of other pollution prevention measures as appropriate.

- 2.36 Where development could lead to the overloading of a sewage treatment works it is likely that the Water Authority, under the terms of relevant legislation, will request that the development is phased over a mutually acceptable timescale to allow for any necessary improvement works to be implemented. Developers are encouraged to discuss proposals with the Water Authority at the earliest opportunity.
- 2.37 There are sound reasons why the Water Authority may wish to prevent any further development within 400m of any sewage treatment works. The Water Authority should also therefore be consulted at the earliest possible opportunity on any such development proposals in order to discuss any impacts on treatment and operational processes. The Water Authority wishes to see development within this distance subject to 'cordon sanitaire' conditions.

## Sewerage and Sewage Disposal

2.38 Specific restrictions will be imposed, in accordance with 'Sewers for Adoption 6<sup>th</sup> Edition', on the construction of dwellings near adoptable pumping stations and which aims to promote similar restrictions near existing pumping stations. Therefore, in order to minimise and if possible prevent the risk of odour, noise and nuisance, no dwellings should be constructed within 15m of the boundary of an existing or adoptable public pumping station.

- EN18**
- a) Satisfactory provision must be made for the proper disposal of sewage waste and effluent from new development. Occupation of development will not be permitted until such adequate facilities are operational.
  - b) Septic tanks will not be permitted if there is an existing foul sewerage system\*. Where private sewage disposal facilities are proposed they will only be permitted where:
    - they are a reasonable economic and environmental alternative;
    - ground conditions are satisfactory;
    - the plot is of sufficient size to provide an adequate subsoil drainage system; and
    - all of the requirements of DETR Circular 3/99 (or as subsequently amended) on their installation can be met.

\* Positive piped (sewers and drains)

2.39 For the purposes of Policy EN18 there is a clear hierarchy of preferred approaches towards the provision of sewerage facilities. This ranges from the use of existing foul sewerage systems first, through modern private sewerage facilities, down to (private) septic tanks as the least favoured option.

## **Hazardous Installations and Contaminated Land**

2.40 Contaminated land and installations handling hazardous substances represent a potential danger to people and property and it is important that their location is carefully considered. Where such land or installations already exist these will be taken into account when determining land use policies and planning applications. National policy advice on contaminated land issues is set out in PPS23: Planning and Pollution Control.

2.41 Some sites and pipelines are designated as hazardous installations by virtue of the quantities of hazardous substances present. Planning controls are used in the siting of such installations, such as those under the Planning (Hazardous Substances) Regulations 1992, aimed at keeping these separated from housing and other land uses, with which such installations may be incompatible in terms of safety. In accordance with (DETR) Circular 04/2000, consultation with the Health and Safety Executive, as appropriate, is necessary regarding the siting of any further proposed notifiable installations. The Babergh District already contains a number of installations, including pipelines, which handle notifiable substances. These are subject to stringent controls under existing Health and Safety legislation but it is also prudent to exercise control over other forms of development permitted within the vicinity of these installations. The views of the Health and Safety Executive will be taken into account in the determination of planning applications for development within the prescribed consultation distances from any notifiable installations.

2.42 Central Government considers a “suitable for use” approach as the most appropriate way of achieving sustainable development in dealing with the country’s inherited legacy of contaminated land. This approach recognises that the risks presented by any given contamination will vary greatly according to the use of the land and other factors, such as the underlying geology of the site. Risks therefore need to be assessed on a site-by-site basis. The “suitable for use” approach consists of the following elements:

1. Ensuring that land is suitable for its current use by identifying where contamination is causing unacceptable risks to human health or the environment (assessed on the basis of the current use and circumstances of the land), and returning it to a condition where such risks no longer arise – i.e. “remediating the land”.

The Environment Protection Act 1990, Part IIA, provides a regime for the clean up of contaminated land. The primary regulatory responsibility lies with local authorities, which must prepare and implement strategies for identifying contaminated land and securing its remediation. The Environment Agency has a duty to:

- provide site-specific guidance to local authorities on contaminated land;
- enforce remediation of designated “special sites”; and
- prepare “state of contaminated land” reports.

To be defined as “contaminated”, land must be causing “significant harm” or a “significant possibility” of such harm, or be causing actual or likely water pollution. The mere presence of a contaminant is not enough to determine land as “contaminated”. A potential contaminant may be present, but unless a possible route (“pathway”) exists through which it is likely to cause harm to a potential “receptor” (i.e. human health, ecosystems or property, or to cause pollution of controlled waters, as detailed in the DETR Statutory Guidance 02/2000), then the law does not regard the land as Contaminated Land, as defined in the legislation.

In securing remediation of contaminated land, the local authority is required to ignore possible effects on future uses or occupants of the site unless they already have planning permission to be there. This avoids costly clean up to prevent purely hypothetical harm. If there is to be a change to a more sensitive use that requires planning permission, the new permission will ensure any necessary remediation at that stage.

2. The role of the planning process is to ensure that land is made suitable for any new use. This is undertaken at the planning application stage by assessing the potential risks from contamination, and ensuring that appropriate remediation takes place before the start of the development, or the new use of the land begins.

If it is known or strongly suspected that a site is contaminated to a level that would adversely affect the proposed development or infringe statutory requirements, then the developer will be expected to investigate the hazards and produce detailed proposals indicating the remedial measures required before the application is determined. Planning permission will not be granted unless suitable remediation measures can be agreed.

In other cases, planning permission may be granted but conditions will be attached to prohibit the start of the development until a detailed site investigation and risk assessment have been carried out. This is likely to cover situations where there is only a suspicion that the site might be contaminated; where evidence suggests there may only be slight contamination; or where there is no contaminant-pathway-receptor linkage to allow the contamination to be dealt with under Part IIA of the Environment Protection Act 1990. In that event, the contamination may be dealt with under environmental protection legislation.

Any conditions attached to the planning permission will need to ensure that the development will incorporate all the necessary remediation measures identified in the assessment. Conditions may also be imposed that require the developer to notify the District Council of any significant, unsuspected contamination discovered during construction of the development.

**EN19** If contamination of land is known or where available evidence clearly indicates that contamination exists, the applicant/developer will be required to carry out a site-specific investigation and risk assessment. Planning permission will not be granted until detailed proposals for any necessary remediation of the site have been agreed.

In other cases where either:

- there is only a suspicion that a site may be contaminated, or
- where evidence suggests that only slight contamination is likely;

planning permission will only be granted subject to a condition that the applicant/developer carries out a site specific investigation and risk assessment and achieves the submission, approval in writing and implementation of a remediation scheme prior to commencement of the development.

2.43 The Government has pledged to reduce the amount of waste sent to landfill. Its Waste Strategy 2000 for England and Wales sets challenging targets to increase the recycling/composting of municipal waste. To ensure that all local authorities contribute to achieving these targets, the Government has set statutory performance standards for local authority recycling/composting. Local authorities will need to make significant progress in recycling and composting to meet these new statutory standards.

2.44 The District Council supports the Government's declared strategy set out in its Waste Strategy 2000 for England and Wales (DETR, May 2000) which recognises that the way we manage our resources and our waste can make a significant contribution to sustainable development. The biggest challenge is to deliver better use of natural resources through waste reduction, re-use, recycling, composting and energy recovery.

## **Waste Management: All Waste**

- 2.45 Municipal waste is currently growing at around 3% per year nationally. If this growth rate is maintained, many new waste facilities will have to be built. The public rarely welcomes such facilities, which may include incineration, but some may be necessary in the Babergh District. It is therefore in the District Council's interest to provide effective means for reducing waste that are both attractive and accessible, enabling the community to achieve new and challenging targets for waste reduction and disposal.
- 2.46 The District Council sees the way forward in waste management through application of the following hierarchy:
- reducing the amount of waste created;
  - maximising re-use of materials previously regarded as waste;
  - recovering materials for their original or an alternative use, by processing (i.e., recycling, composting or energy generation); and
  - as a last resort, disposal.
- 2.47 Waste recovery is a broad term that includes recycling, composting and energy generation. Recycling involves processing waste to produce a usable raw material or product e.g., crushing old concrete to produce construction hardcore. Composting involves the aerobic degradation of organic waste, such as kitchen wastes, to produce a material containing plant nutrients i.e., compost. There are several ways of recovering energy from waste, the most common being the generation of electricity through burning landfill gas. However, landfill, with the recovery of energy from burning its associated gas, is regarded by the Government as falling within the 'disposal' category of the above-mentioned hierarchy, at the least favoured end of it.
- 2.48 Suffolk County Council is the planning authority that determines planning applications for any development involving waste recovery and disposal. The District Council is consulted, however, on such development proposals and will generally encourage those that involve waste recovery i.e., recycling, waste transfer stations, composting and energy recovery, subject to appropriate environmental safeguards.
- 2.49 The District Council is part of a countywide project team, with the other seven local authorities in Suffolk, to develop a Joint Municipal Waste Management Strategy. In addition, the County Council has prepared a Suffolk Waste Local Plan, and is reviewing the plan through preparation of the Minerals and Waste Development Framework.

2.50 The District Council actively promotes and encourages the recycling of household waste. A range of recycling “bring sites” already exists across the District, e.g., bottle banks. The District Council has found that, where recycling sites are provided within walking distance of their home (400-600 metres), this has proved effective in encouraging a better recycling take-up. The District Council’s objective is to ensure that recycling sites are planned for, and provided, as part of any new major housing and employment developments. This will ensure that major new development is adequately provided with local recycling facilities.

**EN20** Proposals for the provision of collection points for recycling household materials will be granted planning permission, subject to the following:

- location convenient to potential users;
- no adverse impact on road safety;
- no detriment to the amenity of the surrounding area, including adequate provision for the disposal of litter; and
- consistency with the Joint Municipal Waste Management Strategy (as amended).

**EN21** The provision of adequate and accessible storage and/or recycling facilities in all appropriate developments to enable refuse and compost to be easily collected for disposal and recycling will be required.

2.51 Whilst Policy EN20 sets out requirements for new or extended employment and housing development sites in terms of provision for recycling, Local Plan users are referred to the Built Environment and Conservation Chapter for a more comprehensive range of guidance and requirements for development proposals. If recycling collection sites are to be provided in new developments, the District Council will need to be satisfied that such sites will be appropriately maintained and managed. It will seek to secure a Planning Obligation to ensure that the appropriate maintenance and management procedures are in place, together with a commuted sum to finance future maintenance and management.

2.52 The redevelopment of previously developed land in particular, can result in a significant amount of waste materials. However, in the interests of sustainability, it is considered that the re-use of existing buildings (as well as previously developed land) should be the preferred option wherever they are sound and suited to, or practically adaptable to, the proposed use. In other cases waste arising from the redevelopment should be minimised by encouraging its re-use on the site. This will reduce:

- the amount of waste going to landfill;
- heavy lorry movements in the transportation of waste; and
- the use of new resources, especially aggregates, such as crushed concrete and 'hardcore'.

## Air Quality

2.53 When preparing development plans, central Government expects local authorities to take account of its Air Quality Strategy for England, Scotland, Wales and Northern Ireland, published in January 2000, and the Air Quality (England) Regulations 2000 (as amended). This should include policies to maintain and improve air quality and an impact appraisal of other Local Plan policies. Part IV of the Environment Act 1995 requires local authorities to carry out periodic reviews of their areas to determine whether the air quality objectives will be met. Each review is a three-stage process, aimed at identifying areas where national policies and instruments alone are unlikely to meet the air quality objectives.

2.54 Preparation of this Local Plan has taken account of the findings of the District Council's first air quality review. The review has identified potential pollution "hotspots".

2.55 The main sources of pollution in the Babergh District are road traffic and, in a few locations, industrial processes. The potential pollution hotspots relate to the A12 and A14 trunk roads, which carry relatively high volumes of fast-flowing traffic. This includes a significant number of heavy goods vehicles. The relatively congested A131 southern approach to Sudbury has also been identified as a potential pollution hotspot.

2.56 The review was completed in early 2001 and an Action Plan will be prepared for any areas where air pollution levels are predicted to exceed the thresholds. With this work in mind, preparation of the Local Plan has proceeded with the express objective of maintaining and, where possible, improving standards of air quality at the identified potential pollution hotspots. The Local Plan has been reviewed with the findings of the District Council's air quality review in mind. In view of poor air quality identified in areas of close proximity to the A14 and A12 routes in particular, the District Council considers that these locations are clearly identified as unsuitable for further residential development for the following reasons:

- problems of ill health for new residents of such a development;
- worsening of existing problems with localised air quality;
- adverse effects of road-borne noise pollution on a residential environment;
- loss of the existing separation between settlements.

2.57 Land-use planning can help to meet environmental goals. A key objective of this Local Plan is to integrate air quality considerations with development policies. Transport is the main source of many pollutants, particularly in urban areas. The White Paper on Integrated Transport "A New Deal for Transport: Better for Everyone", published in July 1998, sets the framework for detailed policies. Land-use planning is an important part of the overall transport policy package, and can help promote more sustainable transport choices and reduce the need to travel.

2.58 Other key areas where land-use planning can improve local air quality in the longer term include control over town centre retail, industrial and commercial development. Specific policies aimed at improving, or at least maintaining, current standards of air quality have been included elsewhere in this Local Plan.

2.59 The Road Traffic Reduction Act 1997 and PPG13: Transport require that the future provision for transport must take greater account of its impact on the environment. In view of the adverse impacts of road traffic on air quality, the problems of "greenhouse gas" emissions, and the need to protect the landscape and biodiversity, the Government is bringing forward measures to reduce the environmental impact of traffic growth.

- 2.60 The Government recognises that provision cannot be made for the entire forecast level of traffic growth, and that new road building or road improvements can be environmentally damaging. It advises in PPG13 that to maintain the effectiveness of an environmentally sustainable transport system, greater emphasis must be placed on policies aimed at reducing growth in the number and length of motorised journeys, and encouraging alternative modes of travel. This has less damaging environmental impact, with a consequent benefit on air quality.
- 2.61 To minimise the extent of air pollution caused by car journeys, the District Council has adopted a strategy of locating new development in the most appropriate sustainable locations, namely the market town of Sudbury and larger villages where there are good public transport facilities, and a range of other facilities and employment opportunities.
- 2.62 Policies relevant to the air quality issues are also stated in Chapter 9: Transport of this Local Plan.

## Light Pollution

- 2.63 There are three elements to light pollution:
- Glare – shining into the eyes of drivers and others.
  - Skyglow – illuminating the night sky.
  - Spillage - lighting pieces of land that are not meant to be lit.
- 2.64 Light pollution, whether by keeping people awake at night, or by impeding views of the night sky, is a form of pollution which can be substantially reduced. Light pollution occurs in both rural and urban areas. Light in the form of sky glow and glare can be particularly obtrusive in rural areas. Policy EN22 will apply to proposals for highway/street lighting since these also have the potential to cause the problems mentioned above. The District Council will continue to work with Suffolk County Council with a view to reducing light pollution from highway / street lighting.

**EN22** Applications for planning permission involving outdoor lighting will only be granted where:

- the proposed lighting is the minimum necessary for security, leisure and safe operation of the site;
- light spillage and glare are minimised, particularly where the development is located in the open countryside or on the edge of a settlement; and

- there is no adverse impact upon residential amenity, highway safety, landscape characteristics, biodiversity, cultural heritage, or on buildings or areas of architectural or historic quality.

Measures to be used to minimise light pollution may include: selecting the appropriate lighting unit; the correct positioning of lights; appropriate use of light hoods to reduce spillage, and focusing light to where it is needed. A detailed lighting scheme may be required to enable proper assessment of the lighting options to be made.

**EN23** All applications for express consent to display illuminated advertisements will be considered against the interests of amenity and, where applicable, highway safety, in line with best practice and the guidance in PPG19\*. In addition, proposals will only be approved where the illuminated sign meets the following criteria:

- it reflects and respects the character of the locality or building on which it is displayed in terms of position, scale, design and method of illumination;
- it has no significant adverse impact on neighbour amenity; and
- it will not distract highway users.

\* PPG19: Outdoor Advertisement Control

2.65 Noise is an important element in considering proposals for new development, both from the viewpoint of locating developments which may be sensitive to noise generators and vice versa.

## Noise

**EN24** Planning permission will be granted for noise sensitive development, including hospitals, schools and housing, provided that there is no significant adverse impact from existing noise generating development.

**EN25** Planning permission will not be granted for noise generating developments which would cause a significant adverse impact on noise sensitive development, taking into account existing ambient noise levels for the area.

2.66 In determining any proposal where noise may be a problem, the potential for ameliorative works to overcome this will be considered and, where necessary, made the subject of a condition or planning obligation.

## Telecommunications

2.67 Modern telecommunications are an essential and beneficial element of the economy, and the telecommunications industry is continuing to develop rapidly. It can be important to the environment by reducing the need to travel. However, the associated infrastructure can be harmful on the environment.

2.68 Government policy is to facilitate the growth of telecommunications, including cellular radio and cable television. In this respect, many telecommunications installations are covered by the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and do not require the specific grant of planning permission by the local planning authority. Where new equipment and structures require planning permission constraints will be imposed on siting due to technological limitations created by the type of network involved and the technology available at the time. The District Council will examine the technical and operational requirements of the telecommunications network when considering telecommunications proposals.

2.69 However, the District Council is particularly concerned that the sensitive character of the Babergh environment means that telecommunications development could have an adverse visual impact because of the need for prominent sites for effective operation. Therefore, the impact of new structures will be considered against other environmental and site planning policies.

2.70 There has been considerable public debate about the possible health risks associated with the siting of telecommunications developments. Normally, health issues are not in themselves, regarded as a material planning consideration, but the public perception of possible health risks may be taken into account. In considering applications for telecommunications development, the District Council will therefore take account of any Government advice or guidance on health risks.

**EN26** Planning applications for new telecommunications development will be permitted, and applications for determining whether the local planning authority wish to approve the siting and appearance of telecommunications apparatus under permitted development rights will not be subject to the need for approval, provided that no significant adverse impacts are identified through the following areas of consideration:

a) the height and visibility of any mast;

- b) the scale and design of any masts, antennae and ancillary development and any effects on the character of the surrounding area;
- c) the need to protect the appearance of the countryside and the character of the settlements of the District, landscape characteristics, biodiversity, cultural heritage, conservation areas, listed buildings, ancient monuments and areas of potential archaeological interest from development which would significantly harm their appearance, interest, character or setting;
- d) the availability of existing buildings, structures and other radio sites which should be utilised for mounting antennae or containing other equipment. In this respect, applicants will be required to demonstrate that they have explored all applicable opportunities for sites/facilities sharing in line with the requirements of PPG8;
- e) the scope for landscaping or screening proposals;
- f) the technical and operational needs of the proposal;
- g) evidence that the International Commission on Non-Ionising Radiation Protection guidelines in force at the time are met;
- h) any current Government advice or guidance on health risks.

2.71 Any telecommunications development should be sited and designed to minimise its visual impact. Telecommunications installations which have a significant adverse impact on Areas of Outstanding Natural Beauty and Special Landscape Areas will not be approved. Elsewhere, telecommunications installations will also not be allowed if they have a significant adverse impact, unless it is demonstrated to the complete satisfaction of the District Council that there is no alternative site which is technically appropriate or environmentally more acceptable.

2.72 Due to the continuing growth and evolution of the telecommunications industry PPG8: Telecommunications was revised, giving rise to some important changes in the direction of national telecommunications planning policy. Guidance within the PPG has accordingly been incorporated within Policy EN26. For the purposes of criterion (g) there is a new requirement for the submission of a certificate of ICNIRP compliance in respect of all new telecommunications applications. Finally, the reference in criterion (h) to Government advice and guidance on health risks (or perceived health risks) will relate to the most recent material available at the time. Such advice/guidance is not, therefore, specified here in view of likely supersession.

- 2.73 A further important new aspect is the emphasis now placed upon site/equipment sharing. In this context, the District Council maintains an up-to-date telecommunications equipment register. This will be made available to potential applicants, developers, operators, etc., who will be expected to make use of it in the interests of site/equipment sharing. The register will be regarded as supplementary planning guidance in connection with telecommunications related developments.
- 2.74 All redundant telecommunications equipment must be removed from a site and site restoration undertaken to the satisfaction of the Local Planning Authority if the development and apparatus become redundant.