

CHAPTER 1: SUSTAINABILITY

1 SUSTAINABILITY

1.1 What is Sustainable Development ?

1.1.1 Sustainable development can be defined as "Development that meets the needs of the present without compromising the ability of future generations to meet their own needs or aspirations." (Brundtland, 1987.)

1.1.2 In the UK, the Government has set out its approach in "A better quality of life, a strategy for sustainable development in the UK" (1999). This strategy is based on four broad objectives:

- maintenance of high and stable levels of economic growth and employment;
- social progress which recognises the needs of everyone;
- effective protection of the environment; and
- prudent use of natural resources;

1.1.3 The Government's commitment to sustainable development is reflected in Development Plan Regulations and PPG12 and require local authorities to have regard to long term environmental, social and economic considerations when preparing development plans.

1.1.4 Economic Sustainability

A healthy economy is an essential and integral element of sustainable development. The maintenance of high and stable levels of economic growth and employment is essential to ensure that everyone can share in high living standards and greater job opportunities. Many of the aims of this Local Plan cannot be achieved without economic growth and the challenge is to ensure that the impact of this growth is within levels which the environment can sustain. The emphasis on a good environment and improved quality of life, which are central features of the overall strategy, are equally critical to supporting the wealth creation we need. To achieve a healthy local economy, residents need to be equipped with the education and skills necessary for the 21st century.

1.1.5 The Council produces an Economic Development Strategy which is reviewed and updated annually. This strategy aims to encourage investment and provide support to existing businesses, improve skills, educational attainment and access to employment and improve the quality of life and environment. The Local Plan has an important role to play in supporting the Council's economic development objectives.

1.1.6 Social Sustainability

Everyone should share in the benefits of increased prosperity and a clean and safe environment. Improving access to services and reducing the harm to health caused by poverty, substandard housing, unemployment and pollution is essential for sustainable development.

- 1.1.7 The Local Plan has to address social considerations that are relevant to land use policies. Such social considerations include the need for housing, and for affordable housing, measures for crime prevention including better urban design, sport and recreation provision and the provision of community space for leisure and informal recreation. The Local Plan also considers provision for schools, health facilities, and other community facilities.
- 1.1.8 The relationship of planning policies and proposals in the Local Plan to the social needs and problems, of the Borough's population should be considered, including the likely impact on different groups in the population, e.g. elderly and disabled people.
- 1.1.9 **Environmental Sustainability**
The general environment in which we live is one of our greatest assets. Environment covers a wide range of issues - including land, water, air, energy, minerals, landscape and wildlife as well as built components and is dominated by the activities of people. It is both complex and vulnerable - the daily movement of people and commodities, industrial activities, consumption of natural resources, use and management of land and activities in buildings and new developments all affect the quality of our environment. In order to maintain and improve quality of life for both future generations and ourselves and to prevent jeopardising the irreplaceable elements of Broxbourne's environment, environmental considerations should be comprehensively and consistently taken into account in the decision making process.
- 1.1.10 There is a plethora of information on sustainability and sustainable development and research and guidance is continually evolving. The Glossary provides definitions of terms used in this sustainability chapter and throughout the Local Plan.
- 1.2 **Strategic Context**
- 1.2.1 Sustainable development is a framework for integrating economic, social and environmental objectives in order to ensure a better quality of life for everyone, now and for generations to come. Working towards sustainable development involves integration of policies and actions across different levels of government. Agreements and initiatives worked out at global, international, national and regional level must be reflected at the local level.
- 1.2.2 **Government Guidance**
National policy advice is mainly set out in Planning Policy Statements and Planning Policy Guidance Notes (PPGs). Specific advice on the preparation of Local Plans is set out in PPG12 'Development Plans'. This stresses the importance of integrating sustainable development and transport and land use policies in development plans. This need for integration is a key theme of this Plan.

1.2.3 **Structure Plan Context**

The Hertfordshire Structure Plan Review 1991 - 2011, adopted April 1998, highlighted the importance of setting a consistent strategic framework for local planning across the county and for co-ordinated action based on sound sustainability aims. The vision for Hertfordshire was translated into aims and objectives which are the main basis on which the policies of the Plan have been formulated.

1.2.4 **Local Agenda 21**

Sustainability was central to the Earth Summit held in Rio de Janeiro in 1992. The Earth Summit developed five agreements including Agenda 21, a comprehensive action plan for the pursuit of sustainable development into the next century. Local authorities have a key role in implementing and carrying forward much of the action required in Agenda 21. This is because they are responsible for a wide range of functions, including land use planning which impact on the environment. Policies in this Plan form one strand in supporting the Council's Local Agenda 21 strategy.

1.2.5 **Balancing Objectives**

Protecting the environment should not inhibit the continued need to invest and provide for the future needs of the community, but the longer term economic, social and environmental implications should be considered in policy making, instead of trading off short term costs and benefits. To achieve this, the principles of sustainable development are very relevant to Broxbourne.

1.2.6 A key theme of sustainable development is re-using previously developed land for other purposes. This reduces the pressure to develop on green fields; that is open spaces within towns, green belt land and countryside. This also helps to support the viability of public transport and other services in the built up areas and assists in improving the quality of the urban environment. However, a mix of uses is required within the built up area as well as housing. For example, sufficient employment land is required within the Borough to maintain a viable level of retail, commercial and industrial activity and ensure the Borough's economic competitiveness. On occasions, however, there may be a need to release land previously allocated for employment uses, which are now unlikely to materialise, for other purposes.

1.2.7 **Environmental Appraisal**

An Environmental Appraisal has been undertaken on the Plan and is published in a separate document. The appraisal is a process of identifying, quantifying (where appropriate), weighing up and reporting on the environmental effects of the policies and proposals. The appraisal seeks to optimise the balance between different objectives and highlight conflicts between them.

1.3 Sustainable Development Framework

1.3.1 Policy 1 of the Hertfordshire Structure Plan Review 1991-2011, provides the framework for how the planning process can assist the implementation of sustainability in Hertfordshire. It also provides a context for this Plan and is set out below:

" The policies of this Plan, together with those of local plans, will seek to enable activities and development in Hertfordshire to be carried out consistently with the principles of sustainable development. Those aspects within the ambit of the Structure Plan and local plans will be subject to monitoring and review in the light of evolving policies and concerns at national and international levels, and new information as it comes forward. Where feasible, appropriate targets and benchmarks will be set. The general aim will be to:

- i) encourage economic growth consistent with environmental constraints, with the main emphasis on promoting the knowledge economy rather than mass industrial production;*
- ii) make provision for the housing and social needs of people in ways which minimise the need to travel and otherwise exploit the sustainability advantages of urban concentration, with the prime emphasis on regeneration in the County's main towns;*
- iii) improve people's quality of life, both in town and country, in ways which do not prejudice the quality of life of people in the future or threaten the environment;*
- iv) avoid pollution in all its forms, in particular pollution of ground and surface water resources;*
- v) contain road traffic growth, particularly in the main towns, and encourage walking, cycling, and greater use of passenger transport in preference to the private car, in particular through development of new and improved bus and rail services;*
- vi) conserve the County's critical capital and other important environmental assets, including its landscape, ecological, built and archaeological heritage, and safeguard the County's area of the Green Belt;*
- vii) conserve natural resources, in particular the County's best and most versatile agricultural land;*
- viii) minimise resource depletion and make the most efficient use of land, minerals, buildings, energy, water and waste."*

1.3.2 The Borough Council through this Local Plan will seek to ensure development is carried out consistently with the principles of sustainability and the general aim set out in Policy 1 of the Hertfordshire County Structure Plan Review 1991-2011. This

is also reflected in the objectives for sustainable development set out within each of the other chapters of this Local Plan.

1.4 Making Development more Sustainable

1.4.1 It is essential that all new development incorporates the principles of sustainable development and good design. The location, design, construction and future use of all development, regardless of scale, can contribute towards sustainable aims and many of the policies in the Plan have been developed to achieve this. Policy SUS2 is an overarching policy, which encourages applicants to fully consider sustainable development and design principles in all aspects of development.

1.4.2 For developments of 10 dwellings or more or 500 sq.m gross floorspace or more, applicants will be required to submit a statement of intent to demonstrate how sustainability and design principles have been incorporated into the location, design, construction and future use of their proposals. To provide a basis for this statement, section 1.16 to this chapter and Supplementary Planning Guidance contains a sustainability checklist against which applicants should prepare their statements. The design section of the Local Plan, including policies HD13 and HD14 outline the urban design principles which are detailed in Supplementary Planning Guidance. Advice may be sought from the Council on the range of issues which should be covered, and in what detail. The emerging Hertfordshire Sustainable Design Guide (Building Futures) available from the County Council can also provide advice and guidance for applicants to assist in the preparation of statements.

1.4.3 The sustainability checklist set out in section 1.16 and Supplementary Planning Guidance will be used as a material consideration in determining planning applications for development above the threshold in Policy SUS1. Applicants/developers submitting other applications will also be expected to have had regard to sustainability and design issues in the preparation of their proposals. Applicants for developments of 10 dwellings or more or 500 sq.m gross floorspace or more, who do not submit a statement of intent demonstrating how their proposals incorporate sustainability principles, may find that their application may be delayed until that information is supplied

SUS1 SUSTAINABLE DEVELOPMENT PRINCIPLES

(I) THE COUNCIL EXPECTS EVERY APPLICANT FOR PLANNING PERMISSION TO HAVE CONSIDERED THE CONTENT OF THE SUSTAINABILITY CHECKLIST IN SECTION 1.16 OF THIS PLAN AND POLICIES HD13 AND HD14, AND REQUIRES A STATEMENT OF INTENT FROM APPLICANTS ON DEVELOPMENTS – THOSE OF 10 DWELLINGS OR MORE OR 500 SQM GROSS FLOORSPACE OR MORE.

(II) DEVELOPMENT WILL NOT BE PERMITTED UNLESS IT IS DEMONSTRATED THAT SUSTAINABLE DEVELOPMENT AND DESIGN PRINCIPLES ARE NOT SIGNIFICANTLY PREJUDICED IN THE CONTEXT OF THE POLICIES OF THIS PLAN, THE COUNTY STRUCTURE PLAN AND GOVERNMENT STATEMENTS OF PLANNING POLICY.

1.5 **Environmental Policies**

1.5.1 This section sets out policies covering Borough-wide environmental issues and will be applicable to most proposals. These policies- need to be read in conjunction with the topic based policies set out in later chapters.

1.6 **Energy**

1.6.1 The production, transfer and use of energy is seen as a major contribution to green house gas emissions and pollution. Accordingly, proposals which improve the efficiency with which energy is generated, transferred and used are key components of a sustainable development strategy. The United Nations Framework Convention on Climate Change (UNFCCO) agreed legally-binding emission reduction targets for developed countries- for the UK, the target is 12.5% below 1990 levels by the period 2008 to 2012.

1.6.2 **Energy Conservation**

This Local Plan focuses on concentrating development in built-up areas, creating more self-sufficient living and working environments which can help significantly reduce the need to travel and maximise opportunities to use modes of transport other than the private car.

1.6.3 The demand for energy can be reduced through more efficient use, and the introduction of conservation measures in the design and layout of buildings, the implementation of landscaping schemes and contribution to energy conservation and enhancement of micro-climates. In particular the use of Passive Solar Design (PSD) techniques can help to make the best use of shade or the sun's heat in order to offset the demand for cooling or heating. Passive Solar Design involves paying attention to:

- Orientation
- Built form and internal layout
- Window shape, area, position
- Thermal mass
- Shading
- Landscaping
- Reflection surfaces
- Atria or conservatories.

1.6.4 Whilst the planning system limits the Council's powers to influence some of these design issues, it will seek to encourage good practice and, wherever possible, consideration should be given to the incorporation of energy efficiency measures in all developments.

1.6.5 Building Regulations also promote energy efficient design and therefore developers are encouraged to familiarise themselves with the current requirements under Building Regulations.

1.6.6. **Renewable Energy**

Renewable energy can be defined as energy sources which can be exploited from the following two main categories:

- resources that occur naturally within the environment, such as hydro power, wind power and solar energy;
- resources that are the by-product of human activity, such as energy crops, biogas, landfill gas and the energy derived from waste combustion.

1.6.7 Policy SUS2 takes account of the Government's policy for renewable energy sources- as set out in PPS22: Renewable Energy. The Borough Council wishes to focus attention on ensuring that society's needs for energy are satisfied, consistent with protecting the local and global environment; ensuring that any environmental damage or loss of amenity caused by energy supply and ancillary activities is minimised; and preventing unnecessary sterilisation of energy resources.

1.6.8 The Council will encourage in principle, the development of renewable energy sources wherever appropriate. While no sites are, as yet, identified, for the various types of renewable energy installations, this situation may change within the life of this Plan, through technological improvements and/or increased Government support and guidance. The Hertfordshire Renewable Energy Study (2005) identified the accessible renewable energy resources for Hertfordshire as including: making use of solar energy through both Photovoltaic (PV) cells and passive solar design (PSD); utilising the current levels of municipal and industrial waste; and in the longer term, biomass combustion consisting of short crop rotation, coppice and forestry, straw and other minor sources. However, consideration of both the immediate impact of renewable energy projects on the local environment and their wider contribution to reducing emissions of greenhouse gases will be required in assessing planning applications.

SUS 2 ENERGY

THE COUNCIL WILL SUPPORT INITIATIVES TO CONSERVE ENERGY AND TO REDUCE ENERGY DEMAND BY:

- (a) ENCOURAGING ENERGY CONSERVATION IN BUILDING DESIGN
- (b) SEEKING ENERGY EFFICIENT SITE LAYOUTS
- (c) SEEKING LANDSCAPING SCHEMES WHICH CONTRIBUTE TO ENERGY CONSERVATION AND ENHANCEMENT OF MICRO-CLIMATES
- (d) ENCOURAGING, WHEREVER APPROPRIATE, THE DEVELOPMENT OF RENEWABLE ENERGY SOURCES, SUBJECT TO OTHER ENVIRONMENTAL POLICIES OF THIS PLAN.

1.7 Waste

1.7.1 Waste is an integral part of sustainable development. The planning system can make a contribution to the management and recycling of waste material. In the waste strategy for England and Wales, 'Waste Strategy 2000', the Government has set the following targets for the management of municipal waste (all household waste, most street cleaning waste and some commercial waste):

- To recycle or compost at least 25% of household waste by 2005
- To recycle or compost at least 30% of household waste by 2010
- To recycle or compost at least 33% of household waste by 2015

1.7.2 The Hertfordshire Waste Local Plan 1995 – 2005-, details policies involving the depositing of refuse or waste materials other than mineral waste, this encourages waste minimisation, re-use, recycling, and the use of waste as fuel, as the hierarchy of disposal. It regards the disposal by landfill as a last resort and endorses the proximity principle whereby waste should be dealt with as near as possible to its source. While the Hertfordshire Waste Local Plan forms part of the Development Plan for the Borough of Broxbourne, this Council has some concerns particularly about the preparation of the draft Municipal Waste Management Strategy for Hertfordshire (March 2002) produced by Hertfordshire County Council in conjunction with the Waste-aware Hertfordshire Partnership. The Borough of Broxbourne is concerned that this long term waste management strategy should be realistic, affordable and achievable and this would have implications for any subsequent review of the Waste Local Plan.

1.7.2a Local authority powers and influence in relation to waste, although considerable, do not extend to complete control over waste. In Broxbourne, the Borough Council is the waste collection authority and collects household and limited amounts of commercial waste. Hertfordshire County Council as Waste Disposal Authority is responsible for arranging for the disposal of the waste collected in its area by the Waste Collection authority. The County Council does not operate waste treatment for disposal facilities itself but pursues competitive tendering and is required to have regard to minimising environmental pollution.

1.7.2b Broxbourne Council annually reviews its Recycling Plan which sets out the framework for reducing the amount of waste being produced by households and businesses in this area, and increasing the quantity of household waste being recycled. The Council is working to achieve the government target of recycling 21% of household waste by 2005/6. To reach this target residents can recycle at the Neighbourhood Recycling Centres (NRC's) or by using the kerbside collection scheme. There is already extensive coverage with an NRC at least within 1 km from each household in the Borough, offering the chance to recycle cans, paper, textiles, glass and plastic. The kerbside scheme covers 94% of the Borough and collects both cans and paper.

- 1.7.3 Waste from the construction or demolition process of development accounts for over a fifth of the UK's controlled waste. The Hertfordshire Waste Local Plan 1995-2005 set a target of a 25% reduction in the volume of construction and demolition waste requiring disposal after the year 2000. When considering development proposals, in addition to Policies of the Waste Local Plan, the Borough Council will have regard to Policy SUS3 below and to any Supplementary Planning Guidance.
- 1.7.4 Policy 11 of the Hertfordshire Waste Local Plan 1995 – 2005 sets out criteria to assess the scope of major developments to make special provision for waste recycling. When applications are received for large developments, Broxbourne will have regard to this policy and will encourage, through negotiation, the provision of facilities for source separation and recycling in line with this Council's overall recycling strategy.

SUS3 WASTE AND RECYCLING

- (I) WHEN CONSIDERING DEVELOPMENT PROPOSALS, THE COUNCIL WILL ENCOURAGE THE RE-USE OF EXCAVATED MATERIAL FROM CONSTRUCTION PROJECTS, INCLUDING FROM THE PROPOSED DEVELOPMENT ITSELF, AS PREPARATION FOR DEVELOPMENT, LAND RESTORATION OR SITE LANDSCAPING AND WHERE POSSIBLE THE USE OF RECYCLED AGGREGATES AND BUILDING PRODUCTS WITHIN BUILDING AND OTHER STRUCTURES IN PREFERENCE TO NATURAL AGGREGATES OR PREVIOUSLY UNUSED MATERIALS.
- (II) FACILITIES SUFFICIENT TO PERMIT THE SEPARATION AND STORAGE OF DIFFERENT TYPES OF WASTE PRIOR TO COLLECTION WILL ALSO BE ENCOURAGED.

1.8 Minerals

- 1.8.1 Planning applications for the extraction and working of minerals are dealt with by Hertfordshire County Council, and therefore the degrees of influence the Borough Council can exert is limited to giving observations on these applications. The County Council has adopted the Hertfordshire Minerals Local Plan 1991- 2006, which places emphasis on suitable restoration and environmental goals. The Minerals Local Plan sets out policies to which any mineral extraction proposals should conform. It forms part of the Development Plan for Broxbourne and will be used to guide local planning decisions.
- 1.8.2 There is a need to safeguard known mineral supplies from inappropriate development. Accordingly, proposals which would sterilise or prejudice the extraction of known, workable supplies will be resisted.

SUS 4 MINERALS

DEVELOPMENT WHICH WOULD BE LIKELY TO STERILISE OR PREJUDICE THE EXTRACTION OF KNOWN, WORKABLE, MINERAL RESOURCES WILL NOT BE PERMITTED

1.9 Pollution

- 1.9.1 Pollution is caused by the release of substances into the air, ground or water, or by excessive noise, dust, vibration, light or heat. The planning and pollution control systems are separate but complementary to one another. PPS23: Planning and Pollution Control and the DTLR circular 04/2000 Planning Controls for Hazardous Substances, state that it is the role of planning to regulate land uses and that potential pollution risks are the responsibility of the relevant licensing Authority.
- 1.9.2 It is important to note that the Local Plan does not duplicate controls which are the statutory responsibility of other bodies. However, the Local Plan concentrates on the location of development and the control of operations, in order to avoid or minimise adverse effects on the use of land and on the environment. It is also concerned with what happens after any development or use of land has ceased, so that land and water resources are restored to such a condition as to be capable of the agreed after use. The Borough Council supports Structure Plan Policy 56 on Hazardous Installations and Structure Plan Policy 57 (Potentially Polluting Development and the Location of Pollution Sensitive Development) and intends that all development proposals which have potential to cause pollution or which may be sensitive to pollution will be considered against this Policy.

SUS5 POLLUTION

- (I) IN CONSIDERING PROPOSALS FOR POTENTIALLY HAZARDOUS OR POLLUTING DEVELOPMENT, THE COUNCIL WILL ASSESS THE FOLLOWING:
- (a) THE ABILITY TO SEPARATE THE LOCATION OF THE PROPOSED USE FROM OTHER POLLUTION SENSITIVE LAND USES TO REDUCE CONFLICT. THE COUNCIL WILL TAKE INTO ACCOUNT EXISTING LAND USES AND AREAS DESIGNATED IN THE PLAN FOR THESE POLLUTION-SENSITIVE USES.
 - (b) THE POSSIBLE IMPACT OF THE DEVELOPMENT ON LAND USE INCLUDING THE EFFECTS ON HEALTH, THE NATURAL ENVIRONMENT, OR GENERAL AMENITY RESULTING FROM RELEASE TO WATER, LAND OR AIR, OR OF NOISE, DUST VIBRATION, LIGHT OR HEAT;
 - (c) THE WIDER ECONOMIC AND SOCIAL NEED FOR THE POTENTIALLY POLLUTING DEVELOPMENT.
 - (d) THE FEASIBILITY OF SECURING POLLUTION AND NUISANCE CONTROLS DURING THE LIFETIME OF THE USE, AND RESTORATION OF THE LAND SO THAT IT IS CAPABLE OF AN ACCEPTABLE AND SAFE AFTER-USE.

(II) PROPOSALS WHICH WOULD THEMSELVES BE LIKELY TO BE SENSITIVE TO ADVERSE ENVIRONMENTAL CONDITIONS, WILL BE CONSIDERED IN ACCORDANCE WITH POLICY 56 and 57 OF THE HERTFORDSHIRE STRUCTURE PLAN REVIEW 1991 - 2011.

1.10 Air Quality

1.10.1 Air Quality is an issue of sustainability, identified as a key element in the reduction of health risks from environmental pollution and hazards, also impacting on the built and natural environment. Its improvement is a major factor in the quality of life of the Borough's population. Air quality is being monitored at a number of sites across the Borough. In considering the impact of a proposed development on air quality the Council will liaise with the pollution control authorities.

SUS6 AIR QUALITY

IN CONSIDERING PROPOSALS FOR DEVELOPMENT, THE BOROUGH COUNCIL WILL HAVE REGARD TO ITS IMPACT ON AIR QUALITY, INCLUDING BOTH THE OPERATIONAL CHARACTERISTICS OF THE DEVELOPMENT AND THE TRAFFIC AND OTHER ACTIVITIES GENERATED BY IT. DEVELOPMENT THAT WOULD LEAD TO NATIONAL AIR QUALITY GUIDELINES BEING EXCEEDED WOULD NOT BE PERMITTED.

1.10.2 Road related development as well as some types of industry can increase emissions. The Environment Act 1995 places a duty on local authorities to review and assess air quality in their districts. Those areas that are expected to exceed national guidelines in the year 2005 will be deemed Air Quality Management Areas (AQMAs) and a strategy will need to be devised by the Council to reduce pollution concentrations accordingly. The Council has undertaken the review and assessment of air quality in the Borough and the main findings indicated that the targets for nitrogen dioxide and PM10 would be breached in certain parts of the Borough. One Air Quality Management Area, has been declared, for Arlington Crescent and 13-21 High Street, Waltham Cross, for which an Action Plan is being prepared. This area has been drawn up on a precautionary basis, to allow for any uncertainty in the modelling. It also takes into account the potential for people to be exposed to pollution. The Council is currently undertaking Air Quality Monitoring adjacent to this area and the position will be re-examined during further Review and Assessments. Further information is available in supplementary planning guidance and the Air Quality Review and Assessment.

SUS7 AIR QUALITY MANAGEMENT AREAS

THE COUNCIL, IN DETERMINING PLANNING APPLICATIONS FOR DEVELOPMENT WITHIN AIR QUALITY MANAGEMENT AREAS, WILL HAVE REGARD TO THE LOCAL AIR QUALITY ACTION PLAN.

(The following sections have been moved from the Built Environment Chapter in the First Deposit Plan where they comprised sections 8.9.2 – 8.9.8)

1.11 Noise

- 1.11.1 Since Adoption of the last Local Plan, there has been a change in the method advocated by government for addressing noise issues. PPG24 Planning and Noise distinguishes between potentially noisy new development, which should be directed towards areas where the noise generated will not cause a problem to existing uses or where the noise impact can at least be controlled and minimised; and noise sensitive development such as housing, schools and hospitals which should be located away from existing (or planned) sources of significant noise.
- 1.11.2 Where some form of noise sensitive development in the vicinity of a source of existing significant noise appears unavoidable, PPG24 suggests reference to four "Noise Exposure Categories" or NECs to assist with deciding whether the proposed relationship is unacceptable. Both day and night time noise levels will be taken into account when determining into which of the four NECs a site falls. This determination is essentially an objective process advised by noise readings etc. taken in the vicinity of the site. The Council will then apply the guidance contained within the PPG (or such other government guidance as may be in place) to determine whether planning permission should be granted.
- 1.11.3 The Council proposes three specific policies to address noise related issues.

SUS8 NOISY DEVELOPMENT

- (I) NEW DEVELOPMENT INVOLVING NOISY ACTIVITIES SHOULD, WHEREVER POSSIBLE, BE SITED AWAY FROM NOISE SENSITIVE LAND USES. IN CASES WHERE LOCATION CLOSE TO A NOISE SENSITIVE LAND USE IS UNAVOIDABLE, THE COUNCIL WILL HAVE REGARD TO THE FOLLOWING FACTORS IN ITS ASSESSMENT OF THE ACCEPTABILITY OF THE PROPOSAL: -
- (a) THE TIMESPAN OVER WHICH NOISE WILL BE GENERATED;
 - (b) THE NATURE OF THE NOISE GENERATED;
 - (c) THE CUMULATIVE IMPACT OF ANY EXISTING NOISY DEVELOPMENT WITH THE PROPOSED DEVELOPMENT;
 - (d) THE CHARACTER OF THE ADJOINING AREA.
- (II) WHERE PLANNING PERMISSION IS GRANTED, CONDITIONS MAY BE IMPOSED TO CONTROL THE LEVEL OF NOISE EMITTED AND THE TIMESPAN WITHIN WHICH NOISE IS GENERATED.

FOR THE PURPOSES OF POLICIES SUS8 AND SUS9 NOISE SENSITIVE DEVELOPMENT IS DEFINED AS ALL FORMS OF RESIDENTIAL ACCOMMODATION, SCHOOLS AND HEALTH FACILITIES.

SUS9 REQUIREMENT FOR A NOISE IMPACT STUDY

THE COUNCIL WILL REQUIRE ALL APPLICATIONS FOR DEVELOPMENT WHICH IS NOISE SENSITIVE AND IS PROPOSED TO BE LOCATED CLOSE TO A SOURCE OF SIGNIFICANT NOISE, TO BE ACCOMPANIED BY A NOISE IMPACT ASSESSMENT. SIMILARLY, PROPOSALS WHICH ARE INHERENTLY NOISY WILL ALSO BE REQUIRED TO SHOW THAT CONSIDERATION HAS BEEN GIVEN TO THEIR LIKELY IMPACT ON THE WIDER ENVIRONMENT BY SUBMISSION OF A NOISE IMPACT STUDY.

SUS10 NOISE SENSITIVE DEVELOPMENT

WHEREVER POSSIBLE NOISE SENSITIVE DEVELOPMENT SHOULD BE LOCATED AWAY FROM EXISTING SOURCES OF SIGNIFICANT NOISE. IN CASES WHERE LOCATION CLOSE TO A SIGNIFICANT NOISE SOURCE IS UNAVOIDABLE, AN ASSESSMENT OF THE ACCEPTABILITY OF THE PROPOSAL WILL BE BASED ON THE RELEVANT NOISE EXPOSURE CATEGORY INTO WHICH THE SITE FALLS. WHERE PLANNING PERMISSION IS GRANTED, CONDITIONS MAY BE IMPOSED TO ENSURE AN ADEQUATE LEVEL OF PROTECTION AGAINST NOISE.

1.12 Light pollution

- 1.12.1 External lighting can improve security and create a sense of safety, extend the hours of operation of outdoor play facilities and add interest to town centres and particular buildings. However, there can also be a negative impact if light spillage occurs into private dwelling houses, or extensive areas of countryside are unnecessarily illuminated to the detriment of both wildlife and the appearance of the area. The Council is therefore concerned to ensure that a reasonable balance is struck between the benefits which can accrue from floodlighting and the problems associated with light pollution.

SUS11 LIGHT POLLUTION AND FLOODLIGHTING

- (I) APPLICATIONS FOR FLOODLIGHTING WILL BE CONSIDERED AGAINST THE FOLLOWING CRITERIA:
- (a) THE PROVEN NEED FOR FLOODLIGHTING;
 - (b) WHETHER THE DEGREE OF LUMINANCE IS THE MINIMUM NECESSARY TO SATISFACTORILY FULFILL THE PURPOSE OF PROVIDING FLOODLIGHTING;
 - (c) WHETHER THE PROPOSAL SATISFACTORILY ADDRESSES THE ISSUE OF LIGHT SPILLAGE WHICH COULD GIVE RISE TO LIGHT POLLUTION;
 - (d) WHETHER THERE WOULD BE AN UNACCEPTABLE IMPACT ON THE AMENITY OF RESIDENTS, ON WILDLIFE OR ON THE WIDER LANDSCAPE; AND

- (e) WHETHER GLARE OR DISTRACTION WOULD BE CAUSED TO USERS OF ANY PUBLIC HIGHWAY.

- (II) PROPOSALS FOR FLOODLIGHTING WILL BE REQUIRED TO INCLUDE DETAILS OF THE ANGLES OF THE FLOODLIGHTS, THE DESIGN AND SPREAD OF THE LIGHTS, THE STRENGTH OF THE LUMINANCE, THE HEIGHT OF THE LIGHT COLUMNS AND A MECHANISM WHICH WILL ENABLE ADJUSTMENTS TO BE UNDERTAKEN IN THE EVENT THAT DISTORTIONS FROM THE AGREED ARRANGEMENTS OCCUR AFTER INSTALLATION.

- (III) THE COUNCIL WILL IMPOSE CONDITIONS ON PLANNING PERMISSIONS FOR FLOODLIGHTING TO LIMIT THE DEGREE OF LUMINANCE AND HOURS DURING WHICH FLOODLIGHTING WILL BE PERMITTED.

Development on contaminated land

- 1.12.2 In dealing with issues of contamination, it is central government advice that local planning authorities should not seek to duplicate pollution controls which are the statutory responsibility of other bodies such as The Environment Agency, Thames Water plc etc. The Environment Act 1995 (and in particular Section 57) is the primary legislation controlling land contamination other than planning legislation. Broxbourne Borough Council has complied with the requirements of Part II A of The Contaminated Land Regulations which came into force on 1st April 2000 by publishing a "Contaminated Land Strategy" document which outlines the strategic approach to be adopted to the identification of contaminated land within the Borough and ensuring that such land is managed in an appropriate manner. The Environment Agency is a statutory consultee for this document and provided environmental data to assist in its production. The Council will follow the recommendations contained within PPS23 Planning and Pollution Control and focus on land use issues in the fulfilment of its planning function, recognising that concerns over potential pollution risks are dealt with by other agencies.

- 1.12.3 Given the importance placed on the re-use of brown field sites in the overall development strategy for the Borough, the Council will encourage the redevelopment of contaminated land within the built up area for a suitable end purpose. Whilst it is keen to maximise the capacity of the urban area for housing, or other pollution sensitive development (such as schools and community and health facilities) it recognises that potential risks to occupiers and to the environment must first be minimised. This will be achieved by the incorporation into development proposals of a requirement for detailed surveys of soils, underlying ground water and adjacent surface water, where relevant and where there is an identifiable and significant reason to suspect the presence of contaminants, followed by implementation of appropriate remedial measures. The Council is in the process of undertaking an initial inspection of potentially contaminated sites within the Borough. Only when the Borough has been inspected and risk assessed will it be possible to quantify the scale of contaminated land in Broxbourne. The type of site where contamination is thought likely to be present include gas works, waste recycling centres, sewage treatment

works, engineering works, railway land, power stations, fuel stations and vehicle servicing and repair premises.

SUS12 DEVELOPMENT ON CONTAMINATED LAND

- (I) SUBJECT TO OTHER POLICIES IN THIS PLAN, THE COUNCIL WILL ENCOURAGE PROPOSALS FOR THE DEVELOPMENT AND RE-USE OF LAND WHICH IS, OR MAY BE, CONTAMINATED.
- (II) PLANNING APPLICATIONS FOR DEVELOPMENT OF CONTAMINATED, OR POTENTIALLY CONTAMINATED, LAND MUST BE ACCOMPANIED BY A DETAILED SURVEY WHICH ESTABLISHES THE TYPE AND DEGREE OF CONTAMINATION IN THE SOIL AND IN GROUND OR SURFACE WATER, AND IDENTIFIED APPROPRIATE REMEDIAL MEASURES.
- (III) THE COUNCIL WILL IMPOSE PLANNING CONDITIONS (OR SEEK A LEGAL AGREEMENT) TO ENSURE THAT THE IDENTIFIED REMEDIATION MEASURES ARE UNDERTAKEN IN FULL BEFORE THE DEVELOPMENT IS BROUGHT INTO USE.

Hazardous substances

- 1.12.4 Some sites and pipelines are designated as Dangerous Substance Establishments by virtue of the quantities of hazardous substances present. The siting of such installations is subject to planning control by virtue of The Planning (Control of Major Accident Hazards) Regulations 1999. The objective of the Regulations is to maintain appropriate distances between establishments and residential areas and other areas of public use. In accordance with DTLR Circular 04/2000 the Council will consult the Health and Safety Executive about the siting of any proposed Dangerous Substance Establishments and determine applications in accordance with advice from The Executive.
- 1.12.5 There is only one Hazardous Installation within the Borough and that is Hoddesdon Gas Holder, located off St Catharine's Road, Broxbourne. Additionally, some pipelines which traverse the Borough may carry sufficient quantities of hazardous substances such as to warrant classification as Major Accident Hazard Pipelines. The location of the hazardous installation and pipelines are shown on the supporting maps.
- 1.12.6 On the basis of the precautionary principle, it is considered prudent to control the type of development allowed in the vicinity of such installations. The Health and Safety Executive provides advice on relevant distances within which development proposals should be referred to The Executive. In determining whether or not to grant planning permission for development within these consultation distances the Council will again be guided by advice from The Executive in accordance with Circular 04/2000.

SUS13 HAZARDOUS SUBSTANCES

- (I) IN DETERMINING APPLICATIONS UNDER THE PLANNING (CONTROL OF MAJOR ACCIDENT HAZARDS) REGULATIONS 1999, THE COUNCIL WILL HAVE REGARD TO:
- (a) ANY CURRENT OR CONTEMPLATED USE OF THE LAND TO WHICH THE APPLICATION RELATES;
 - (b) THE LIKELY IMPACT ON EXISTING LAND USES/OCCUPIERS OF THE AREA AFFECTED INCLUDING USES FOR WHICH PLANNING PERMISSION MAY HAVE BEEN GRANTED BUT NOT YET IMPLEMENTED;
 - (c) THE MEANS AND THE ROUTE OF TRANSPORTING ANY HAZARDOUS SUBSTANCES TO AND FROM THE SITE;
 - (d) THE RELATIONSHIP OF THE SITE TO EXISTING UNDERTAKINGS IN THE LOCALITY WHERE THE STORAGE OF HAZARDOUS SUBSTANCES IS ALREADY PERMITTED;
 - (e) THE LEVEL AND TYPE OF ANY POLLUTION LIKELY TO BE CAUSED BY STORAGE OF THE HAZARDOUS SUBSTANCE; AND
 - (f) THE NEED TO DEMONSTRATE THAT IN THE LONGER TERM, CONTAMINATION WILL NOT PREVENT AFTER USE OF THE SITE.
- (II) THE COUNCIL WILL REFER ALL SUCH APPLICATIONS TO THE HEALTH AND SAFETY EXECUTIVE IN ACCORDANCE WITH ADVICE CONTAINED WITHIN CIRCULAR 04/2000.

1.13 Water

- 1.13.1 Reducing water consumption, sustaining the aquatic environment and its associated species, and managing and meeting the demand for water from households, agriculture and industry are resource considerations to be taken into account in the Local Plan. The inevitable discharges of waste water need to be managed, and the effects of pollution from diffuse sources controlled. The recreational use of water also needs to be in harmony with the surrounding environment.
- 1.13.2 The water environment within Broxbourne consists of surface water: rivers, streams, canals, wetlands, lakes, ponds, reservoirs and underground reserves. The Environment Agency (EA) and the water companies fulfil complementary roles in managing the water environment. The EA is responsible for the abstraction of water sources, water quality, surface water management, flood defence and conserving and enhancing the water environment. The Environment Agency is developing Local Environment Agency Plans (LEAP's) in order to provide a co-ordinated basis for assessing development proposals and informing local plans. The Lower Lee Local Environment Agency Plan covers most of Broxbourne, although the extreme north-west area of Hoddesdon is within the Upper Lee Local Environment Agency Plan. These plans cover a range of environmental issues, including water resources, waste, pollution and other matters. The water companies are responsible for the supply of water, surface and foul water

drainage and the treatment of sewage. In Broxbourne, this role is mainly conducted by Thames Water Utilities Ltd.

- 1.13.3 It is important to protect ground and surface water against harmful developments or activities and to ensure that sufficient water quantity and facilities are capable of supporting new developments. The availability of resources may influence the location of development, directing development away from areas where water supply is more difficult to achieve and to areas where adequate water resources are available to meet consumer's needs. The Council will seek advice from the Environment Agency and the water companies when considering development proposals.

Water Supply, Waste Water treatment and Water Conservation

- 1.13.4 The statutory responsibility to provide water supply and waste water treatment, whatever the demand, rests with the water companies. The importance of water resources and the continuing rise in personal water consumption means there is a need for a twin track approach to water resources issues- dealing with the realisation of new resources in conjunction with water conservation. The supply of water and waste water treatment and the conservation of water supply are important factors in considering development. Measures to meet increased demand should not occur to the detriment of other water users or the environment. New developments should include water conservation measures, including using rainwater, and water efficient devices, which can minimise the use of, or recycle water. Residential developments can incorporate low volume flush WC's, water efficient showers, water butts, and spray taps. Further information is available from the Environment Agency. This Plan cannot require the provision of water efficient measures in new developments, but it can complement measures being undertaken by the water companies and the Environment Agency to conserve water, by encouraging water conservation measures within new developments. The Council will consult with water and sewerage undertakers and the Environment Agency to ensure adequate supply of water and waste water treatment and use of water conservation measures in line with Policy SUS14.

SUS14 WATER SUPPLY WASTE WATER TREATMENT AND WATER CONSERVATION

- (I) PLANNING PERMISSION WILL NOT BE GRANTED UNLESS THE COUNCIL IS SATISFIED, AFTER CONSULTING WITH WATER AND SEWERAGE UNDERTAKERS AND THE ENVIRONMENT AGENCY THAT PROVISION FOR WATER SUPPLY AND WASTE WATER TREATMENT CAN BE MADE WHICH:
- (a) WOULD ENSURE ADEQUATE SUPPLY TO SERVE THE DEVELOPMENT WITHOUT DETRIMENT TO:-
- (i) EXISTING WATER ABSTRACTION,
 - (ii) GROUND AND SURFACE WATER QUALITY AND QUANTITY,
 - (iii) FISHERIES,
 - (iv) AMENITY AND NATURE CONSERVATION; AND

- (b) WOULD NOT CAUSE ANY ADVERSE CHANGES IN FLOWS OR LEVELS IN THE GROUNDWATER OR IN ANY WATER BODIES IN THE VICINITY; AND
- (c) WOULD BE CONSISTENT WITH THE LONG TERM MANAGEMENT OF WATER AND WASTE-WATER SERVICES.

NEW DEVELOPMENT PROPOSALS WILL ALSO BE EXPECTED TO INCORPORATE MEASURES TO REDUCE WATER CONSUMPTION AND RUN-OFF BY USING APPROPRIATE WATER CONSERVATION MEASURES, WHEREVER APPLICABLE.

1.13.5 Ground and Surface water Protection and Land use planning

1.13.6 The over-abstraction of groundwater can affect river flow. A reduction in either the quantity or quality of groundwater through poor development schemes and pollution can influence the natural water cycle. Pollution of ground and surface water can result from varied sources such as disposal of effluent, contaminated land, landfilling of unsealed sites over permeable bedrock, chemical spillage from industrial processes or discharge from roads. In turn this pollution can affect the natural water cycle and cleaning up of contaminated water, in particular groundwater, is very expensive and difficult. The Environment Agency's " Policy and Practice for the Protection of Groundwater" provides a policy framework for groundwater protection. This document is based on the principles of Groundwater vulnerability and risk to groundwater resources as a whole and specific abstractors. Source Protection Zone Maps which show the areas that form an increased risk to abstractions have now been produced by the Environment Agency.

1.13.7 As far as it can, the Council will seek to ensure that pollution risks to the aquifer are minimised and over-use is discouraged. The principal legal restrictions on groundwater pollution are the Environmental Protection Act 1990, the Water Resources Act (1991) and most recently, the Groundwater Regulations (1998). PPG23 (Planning and Pollution Control) is the primary guidance for dealing with land contamination/ pollution where redevelopment is being undertaken through the planning system. PPG12 (Development Plans) highlights the need to protect groundwater resources from contamination or over exploitation.

1.13.8 The Council will resist development proposals that would be liable to pollute groundwater. The Council will seek advice from the Environment Agency on remedial measures, if appropriate, which could be undertaken to prevent pollution from taking place.

SUS15 GROUND AND SURFACE WATER PROTECTION

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH POSES A THREAT TO THE QUALITY OF EITHER SURFACE OR GROUNDWATER.

1.14 **Flooding**

1.14.1 Introduction

Uncertainties are inherent. However, flood risk is expected to increase as a result of climate change. The Local Plan seeks to ensure that flood risk is properly taken into account in the planning of developments to reduce the risk of flooding and the damage which floods cause. The flooding policies outline the consideration which will be given to flood issues, applying the precautionary principle to the issue of flood risk and using a risk-based search sequence to avoid such risk where possible and managing it elsewhere.

1.14.2 The Environment Agency provides indicative flood plain maps which show the approximate extent of fluvial flood plain, not taking account of the designed protection provided by existing flood defences for all watercourses in England. These maps are taken into account when preparing plans, although, whether an area of flood risk is already defended or not and the standard of that defence is also an issue. Until further advice becomes available, the floodplain is shown in the inset maps in this plan. Supplementary Planning Guidance should be consulted for further updates on flooding maps and for further detailed information on the probability of flooding.

1.14.3 Much of the eastern side of Broxbourne lies within the floodplain of the River Lea. There are also a number of watercourses within the Borough, and proposals within their vicinity may also require close consideration of flood risk. The New River, is a man-made feature, essentially a canal, and therefore the concept of a floodplain in relation to the New River is not applicable.

1.14.4 Applicants proposing particular developments are responsible for providing an assessment of whether any proposed development is likely to be affected by flooding and whether it will increase flood risk elsewhere and of the measures proposed to deal with these effects and risks. The onus is on the applicant to satisfy the Council that any flood risk to the development or additional risk arising from the proposal will be successfully managed with the minimum environmental effect, to ensure that the site can be developed and occupied safely. Supplementary Planning Guidance gives further advice on what information would be required for a Flood Risk Assessment. An assessment may be needed of the risk of groundwater flooding or local flooding due to overland sheet flow or run-off exceeding the capacity of drainage systems during prolonged or intense rainfall.

1.14.5 The run-off implications of development should also be assessed for all zones and controlled, where possible, through the use of sustainable drainage systems. The council, advised as necessary by the Environment Agency and other relevant organisations, will then determine an application for planning permission, taking account of all material considerations, including the issue of flood risk and how it might be managed or mitigated.

1.14.6 The Council considers that householder applications are unlikely to require flood risk assessments unless they are likely to: a) have a direct and adverse effect on a watercourse or its flood defences; or (b) would impede access to flood defence and management facilities; or (c) where the cumulative impact of such

developments could have a significant effect on flood storage capacity or flood flows. Unless householder development proposals meet one of these criteria, a flood risk assessment is unlikely to be required.

SUS16: FLOOD RISK ASSESSMENTS

- (I) DEVELOPMENT IN AREAS OF FLOOD RISK WILL ONLY BE PERMITTED WHERE A FLOOD RISK ASSESSMENT HAS BEEN CARRIED OUT OR ENVIRONMENT AGENCY ADVICE INDICATES AN ASSESSMENT IS NOT REQUIRED.

- (II) AREAS OF FLOOD RISK WILL BE DEFINED AS:
 - (a) WITHIN A RIVER FLOOD PLAIN OR WASHLAND, AS SHOWN ON, THE INDICATIVE FLOOD PLAIN MAP, AND THE PROPOSALS MAP AND UPDATED WHERE NECESSARY BY SUPPLEMENTARY PLANNING GUIDANCE; OR
 - (b) WITHIN OR ADJACENT TO ANY WATERCOURSE, PARTICULARLY WHERE THERE MIGHT BE POTENTIAL FOR FLASH FLOODING; OR
 - (c) ADJACENT TO OR INCLUDING ANY FLOOD BANK OR OTHER FLOOD CONTROL STRUCTURE; OR
 - (d) SITUATED IN AN AREA WHERE THE AGENCY OR OTHER BODIES HAVE INDICATED THAT THERE MAY BE DRAINAGE PROBLEMS; OR
 - (e) LIKELY TO AFFECT THE FLOW OF A WATERCOURSE; OR
 - (f) A DEVELOPMENT PROPOSAL OF SUCH A SIZE OR NATURE RELATIVE TO THE RECEIVING WATERCOURSE/DRAINAGE SYSTEM WHERE THERE COULD BE A SIGNIFICANT INCREASE IN SURFACE WATER RUN-OFF

Development and Flood Risk

- 1.14.7 In accordance with the precautionary principle, the Council will follow the sequential approach set out in PPG25 and Supplementary Planning Guidance, in determining applications for development. The Council will give priority in permitting sites for development, in descending order to the flood zones. Built development in functional floodplains, Zone 3 (c) should be wholly exceptional and limited to essential transport and utilities infrastructure that has to be there. When deciding applications for development at any particular location, there is a need to ensure that there are no reasonable options available in a lower-risk category, consistent with other sustainable development objectives.

- 1.14.8 Application of the sequential test may result in development being permitted that requires the provision of flood defence and mitigation works. Such provision is generally funded by the applicant and is only acceptable provided it is consistent with the relevant flood-risk management policies and does not have a significant adverse impact on flood flows or storage. The Council will take into account advice from the Environment Agency and any other relevant operating authority, in negotiation on an appropriate contribution from the developer. If agreement

cannot be reached on the provision of that contribution, the application will be refused in accordance with the precautionary principle.

SUS17: FLOOD PREVENTION

THE SUSCEPTIBILITY OF LAND TO FLOODING IS A MATERIAL PLANNING CONSIDERATION. UNCERTAINTIES ARE INHERENT IN THE PREDICTION OF FLOODING AND FLOOD RISK AND ARE EXPECTED TO INCREASE AS A RESULT OF CLIMATE CHANGE.

THE COUNCIL WILL APPLY THE PRECAUTIONARY PRINCIPLE TO THE ISSUE OF FLOOD RISK IN DETERMINING PLANNING APPLICATIONS.

DEVELOPMENT PROPOSALS WILL BE ASSESSED, TAKING INTO ACCOUNT THE FOLLOWING:

- (I) THE IMPACT OF THE PROPOSED DEVELOPMENT ON THE FLOOD PLAIN AS DEFINED BY THE PROPOSALS MAP AND/OR UPDATED LOCALLY IN SUPPLEMENTARY PLANNING GUIDANCE; AND
- (II) ADVICE FROM THE ENVIRONMENT AGENCY, AND OTHER APPROPRIATE STATUTORY AGENCIES; AND
- (III) APPLICATION OF THE SEQUENTIAL TEST WHEN DETERMINING THE SUITABILITY OF SITES FOR DEVELOPMENT IN ACCORDANCE WITH THE REQUIREMENTS OF PPG25 AND IN SUPPLEMENTARY PLANNING GUIDANCE; AND
- (IV) ANY FLOOD RISK ASSESSMENT AND MITIGATION MEASURES PROPOSED BY THE APPLICANT AND THE EXTENT TO WHICH THE APPLICANT HAS ASSESSED THE RISK OF GROUNDWATER FLOODING OR LOCAL FLOODING, DUE TO RUN-OFF EXCEEDING THE CAPACITY OF DRAINAGE SYSTEMS; AND
- (V) THE EXTENT TO WHICH THE APPLICANT HAS DEMONSTRATED USE OF SUSTAINABLE DRAINAGE SYSTEMS AS SET OUT IN APPENDIX E, PPG25; AND
- (VI) THE EXTENT TO WHICH ANY NECESSARY AND APPROPRIATE FLOOD DEFENCES OR MITIGATION MEASURES AND THEIR ONGOING MAINTENANCE ARE TO BE MET BY THE DEVELOPER; AND
- (VII) CONSIDERATION OF THE WHOLE-CATCHMENT AREA IN RELATION TO FLOOD RISK AND ITS MANAGEMENT, NOT SOLELY THE FLOODPLAIN;

IN ACCORDANCE WITH PPG 25, IN AREAS OF FUNCTIONAL FLOOD PLAINS, (WHERE WATER FLOWS OR IS HELD AT TIMES OF FLOOD), ONLY BUILT DEVELOPMENT IN THE FORM OF ESSENTIAL INFRASTRUCTURE WILL BE

PERMITTED AND ONLY WHERE IT CAN BE JUSTIFIED AS 'WHOLLY EXCEPTIONAL'.

APPLICANTS WILL BE EXPECTED TO ENTER INTO PLANNING OBLIGATIONS WHERE APPROPRIATE TO MINIMISE THE POTENTIAL FOR FLOOD RISK. FAILURE TO ENTER INTO A PLANNING OBLIGATION TO SECURE APPROPRIATE WORKS WILL, IN LINE WITH THE PRECAUTIONARY PRINCIPLE, RESULT IN THE PLANNING APPLICATION BEING REFUSED.

1.14.9 **Surface Water Drainage**

The situation and design of development can aggravate the problems of flooding in causing an increase in run off from additional impermeable surfaces such as roofs and paved surfaces. The disposal of surface water has long been a material consideration in determining planning applications and PPG25 places increasing importance on assessing how new developments propose to deal with surface water. Since development in one part of a catchment may increase run-off and hence flood risk elsewhere, the aim should be for new development not to increase run-off from the undeveloped situation and for redevelopment to reduce run-off.

1.14.10 The Environment Agency is placing increasing importance on assessing how new developments propose to deal with surface water. Successful application of sustainable drainage systems could help to reduce the potential of new development to cause flooding; reduce the concentration of pollutants entering watercourses, increase the potential to recharge groundwater; as well as offer the opportunity for the creation of nature sites. Further advice and guidance on these techniques is from the Environment Agency and in PPG25. The Council will, where relevant, seek advice from the Environment Agency and water companies and will assess development proposals in line with Policy SUS19.

SUS18 SURFACE WATER DRAINAGE

DEVELOPMENT WHICH IS LIKELY TO CREATE RUN-OFF AND SURFACE WATER WILL ONLY BE PERMITTED WHERE:

- (a) SURFACE WATER DISPOSAL, SOLUTIONS, THAT ARE SUSTAINABLE AND PROTECT THE ENVIRONMENT, ARE PROVIDED AS AN INTEGRAL PART OF THE DEVELOPMENT. WHERE NECESSARY, DISCHARGE RATES FROM SITES WILL BE RESTRICTED AND MEASURES TO ATTENUATE AND DISPOSE OF WATER IN ACCORDANCE WITH BEST PRACTICE WILL BE REQUIRED;
- (b) THE RUN-OFF WOULD NOT INCREASE THE RISK OF UNACCEPTABLE FLOODING OF WATERCOURSES, LAND OR PROPERTY;
- (c) EXISTING LAND DRAINAGE SYSTEMS WOULD NOT BE ADVERSELY AFFECTED; AND

- (d) THE EFFECTIVE MAINTENANCE OF WATERCOURSE CHANNELS WOULD NOT BE PREVENTED.

1.15 Biodiversity

- 1.15.1 The UK Biodiversity Action Plan (BAP) (DOE 1994) has put biodiversity at the top of the environmental agenda, requiring a costed programme for the preservation of the country's most endangered species and habitats. The Hertfordshire Biodiversity Action Plan (BAP) identifies key habitats and species within the county requiring priority conservation action. These have been selected according to their rarity and their risk of decline (at both national and local level) as well as their potential as indicators of biodiversity and the health of the environment. The conservation and enhancement of biodiversity is an essential element of sustainable development. Proposals which make a positive contribution to biodiversity will be supported by the Council.
- 1.15.2 Policies GBC18, GBC19 and GBC20 cover the protection and enhancement of identified sites of wildlife and natural interest. Developers should note that areas of importance for wildlife and the presence of endangered species are not confined to statutory/local wildlife sites. The Council would therefore encourage where appropriate developers to undertake an ecological appraisal of a site prior to the formulation of any planning application. Owners and managers of identified local wildlife sites can also obtain information and advice from the Herts and Middlesex Wildlife Trust.
- 1.15.3 In considering development proposals in other locations, the Council will also have regard to the biodiversity impacts and opportunities for improvement. Key issues will include:
- (a) the retention and enhancement of the natural features of the site;
 - (b) the promotion of natural areas as part of the design;
 - (c) the translocation of habitats and species where necessary; and
 - (d) the use of locally native species in planting.

1.16 Sustainability Checklist

A Statement of Intent on sustainability is required for large scale developments – development that is for more than 10 houses or more than 500 sq. metres floor space. Most sustainability questions are relevant to all types of development, however, some are more relevant to commercial developments only (those marked C). In this way applicants need only consider that list of questions appropriate to their planning application. These questions are intended to act as a guide. Applicants for planning permission are not expected to respond to all the questions but should focus on those most relevant to their application. Applicants should consider:

LAND USE

1. Will my proposal provide local facilities?
2. Will my proposal favour the central town over green field sites?
3. Will my proposal avoid loss of open land or urban open space?

4. Will my proposal use derelict/under-used/vacant land or buildings? (including upper storeys)
5. Will my proposal encourage use of public transport? (e.g. commuted sums for public transport provision, bus stops etc)
6. Will my proposal avoid areas of high quality agricultural land?

LEISURE, CULTURAL, AND SOCIAL ACTIVITIES

1. Will my proposal make positive provisions for open space? (e.g. provide open space, parks and commuted sums for future maintenance)
2. Will my proposal improve and maintain public access to open space?
3. Will my proposal improve leisure and recreational facilities? (e.g. recreation grounds, children's play areas, playing fields)
4. Will my proposal improve community, cultural and social facilities? (e.g. community centres, crèches)
5. Will my proposal protect and improve the settings and features of archaeological and historical significance? (e.g. conservation areas, listed buildings, features of archaeological significance)

ACCESS

1. Is my proposal located within a reasonable distance of main employment centres, retail centres, recreation and community facilities and schools?
2. Will my proposal encourage walking? (e.g. provision of controlled crossings, pedestrian preference zones, adequate lighting, traffic calming)
3. Will my proposal ensure access to buildings for all? (wheelchair users, people with young children/prams, blind and disabled people)
4. Will my proposal improve facilities and conditions for cycling, particularly safety aspects? (e.g. Secure cycle storage, cycle paths, signals and lanes)
5. Will my proposal assist in making public transport more attractive or a more viable alternative? (e.g. more frequent buses, bus preference measures, increased population density in transport corridors)
6. (C) Will my proposal assist in reducing vehicle usage? (e.g. car sharing, teleworking, pooled bicycles or cars, load splitting, home delivery)
7. Will my proposal provide facilities for those without a car? (e.g. local shopping, kerbside recycling, neighbourhood service delivery)
8. Will my proposal make appropriate provisions for parking? (appropriate levels/standards of parking, car-free neighbourhoods, park and ride facilities, parking enforcement)
9. Will my proposal contribute to road construction/maintenance where appropriate?

SATISFYING WORK

1. (C) Will my proposal increase employment opportunities for local people?
2. (C) Will my proposal help the local economy? (e.g. by using local labour and suppliers)
3. (C) Will my proposal improve educational facilities in the local area including training?

WASTE

1. Will my proposal provide storage and facilities to assist recycling and waste sorting?

2. Will my proposal make use of recycled, recyclable and durable products? (e.g. building materials, salvage material for reuse/recycling, use of demolition materials for hardcore and aggregate)
3. Will my proposal reduce litter and dog mess? (e.g. dog bins in parks, fencing to reduce windblown litter)

ENERGY

1. Will my proposal reduce the need to travel by car?
2. Will my proposal avoid overshadowing other buildings?
3. Will my proposal consider the full energy costs of extraction, manufacture, transport, use, and disposal both in construction and operation? (e.g. minimise changes made to site levels during construction, avoid the use of aluminium, renew/repair/refurbish)
4. Will my proposal maximise energy efficiency in buildings?

AIR WATER NOISE, LIGHT

1. Will my proposal reduce air pollution and dust both in construction and operation? (e.g. low NOx boilers, reduction in traffic volumes, damping and wheel cleaning to avoid dust)
2. Will my proposal minimise greenhouse gas emissions? (e.g. condensing boilers, combined heat and power systems)
3. Will my proposal protect groundwater from contamination? (e.g. sewer renewal, waterway maintenance, dredging, reedbeds for wastewater treatment)
4. Will my proposal encourage water conservation? (e.g. water meters, storage and use of grey water)
5. (C) Will my proposal protect the balance of water resources at the site and surrounding area and thus prevent potential flooding? (e.g. permeable surfaces for car parks/spaces/driveways, minimise road length, avoid water runoff into watercourses, avoid building on floodplains)
6. Will my proposal incorporate features in the design to accentuate noise levels? (e.g. meeting noise standards, noise insulation, use of quieter technology, hours of operation)
7. Will my proposal minimise levels of pollutants which are not necessarily statutorily controlled and are to the detriment of the wider environment.
8. Will my proposal include a proper site investigation to identify areas of land contamination where necessary, and take correct measures for decontamination?

NATURE

1. Will my proposal protect environmental features of importance? (e.g. important trees, hedgerows, and open spaces,)
2. Will my proposal conserve and make positive provision for nature conservation? (e.g. nature reserves, plantings to encourage wildlife and biodiversity, gardens and allotments, use native Hertfordshire or British species)
3. Will my proposal avoid the use of tropical hardwoods?

AESTHETICS

1. Will my proposal include good standards of screening and landscaping? (e.g. soft boundary treatment such as hedges and shrubs, use of native species, landscape management plans)

SAFETY

1. Will my proposal contribute to community safety, reduce crime and increase the public's perception of safety? (e.g. designing out crime measures)