

CHAPTER 3: ENVIRONMENT

Introduction

- 3.1 Charnwood has a richly diverse built and natural environment, much valued by the local population. It incorporates extensive tracts of attractive countryside, most notably the Charnwood Forest area. Many of its villages remain largely unspoilt despite the fact that over the last 30 years the area has accommodated a significant amount of growth in the form of new houses, industry and roads.
- 3.2 Charnwood's accessibility and natural attractions will continue to make it an attractive location for further development over the plan period. The broad strategy of the Plan is to seek to accommodate the need for further development whilst at the same time continuing to conserve and enhance the special environmental character of the area.

National and Strategic Policy

- 3.3 The plan-led planning system places an increased emphasis on environmental concerns and the role the development plan can play in protecting and enhancing the environment. PPG12 confirms that environmental concerns should weigh increasingly in the balance of planning considerations and that development plans should take on board newer environmental concerns, for example relating to energy conservation.
- 3.4 The main thrust of government guidance is to ensure that policies in development plans are grounded in the concept of sustainability - the concern to ensure that adequate provision is made to meet development needs in balance with the need to protect the natural and built environment for the benefit of future generations.
- 3.5 The strategy of the County Council's Structure Plan embodies this new environmental emphasis; one of the plan's key aims is the protection and enhancement of the best of Leicestershire's environment.

The Charnwood Perspective

- 3.6 For the Borough, environmental concerns have been a central feature of its planning policies established in a number of local plans prepared for the Soar Valley, Wreake Valley and Loughborough. The Borough of Charnwood Local Plan seeks to build on this generally successful approach. For the environment the plan aims to:
- i) pursue an overall strategy which ensures that development is sustainable and remains generally compatible in scale and character with its location and is adequately supported by existing or proposed services, amenities and infrastructure;
 - ii) conserve, protect and enhance those features of the natural, historic and built environment which are particularly valued by the community and introduce measures to safeguard against pollution and promote the conservation of energy;
 - iii) improve the quality of the environment through the achievement of defined standards in the design, layout and landscaping of all new development together with the promotion of selected enhancement schemes in areas in need of renewal, refurbishment or special attention;
 - iv) ensure the beneficial use of all vacant, derelict and underused land.
- 3.7 The following policies and proposals for the environment set out in the rest of this chapter address the following objectives:
- i) to preserve and enhance Charnwood's built and natural heritage including conservation areas, listed buildings, archaeological sites and historic parks and gardens;

- ii) to ensure that new housing development proposed in the plan remains in keeping with its surroundings and creates living environments of character and identity that meets all the specified standards relating to residential amenity;
- iii) to ensure high quality design and landscaping for all new industrial, warehouse, office and commercial buildings;
- iv) to ensure that the display of advertisements is carefully controlled in the interests of local amenity and public safety, and that stricter controls are exercised in areas of special control;
- v) to ensure that new developments take into account the access needs of all sectors of the community and the need to create a safe environment;
- vi) to protect essential open spaces for recreation and amenity from development wherever possible;
- vii) to protect important trees and areas of woodland from development;
- viii) to encourage and initiate landscape improvements in areas of countryside, green wedge and local separation, and achieve sensitively designed urban edges for the Borough's settlements;
- ix) to maintain and improve the quality and quantity of features of scientific and ecological interest, including the protection and creation of new wildlife;
- x) to establish a programme of environmental improvements throughout the Borough;
- xi) to protect the quality and quantity of water resources;
- xii) to minimise the detrimental effects of noise and other nuisances;
- xiii) to promote energy conservation, the wider use of alternative and renewable energy resources and to facilitate more recycling of waste materials;
- xiv) to ensure that new telecommunications developments, including the erection of satellite television dishes are sensitively located so as not to detract from the character and appearance of their immediate locality or the wider area.

Design

3.8 POLICY EV/1

The Borough Council will seek to ensure a high standard of design in all new developments. Planning permission will be granted for new development which:

- i) respects and enhances the local environment including the scale, location, character, form and function of existing settlements and the open and undeveloped nature of the countryside;**
- ii) is of a design, layout, scale and mass compatible with the locality and any neighbouring buildings and spaces;**
- iii) utilises materials appropriate to the locality;**
- iv) provides positive and attractive built frontages to existing or proposed public spaces including roads, footpaths, waterways and areas of public open space;**
- v) safeguards important viewpoints, landmarks and skylines;**
- vi) uses the landform and existing features in and around the site, such as woodlands, trees, hedges, ponds, important buildings and structures imaginatively as the focus around which the new development is designed;**
- vii) safeguards the amenities of adjoining properties, particularly the privacy and light enjoyed by adjoining residential areas;**

viii) **meets the needs of all groups, including the disabled; and**

ix) **minimises the opportunity for crime to create a safe and secure environment.**

- 3.9 PPG1 confirms that the appearance of proposed development and its relationship to its surroundings are material considerations in the determination of planning applications. Good design of buildings and the public spaces they define can make a positive contribution to the environment. The Borough Council will seek to ensure a high standard of design in all new developments. Within areas of distinctive or attractive character, such as Conservation Areas and Areas of Particularly Attractive Countryside, new development will be expected to respect and enhance the established urban form or the special character of the surrounding landscape. Where the traditional character of an area has been lost or diminished through inappropriate development or a key landmark site is involved, encouragement will be given to experiment, originality and initiative in the formulation of a design solution capable of achieving positive improvements to the locality. Specific guidance concerning matters of design is contained where appropriate within the relevant chapters. The Borough Council intends to produce local design guides to outline the key defining local characteristics for various parts of the Borough. These will be published as Supplementary Planning Guidance and will provide advice and guidance for applicants on design issues.

Archaeology

- 3.10 Charnwood is an area rich in history and as a result includes a large number of sites where some archaeological interest has been identified. These include scheduled ancient monuments, other sites of national importance and sites of more local interest. Remains include Roman Roads, historic bridges and evidence of early settlements. PPG16 emphasises that archaeological remains are a finite and non-renewable resource which contain irreplaceable information about our past and are part of our sense of national identity - valuable for their own sake and for their role in education, leisure and tourism. The Local Plan seeks to ensure that archaeological interests receive full consideration and assessment in the development process.

Nationally Important Archaeological Sites

3.11 POLICY EV/2

Planning permission will not be granted for development which would adversely affect a scheduled ancient monument or other nationally important archaeological site, or its setting.

- 3.12 PPG16 notes that archaeological remains identified and scheduled as being of national importance should normally be earmarked for preservation. In Charnwood there are currently some 20 Scheduled Ancient Monuments including Bradgate House and Park, Ulverscroft Priory and Hathern Village Cross. These Scheduled Ancient Monuments are shown on the Proposals Map. There may also be other important unscheduled remains which may also merit preservation. The Borough Council will liaise with English Heritage and Leicestershire County Heritage Service to identify those unscheduled but nationally important remains. A list of Scheduled Ancient Monuments is included in the Borough Council's Supplementary Planning Guidance.

Archaeological Sites of County and Local Significance

3.13 POLICY EV/3

Planning permission for development affecting known archaeological sites of county or local significance, will be granted provided the archaeological interest can be preserved in situ. Where this is not feasible or justifiable, the excavation and recording of the remains under the supervision of a professionally qualified archaeologist prior to development of that part of the site affected by the remains will be required.

- 3.14 For sites registered on the Leicestershire Archaeological Sites and Monuments Record (SMR) the Borough Council will seek to preserve the archaeological interest in situ. Where it is concluded that preservation in situ is not justified the excavation and recording of the remains will be required. The Archaeological Sites and Monuments Record is maintained by Leicestershire County Heritage Service, and they should be consulted for up to date information on areas of archaeological interest in the Borough. A list of the currently identified sites is included in the Borough Council's Supplementary Planning Guidance. This Guidance also identifies the location of 'Archaeological Alert Areas' (AAA's). These contain most of the identified sites of archaeological interest in the Borough. They are likely to contain other currently unidentified sites. Where a development proposal is located within an 'AAA' the applicant will be required to arrange for the evaluation of archaeological interest before an application is determined.
- 3.15 Where the Council concludes that the excavation and recording of archaeological remains on a development site is appropriate, the Borough Council will seek to negotiate a legal agreement with the developer, or alternatively conditions will be included in any planning permission, to ensure that excavation and recording of the remains is carried out before development commences.
- 3.16 The potential conflict between the needs of archaeology and development can be significantly reduced if developers discuss their plans for development with the Borough Council at an early stage. Developers should also consult with Leicestershire County Heritage Service who hold the Sites and Monuments Record (SMR). If these discussions indicate that a known site of archaeological interest, or an area of archaeological potential may be affected, an archaeological assessment of the proposal will be required as part of the application. Where this assessment indicates that important remains may exist, the Borough Council will require an archaeological field evaluation be undertaken before the application is determined.
- 3.17 In considering applications which affect archaeological sites, the Borough Council will liaise with both English Heritage and Leicestershire County Heritage Service.

Listed Buildings

- 3.18 Part of the character and heritage of an area is its stock of buildings and structures of architectural or historic interest. Within Charnwood there are some 760 buildings and 200 structures such as walls and bridges that are listed as being of architectural or historic importance. The Borough Council is keen to ensure that wherever possible listed buildings and structures are retained and that development proposals involving or adjoining listed buildings are sympathetic to their character or setting. The Council operates a grants scheme for various eligible restoration works to Historic Buildings. For advice on the availability of such grants, the Council's Conservation and Design Officer should be consulted.

Alterations or Extensions to Listed Buildings

3.19 POLICY EV/4

Planning permission for alterations or extensions to listed buildings, where required, will only be approved where the work is in keeping with the special architectural or historic interest of the building or its character or setting.

- 3.20 Where proposed alterations to a listed building require planning permission it is important to ensure that they are undertaken sensitively and do not harm the special character of the building or its setting.

The Setting of Listed Buildings

3.21 POLICY EV/5

Planning permission for development which would adversely affect the setting of a listed building will be refused. In granting planning permission for development near to a listed building the Borough Council will impose such conditions as it considers necessary to protect the building's character and setting.

- 3.22 PPG15 emphasises the importance of preserving the setting of listed buildings, and notes that often the setting of building can include land some distance from it. The Borough Council will carefully consider the scale, form, siting and design of proposals close to listed buildings to ensure that their setting is not adversely affected by development proposals.

Change of Use of Listed Buildings

3.23 POLICY EV/6

Applications for the change of use of listed buildings to ensure their continued viability will be approved provided they are in keeping with the character, appearance and historic interest of the building. Applications must include full details of any proposed internal or external alterations to the building so that the effects on its character, appearance and setting can be fully assessed.

- 3.24 Often changes of use may provide the key to the preservation of a listed building. The Borough Council will consider sympathetically proposals which would enable historic buildings to be given a new lease of life.

Demolition of Listed Buildings

3.25 POLICY EV/7

Planning permission for development involving the demolition of the whole or substantially all of a listed building will only be granted where it can be demonstrated to the Council's satisfaction that the condition of the building makes it impracticable to repair, renovate or adapt to a use which would ensure its retention.

- 3.26 PPG15 recognises that the destruction of listed buildings is very seldom necessary. Development proposals requiring planning permission which involve the demolition of the whole or substantially all of a listed building will only be granted where it is established that the building is impracticable to repair, cannot continue in its present use and there is no viable alternative use. Where the demolition of a listed building is proposed listed building consent will also be required.

Buildings of Local Historic or Architectural Interest

3.27 POLICY EV/8

Planning permission for development which would affect a building of local historic or architectural interest or its setting will be granted provided:

- i) the appearance or character of the building and its setting are safeguarded; or
- ii) the development would result in significant local community or environmental benefits.

- 3.28 The Borough Council has undertaken a survey of non-listed buildings of local historic or architectural interest in association with the Loughborough Civic Trust, and these are recorded in the Borough Council's Supplementary Planning Guidance. These buildings are locally significant because of their architectural, historical or townscape value. Inclusion of buildings on the list does not award any legal protection and they do not enjoy the full protection of statutory listing. Where a building is of local historic or architectural interest, the impact of any development on the character of the building and its setting will be a material consideration in the determination of development proposals.
- 3.29 The local list will be kept under review and buildings may be added to, or deleted from it. Developers and interested parties should contact the Planning Department to ascertain the current status of buildings. Proposals that would adversely affect a building of local historic or architectural interest will need to demonstrate significant local community or environmental benefits which would outweigh the loss or damage to the buildings.

Historic Parks and Gardens

3.30 POLICY EV/9

Planning permission will not be granted for development which would have an adverse effect on the character or setting of the parks and gardens of historic or landscape significance as shown on the Proposals Map.

- 3.31 To date three parks and gardens within Charnwood have been identified by English Heritage as areas with significant historic or landscape interest: Bradgate Park; Prestwold Hall; and Garendon Park. In addition part of the gardens to Whatton House in North-West Leicestershire fall within Charnwood. The Plan seeks to protect these areas from unsympathetic development and, where opportunities arise, to encourage the reinstatement of these areas as historic landscapes for public use. Whilst agricultural and informal recreation uses will generally be appropriate within these areas, the introduction or intensification of development for other purposes will be resisted.

Development in Conservation Areas

3.32 POLICY EV/10

In determining planning applications for development in designated conservation areas the Council will preserve or enhance their special character or appearance by:

- i) **refusing permission for development involving the demolition of buildings unless it can be demonstrated that their condition is such that their repair, renovation or adaptation would be impracticable or that their removal or replacement would enhance the appearance or character of the area;**
- ii) **requiring, where development would involve demolition, sufficient details of how the site will be treated, and of any scheme for redevelopment of the site, so that the effect of the proposal on the character of the conservation area can be properly assessed. Conditions may be imposed to ensure redevelopment commences as soon as practicable following demolition;**
- iii) **requiring the retention of materials, features and details of unlisted buildings or structures which contribute to the character of the conservation area;**
- iv) **requiring the height, size, design, roofscape, plot width, visual appearance and materials used in any new development (including alterations and extensions to existing buildings) to respect the character of the surrounding area and make a positive contribution to the general character of the conservation area;**
- v) **requiring sufficient details of any proposal, including changes of use, so that the effect of the proposal on the character of the conservation area, both visually and in terms of any potential noise or other environmental intrusion, can be properly assessed. Detailed proposals may also be required on sensitive sites adjoining a conservation area. Alternatively design briefs will be prepared to guide development in the most sensitive locations;**

- vi) **retaining the historic street pattern, traditional buildings lines, open spaces of special character (including gardens), other spaces of public value, important trees and water features, footways, footpaths and kerblines which contribute to the character of a conservation area; and**
 - vii) **encouraging the redesign or replacement of buildings, structures and features which are visually detrimental to the character of a conservation area.**
- 3.33 Within Charnwood there are currently 30 designated conservation areas covering the majority of the historic centres of the main settlements. This policy establishes detailed criteria against which proposals for development within conservation areas can be fully assessed.
- 3.34 The Borough Council will liaise with the responsible agencies for the provision, retention and reinstatement of traditional paving materials, street furniture, lamp standards, brackets, bollards, railings, boundary walls, and telephone kiosks which help to form the character of a conservation area and extending their use where appropriate.

Enhancement of Conservation Areas

- 3.35 The Borough Council will prepare schemes for the enhancement of conservation areas and will encourage owners to improve their own land and buildings. In the determination of planning applications the Borough Council will have regard to the provisions of the Enhancement Scheme and will expect new development to be in keeping with any such scheme.
- 3.36 The Council intends to bid for a Heritage and Economic Regeneration Scheme (HERS) for Loughborough town centre to retain and enhance the most important individual properties and groups of buildings. Where appropriate proposals for the review of existing conservation areas, the designation of additional areas and further enhancement schemes will also be prepared.

Article 4 Directions

- 3.37 Permitted development rights allow certain categories of development to be undertaken without the need to obtain planning permission, and they should not be restricted without good reason. However, there may be exceptional circumstances where reliable evidence would indicate that permitted development could, if not carefully controlled, damage interests of acknowledged importance.
- 3.38 Where it is considered that permitted development poses a real threat to the intentions of established planning policy the Borough Council will, subject to the approval of the Secretary of State where necessary, invoke the provisions of Article 4 and 4(2) of the Town and Country Planning (General Permitted Development) Order 1995 to restrict permitted development taking place.
- 3.39 There are currently 4 areas covered by Article 4 Directions in the Borough, one covering The Green at Mountsorrel and three relating to individual farmholdings in the Charnwood Forest.
- 3.40 For certain permitted development rights affecting dwellings in conservation areas and some works to listed buildings, the Council may introduce Article 4(2) Directions without the need for the Secretary of State's approval. In these cases proposals would be publicised and the Council would have regard to the views of local people.

Advertisements

3.41 POLICY EV/11

Express consent for the display of advertisements and signs will be approved unless the proposal would be either:

- i) **damaging to local amenities by reason of clutter, scale, siting, design or illumination; or**

- ii) **dangerous to public safety through the introduction of signs likely to create a hazard by distracting or confusing road users.**
- 3.42 Without proper control, advertisements may damage the character of the environment through the introduction of an unsightly clutter of signs unsympathetic to the scale, character and architecture of the locality. In some instances poorly designed and located signs may potentially cause a hazard to public safety by distracting or confusing road users. However, properly located and well designed advertising can add to the colour, interest and vitality of the street scene.
- 3.43 Under the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992, all advertisements, other than certain excepted categories, require “express consent” before they can be lawfully displayed. The above policy seeks to ensure that advertisements requiring the express consent of the local planning authority are compatible with interests of local amenity and public safety.
- 3.44 The Borough Council will have particular regard to the need to protect and enhance the appearance of the main road entrances to settlements and will use its powers to control existing and proposed advertisements in these locations. Main approaches to settlements by road can play an important part in defining the image of a settlement. In particular unsightly and inappropriate advertising in these locations can have a substantial detrimental effect. Consent to display advertisements along the main road entrances to settlements in the Borough will be restricted to:
- i) single signs of traditional construction denoting the location of public houses, petrol filling stations and other facilities convenient to travellers;
 - ii) advance warning signs (including signs for tourist features) only where they would not be detrimental to public safety and would not result in a proliferation of signs.

Advertisements Above First Floor Level

3.45 POLICY EV/12

Express consent will not be granted for the display of advertisements above the level of first floor window sills where they would be poorly related to the building or surrounding buildings by reason of their scale or design.

- 3.46 Advertisements should wherever possible be restricted to areas at or below first floor level. Signs located above this level can often appear unsightly and incongruous in relation to both the particular building and the surrounding street scene.

Advertisements on Listed Buildings or in Conservation Areas

3.47 POLICY EV/13

Express consent to display advertisements and signs within conservation areas or on or close to a listed building will only be granted where:

- i) **the design, scale and siting of the sign would preserve or enhance the character or appearance of the conservation area; and/or**
 - ii) **the proposal would not adversely effect the special architectural or historic interest of a listed building or its character or setting.**
- 3.48 The Borough Council has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and will apply more rigorous standards over the control of advertisements in these areas. An unnecessary proliferation of poorly designed and inappropriate signs can have a significant detrimental impact on the appearance of listed buildings and conservation areas.

- 3.49 In particular, internally illuminated box fascia signs can often have a damaging effect on the character of conservation areas and will normally be inappropriate on listed buildings. The Borough Council will pay special attention to the likely impact of proposals for illuminated signage within conservation areas or on or close to listed buildings.

Areas of Special Control for Advertisements

- 3.50 Environmentally sensitive areas of the Borough are designated Areas of Special Control for Advertisements; these include most Conservation Areas and rural areas outside the main settlements. In these areas more stringent standards apply in respect of the size of advertisements limiting the scope for deemed consent. In determining applications for express consent in these areas the Council will be particularly concerned to ensure that advertisements remain compatible with the character and quality of the surrounding rural, or historic environment.

Advertisement Hoardings

3.51 POLICY EV/14

Express consent for the display of advertisement hoardings or posters will not be approved outside the limits to development, within smaller villages or in primarily residential areas.

In commercial and industrial areas, proposals for advertisement hoardings will be approved where the hoarding:

- i) **is in keeping with the scale, form and character of the building onto which it will be placed or surrounding buildings, and**
- ii) **would not, by virtue of its size or siting, be seen as an overdominant feature in the streetscene.**

- 3.52 Advertisement hoardings, because of their size and character, can have a significant impact on the character of an area. They will only be approved where they do not harm the character or appearance of the area or where as an interim measure they would be the only practical means of screening an unsightly building or area of land. Such advertising will usually be out of place in the countryside and many of the smaller villages in Charnwood.

Projecting Signs

3.53 POLICY EV/15

Express consent for projecting box signs will only be approved where the sign:

- i) **by reason of its size, bulk and method of illumination (if any) is in keeping with the character and appearance of the frontage onto which it would be placed and the wider streetscene;**
- ii) **would not result in an impression of clutter in the streetscene bearing in mind the presence of existing projecting signs in the locality.**

- 3.54 By their nature projecting signs can be particularly obtrusive in the street scene, especially where they are too large or bulky for the frontage onto which they are placed. Too many projecting signs in one location can also make the street scene appear cluttered. In considering proposals for projecting signs the Borough Council will take particular care to ensure that they are visually in keeping with the locality and do not give the impression of clutter.

Access for People with Disabilities

3.55 POLICY EV/16

Planning permission will not be granted for new buildings intended to be open to the public or to be used for employment or education unless the design and layout provides suitable access to and into the building for people with disabilities. Proposals for the change of use, alteration or extension of existing buildings for these purposes will also be required to provide for access by people with disabilities where reasonable and practical.

(See also in particular Policy TR/21)

3.56 The Chronically Sick and Disabled Persons Act 1970 and the relevant sections of the Disabled Persons Act 1981 incorporated into the Town and Country Planning Act 1990, require developers of specified types of buildings to provide suitable means of access, parking and toilet facilities to meet the needs of people with disabilities. The types of buildings to which the Act applies are buildings open to the public, places of employment and educational establishments.

3.57 The provisions of the Acts are largely enforced through Part M of the Building Regulations in so far as new development is concerned. PPG1 indicates that local planning authorities should take into account access issues in development plans and in determining planning applications. For new developments, or changes of use or alteration of existing buildings where there will be public access, the Borough Council will seek to ensure that through the design and layout, easy access to the building is provided for people with disabilities. The Borough Council will be flexible in its approach to access issues taking into account the circumstances of each case. Measures designed to assist people with disabilities will improve access for everyone, not least the elderly and infirm and people with young children.

Safety in New Development

3.58 POLICY EV/17

In the determination of planning applications the Borough Council will have regard to the need to make provision in the design and layout of new development for the purposes of creating a safer environment, particularly for women, children and the elderly.

(See also in particular Policy H/16)

3.59 PPG1 makes it clear that crime prevention is one of a number of social considerations to which regard must be given in development plans. The main source of Government advice on crime prevention is contained in Circular 5/94 "Planning Out Crime". Through appropriate design, layout and landscaping of new development the opportunity for and the fear of crime can be substantially reduced.

Open Spaces of Special Character

3.60 POLICY EV/18

Planning permission will not be granted for development which would result in the loss of important areas of open land retained in public or private ownership which contribute to the character of a settlement either individually or as part of a wider network of open space.

3.61 A central feature of the plan's sustainable strategy lies in ensuring that the "green" character of the Borough's settlements is safeguarded and enhanced and not lost to "town cramming". PPG17 emphasises the important contribution open space, both public and private, makes to the quality of urban life.

3.62 The character of settlements is a function of the interrelationship between buildings and the spaces they define. Very often, open spaces make a vital contribution to a settlement's character. Important areas of open land can include:

- spaces of historic importance within conservation areas or adjoining listed buildings;
 - spaces important in the streetscene;
 - spaces creating a feeling of spaciousness within an area;
 - spaces that provide a link to the countryside or provide a transition between the settlement and the countryside beyond;
 - private garden land which is an important feature in the streetscene or forms part of the transition between the settlement and the countryside.
- 3.63 Open spaces of special character are shown on the Proposals Map. Other areas of open land, including recreation land defined under Policy RT/7, and allotments defined under Policy RT/15, can often be important for their amenity as well as recreational value. For development proposals affecting these areas, the Borough Council will also consider whether the land functions as an open space of special character. There may also be circumstances where open land within a settlement that is not identified as an open space of special character on the Proposals Map is proposed for development. In these situations the Borough Council will, in determining the proposal, consider whether the land functions as an open space of special character to which this policy should apply.

Tree Preservation Orders

- 3.64 Part of Charnwood's special character is its wooded landscaped - its most recognisable feature being the popular Charnwood Forest area. It is important that the existing stock of trees and areas of woodland are safeguarded where possible from the impact of new development. The Borough Council will make tree preservation orders to protect those trees, groups of trees or woodlands which make a significant contribution to the amenities of any area. In the determination of planning applications the Borough Council will take into account the need to protect where possible trees from felling, lopping, topping, pruning, changes to ground levels, root severance or soil compaction. Wherever possible services should not be run under tree crowns or through existing or proposed landscape areas in order to avoid damage to root systems.

Ancient Woodland

3.65 POLICY EV/19

The Borough Council will refuse development proposals which would result in the loss of, or damage to, areas of ancient woodland, directly or indirectly by felling, lopping, topping, pruning, changes to ground levels, root severance or soil compaction. Improved management of existing woodland will be encouraged wherever possible.

- 3.66 About half of Leicestershire's woodland is ancient woodland and this is largely located in the Charnwood Forest area. The Council is particularly concerned to ensure that these areas of ancient woodland are protected from loss or damage. Areas of Ancient Woodland are listed in the Borough Council's Supplementary Planning Guidance.

Landscaping in New Development

3.67 POLICY EV/20

Planning permission for new development will be granted where a high standard of appropriate landscaping is provided to the satisfaction of the Borough Council. Where a detailed landscaping scheme is submitted at the full planning application stage or in any reserved matters it should:

- i) **accurately identify planting areas and include details of plant species, their size and density, soil preparation and the location of existing and proposed services;**

- ii) **clearly identify existing trees and hedgerows to be retained as part of the development and the measures proposed to safeguard these features during development;**
 - iii) **include details of structural planting and any proposed earth modelling on the periphery of the site, particularly where it adjoins areas of countryside, Green Wedge, local separation, Areas of Particularly Attractive Countryside, open space, principal transport corridors or areas where the physical separation of land uses requires reinforcement. In these sensitive locations provision should be made for the use of common locally native species. For within site landscaped areas, the use of common locally native species will be sought unless there is no such species suitable to fulfil the landscaping purpose required;**
 - iv) **specify planting to break up the outline of large buildings;**
 - v) **detail planting proposed for car parking and servicing areas;**
 - vi) **provide full details of proposals for future maintenance.**
- 3.68 Without careful and sensitive landscaping new developments, however well designed, can present unacceptably intrusive features and fail to integrate successfully with their surroundings. High quality landscaping is particularly vital for sites on the edge of settlements or those adjoining significant green spaces or green links within settlements.
- 3.69 PPG1 recognises that landscaping is an integral part of good design. Where landscaping issues are considered at an early stage in the design process, the resulting quality and attractiveness of the development can be greatly improved. Landscaping not only brings visual benefits but can also provide shelter from the wind and thereby reduce heat loss and provide energy savings. It can also provide important wildlife habitats. Detailed landscaping schemes will be expected for all new large housing, employment, commercial and recreational developments. For smaller scale developments in sensitive locations, proposed landscaping may also be an important consideration.
- 3.70 Specific landscaping requirements for allocated sites are detailed in the site specific policies contained in the Population and Housing and Employment and Business chapters of the Plan.

Sites of National Ecological or Geological Importance

3.71 POLICY EV/21

Planning permission will not be granted for development which could adversely affect National Nature Reserves or Sites of Special Scientific Interest (SSSI's), proposed or designated for their ecological interest, unless an overriding national need can be shown which exceeds the level of importance for nature conservation and there is no alternative solution or other site suitable for that particular purpose.

For Sites of Special Scientific Interest proposed or designated for their geological interest, planning permission will not be granted for development which could have an adverse affect unless an overriding national need can be shown which exceeds the level of importance for nature conservation or a suitable substitute site of at least equal value can be proposed.

- 3.72 Charnwood contains a wide variety of wildlife habitats which reflect its varying geology, from the high land of the Charnwood Forest to the floodplains of the River Soar and Wreake. There are a large number of sites of ecological/geological importance in the Borough including a number of SSSI's, the majority concentrated in the Charnwood Forest Area.
- 3.73 The 1990 White Paper "This Common Inheritance" spelt out the Government's commitment to sustainable development and in particular to conserving the natural heritage for the benefit of future generations. PPG9 outlines the Government's objectives for nature conservation and the framework for safeguarding the natural heritage under domestic and international law.

- 3.74 The key national importance of SSSIs means that development proposals likely to affect them must be considered carefully. Development proposals having an adverse effect on these sites will not be permitted unless an overriding national need can be established. The policy will be applied to all currently designated SSSI's identified on the Proposals Map and to all subsequent designations.

Sites of Regional, County and District Level Ecological or Geological Importance

3.75 POLICY EV/22

Planning permission will not be granted for development which could adversely affect County and District level sites of ecological interest or Local Nature Reserves unless an overriding strategic need can be shown which exceeds the level of importance for nature conservation.

For Regionally Important Geological Sites and County and District level geological sites, planning permission will not be granted for development which could have an adverse affect unless an overriding strategic need can be shown which exceeds the level of importance for nature conservation or a suitable substitute site of at least equal value can be proposed.

- 3.76 The list of ecological and geological sites prepared by the County Council's Heritage Service identifies over one hundred and fifty sites of county or district level ecological or geological interest. It is important that these important sites are protected from adverse development wherever possible. Development which would affect a regional, county or district level ecological or geological site will only be granted where there is a strategic need for the development sufficient to outweigh the importance of the site for nature conservation. The sites concerned are identified on the Proposals Map and listed in the Borough Council's Supplementary Planning Guidance.

Sites of Parish Level Ecological or Geological Importance

3.77 POLICY EV/23

Planning permission for development in and around parish level ecological and/or geological sites will not be granted unless measures are included to protect or compensate for valuable habitats or features damaged or destroyed during the development.

- 3.78 The Borough's natural heritage is not confined to the various statutorily designated sites, but is found throughout the countryside and the built up areas.
- 3.79 Often ecological sites of parish level importance can be of great value to local communities particularly where opportunities for direct contact with nature are limited. These areas can also form an important element of wider wildlife corridors. For these parish level sites the Borough Council will, through a combination of protection and compensatory provision, seek to ensure that the overall stock is not diminished.

Landscape Features Important for Nature Conservation

3.80 POLICY EV/24

Planning permission for development which would affect a feature of the landscape of major importance for wild flora and fauna will be not be granted unless:

- i) the feature is safeguarded and retained within the development;**
- ii) its function as a linear and continuous corridor or stepping stone for migration, dispersal and genetic exchange is not diminished; and**
- iii) a scheme for the management of the nature conservation interest is prepared.**

- 3.81 PPG9 notes that in combination with statutory and non-statutory sites, countryside features providing wildlife corridors or links are an important part a network necessary to maintain nature conservation interests. The Habitats Directive requires Member states to encourage the management of features of the landscape important for wild flora and fauna. These features can include river and brook corridors, field boundary systems, roadside verges, ponds and small woods. Many will be designated sites of nature conservation interest. However, it is important that other non-designated sites that are important as links or stepping stones are safeguarded.
- 3.82 Where proposals would be likely to affect a landscape feature which functions as an important link or stepping stone, the Borough Council will seek to ensure that it is incorporated in the development, and may look to negotiate a legal agreement with the developer, or alternatively conditions will be included in any planning permission, to secure the appropriate management of the nature conservation interest.

Development and Features of Nature Conservation Interest

3.83 POLICY EV/25

Proposals for new development will be expected to include measures to conserve existing features of nature conservation interest and to include proposals for the creation of new habitats where appropriate.

- 3.84 Planning applications for new development likely to affect designated sites or landscape features of major importance for nature conservation will be expected to include:
- i) an accurate site survey of all existing natural features showing what is to be removed and what is to be retained;
 - ii) an assessment of the likely impact on features of nature conservation interest including landscape features of major importance for wild flora and fauna because of their linear and continuous structure or their function as stepping stones;
 - iii) any changes to ground levels and existing land drainage patterns including the location, size and extent of any temporary mounds of soil or topsoil;
 - iv) the location of existing or proposed services;
 - v) proposals to protect, enhance and manage existing habitats and areas of geological interest to be retained, including safeguarding measures during construction on site;
 - vi) proposals for new habitat creation to compensate for any loss or damage to nature conservation features.
- 3.85 The Borough Council is keen to ensure that full advantage is taken of the opportunities to create new wildlife habitats in all new developments and provide substitute areas of geological interest where necessary. Coupled with the careful protection of existing sites this should ensure that the stock of ecological and geological sites is maintained over the plan period. Where proposals could potentially affect existing sites of interest full details of the development will be required to ensure that the ecological and geological interest of the site and its possible role as part of a wider wildlife corridor is safeguarded as far as possible. The Council will consider the use of conditions or obligations to minimise disturbance to existing sites and provide new habitats or substitute sites were necessary.
- 3.86 In considering development proposals affecting all ecological and geological sites the Borough Council will have regard to the advice of English Nature, the County Council's Heritage Service and the Charnwood Wildlife Project. A list of Parish level ecological and geological sites is included in the Borough Council's Supplementary Planning Guidance. As these designations change as new sites are identified advice should always be sought on the current up to date situation.

Management Agreements

- 3.87 Apart from specific proposals to change the use of land, valuable habitats can also be damaged by inappropriate management. In certain instances the Borough Council may seek to enter into agreements with landowners in order to protect features of conservation interest through its powers under Section 39 of the Wildlife and Countryside Act 1981.

Local Nature Reserves

- 3.88 Under section 21 of the National Parks and Access to the Countryside Act 1949, the Borough Council has the powers to set up and manage Local Nature Reserves. The Borough Council's Environmental Charter includes a commitment to recognise and protect areas important for wildlife conservation using these powers. Local Nature Reserves can provide local people easy access to the natural environment whilst helping to protect locally important sites for wildlife. The Borough Council will identify and manage Local Nature Reserves to include examples of a wide range of habitat types within the Borough.

Species Protection

3.89 POLICY EV/26

The Borough Council will not grant planning permission for a development that would have an adverse effect upon any site supporting badgers, bats and all other species protected by schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981, as amended, or Annex IV to the EC Habitats Directive unless measures are included in the proposal to protect the species and minimise any disturbance during development, or to provide for its transfer to an alternative site of equal value.

- 3.90 The Wildlife and Countryside Protection Act 1981 places restrictions on the killing, taking, keeping and sale of wild birds and their eggs, and other animals and plants listed in the Act. Other animals, including badgers and bats, are protected under separate legislation. Under the EC Habitats Directive, certain animal and plant species are also afforded protection. The Conservation (Natural Habitats, & c.) Regulations 1994 implement the Directives' requirements for species listed in Annex IV. The Borough Council will seek to ensure that sites supporting protected species are safeguarded from development. Where development is permitted, the Borough Council will either impose conditions or seek to negotiate a legal agreement with the developer to secure the protection of the affected species. The possibility of transfer to an alternative site will only be considered in exceptional circumstances. Prospective developers of sites which may support species are advised to contact English Nature regarding their obligations in this respect.

Wildlife Strategy

- 3.91 The Charnwood Wildlife Strategy was produced in 1991 by the Charnwood Wildlife Project, a joint venture between Leicestershire and Rutland Trust for Nature Conservation and Charnwood Borough Council, supported by UK2000 and private sponsors. The Strategy seeks to protect important wildlife habitats, provide a more conducive environment in which common plants and animals can flourish and generate a more caring attitude towards wildlife. Many of the policies of the strategy overlap with policies of this plan aimed at safeguarding ecological sites; species protection; protecting green spaces and green corridors; promoting the creation of new habitats wherever possible. The Borough Council will have regard to the policies of the Charnwood Wildlife Strategy in so far as they have land-use implications in relation to proposals for development affecting sites which include areas of ecological interest.

Improvements to the Built Environment

- 3.92 The Borough Council will encourage and, where appropriate, initiate a programme of environmental improvements to upgrade and enhance the built up areas within Charnwood. Measures will include hard and soft landscaping, tree establishment, traffic calming, the treatment of untidy sites and the rationalisation of advertising.
- 3.93 A programme of action will be established focusing on the following priority areas:
- i) Loughborough Town Centre, the main approaches to the town by road and rail and the Grand Union Canal;
 - ii) the centres of the larger villages including Shepshed, Birstall, Thurmaston, Syston and Barrow upon Soar;
 - iii) boundaries of main employment areas, particularly where they adjoin residential areas, public open space, or the open countryside;
 - iv) areas of derelict and degraded land and buildings;
 - v) Conservation areas;
 - vi) areas of Victorian terraced housing and post-war Council housing.
- 3.94 Within the main built up areas in the Borough environmental improvements will focus on Loughborough town centre and the centres of the larger villages. Existing schemes, for example the "Conservation Area Partnership Scheme" for Mountsorrel and Quorn, have already resulted in a range of environmental improvements. The scheme for pedestrianisation in Loughborough Town Centre has secured significant environmental improvements to the shopping environment in the town. The Borough Council intends to establish a programme of environmental action where environmental improvements will be pursued in partnership with landowners and other interested parties.

Improvements to the Natural Environment

- 3.95 Outside the Limits to Development measures to improve the natural environment will be encouraged and initiated including:
- i) the removal of derelict buildings where they are detrimental to the attractive rural character of the area;
 - ii) the reclamation of derelict land for agriculture, tree planting, nature conservation or appropriate recreation uses;
 - iii) improvements to existing footpaths and bridleways;
 - iv) tree planting, particularly within the National Forest;
 - v) enhancement of existing and the creation of new wildlife habitats.
- 3.96 For the Borough's natural environment, the National Forest Strategy will encourage a series of environmental improvements in the western part of the Borough. Elsewhere the emphasis will be on the treatment of eyesores including the removal of derelict buildings and the reclamation of areas of derelict land along with further tree planting and the enhancement and the creation of new wildlife habitats. In preparing improvement schemes the Borough Council will consult with the Charnwood Wildlife Project and other local interest groups as appropriate.

Protection of Floodplains

3.97 POLICY EV/27

In the floodplain areas identified on the Proposals Map, planning permission will not be granted for development likely to increase flood risk unless there is an overriding need for the development, and adequate protection and mitigation measures to compensate for any impact are clearly identified, agreed by the local planning authority and implemented by the developer prior to development.

- 3.98 Historically some limited development has taken place within the floodplains of the Rivers Soar and Wreake and consequently some properties are at risk from flooding. Any further development within floodplain areas which would increase the risk of flooding on the site or elsewhere will be resisted. Development can increase flood risk by obstructing flood flows or by reducing the amount of land available for flood water storage. Where it is decided that there is an overriding need for the development, appropriate flood protection and mitigation measures will be required to compensate for the impact of development. Areas at risk from flooding are identified by the Environment Agency and are shown on the Proposals Map. The Agency is in the process of updating maps of floodplain areas which will be constantly reviewed if better flood data becomes available. To ensure that planning decisions are based on accurate and up to date information on flood issues, the Borough Council will consult with the Environment Agency on the possible impact of development proposed in or adjoining areas likely to be at risk from flooding and the suitability of any flood protection or mitigation measures proposed.

Design of Flood Alleviation Measures

3.99 POLICY EV/28

Where planning permission is required for works related to flood alleviation, consent will be granted provided the measures:

- i) **are of a design and scale likely to conserve the ecological and scenic value of the river valleys; and**
- ii) **are appropriate in scale and use of materials to the site and its surroundings; and**
- iii) **would not increase flood risk elsewhere.**

- 3.100 The River Soar Flood Alleviation Scheme has been taken as far as Quorn and has successfully reduced the risk of flooding. The Borough Council is concerned to ensure that any further flood alleviation measures are designed to be compatible in scale and use of materials with the ecological and scenic value of the river valleys and do not increase flood risk elsewhere. The Borough Council will consult the Environment Agency with regards to the design of flood alleviation schemes.

Access to Watercourses for Maintenance

3.101 POLICY EV/29

Planning permission will not be granted for development within 8 metres of the top of the bank or within 8 metres of the landward toe of a flood bank or other flood defence on all main rivers and other watercourses which would obstruct access for future maintenance.

- 3.102 Circular 30/92 emphasises that local planning authorities should restrict development that would either increase the risk of flooding or would interfere with the ability of relevant bodies to carry out flood control works and maintenance. This policy aims to ensure that maintenance access to watercourses is safeguarded.

Surface Water Run-Off

3.103 POLICY EV/30

Planning permission will not be granted for development which would result in an increased flood risk or have an unacceptable adverse impact on the water environment in areas downstream due to additional surface water run-off unless appropriate alleviation and mitigation measures are included as part of the development and agreed by the local planning authority.

- 3.104 New development, redevelopment and changes of use can all potentially alter the pattern of surface water run-off. Where new built development occurs, the quantity and rate of run-off from more impermeable surfaces like roads and car parks can increase significantly. Whilst the effects may not be immediately apparent they can have a dramatic effect downstream and may cause the capacity of watercourses to be exceeded at times of flood risk, increase pollution, silt deposition and damage watercourse habitats. These effects can often be at some considerable distance from the actual development. New developments will only be permitted where suitable measures to mitigate all the adverse impacts of surface water run-off are included as part of the development. The Borough Council will consult with the Environment Agency on the possible impact of development on surface water run-off and any alleviation and mitigation measures proposed.

Sewage Disposal Capacity

3.105 POLICY EV/31

Where existing sewage disposal facilities are at capacity planning permission for new development will not be granted unless it is phased to commence in accordance with a programme for the improvement or extension of those facilities. In such circumstances permission will be conditioned to ensure that the development is not occupied until the required improvements are operational.

- 3.106 Ensuring the quality of natural resources such as water are safeguarded is at the core of planning for sustainability. Considerable effort at national level is being directed towards the prevention of pollution of rivers and watercourses. In preparing the local plan the implications of the proposed housing and industrial allocations for service provision have been carefully assessed, particularly in relation to the likely environmental implications. Where windfall or other development sites not specifically allocated in the plan come forward which could lead to the overloading of treatment works, it is likely that Severn Trent Water Ltd., under the terms of the Water Act 1989, will request that development is phased over a mutually acceptable timescale to allow for the implementation of any necessary works. Where new facilities are required the Council will, in consultation with the Environment Agency and Severn Trent Water Ltd, investigate the possible provision of sustainable sewage management systems.

Guidance for Septic Tanks

3.107 POLICY EV/32

Planning permission will not be granted for new development serviced by independent sewage treatment facilities where main drainage facilities are reasonably accessible.

- 3.108 Where main drainage facilities exist it will be reasonable to require new development to feed into them to ensure the long term maintenance of sewage disposal facilities.

Ground Water Protection

3.109 POLICY EV/33

Planning permission will not be granted for development which would be likely to result in the pollution of groundwater or surface water resources.

- 3.110 Groundwater reserves are a valuable source of supply to the public, agriculture and industry and also sustain base flows in the rivers. The water quality of inland watercourses is also an important area of concern. As the decontamination of polluted groundwater is a difficult and expensive process, it is desirable to reduce the risk of pollution rather than deal with its consequences. The publication of the Environment Agency "Policy and Practice for the Protection of Groundwater" gives further guidance on the acceptability of development in relation to groundwater protection. The Borough Council will consult with the Environment Agency on proposals likely to adversely affect the quality of groundwater or surface water resources.

Nuisance from Sewage Works and Agriculture

3.111 POLICY EV/34

Planning permission will not be granted for development in the vicinity of sewage treatment works, livestock units, slurry tanks or lagoons unless it is demonstrated that the level of smells and other potential nuisance from these operations would not have an unacceptable impact on the amenities enjoyed by future occupants of the development.

- 3.112 Part of a sustainable development strategy involves ensuring that as far as possible incompatible uses are not juxtaposed. Because of the smell and other nuisances generated by sewage works and certain agricultural activities, it will not normally represent good planning to locate new development in close proximity to these uses. The Borough Council will consult with Severn Trent Water Ltd in relation to development proposals close to sewage treatment works. Certain established agricultural activities can also be a potential source of nuisance. For development proposals involving dwellings or buildings occupied by people within 400 metres of an established livestock unit, slurry tank or lagoon, the Borough Council will carefully consider any potential risk of nuisance to future occupants.

Development Close to Landfill Disposal Sites and Contaminated Land

3.113 POLICY EV/35

Planning permission will not be granted for built development either on or in the vicinity of former landfill sites or other contaminated land unless it is demonstrated to the satisfaction of the Borough Council that the site is safe and there will not be significant problems associated with:

- i) the generation of methane or other gases;**
- ii) ground instability;**
- iii) pollution of ground and surface water resources; or**
- iv) other contamination.**

- 3.114 There are a number of filled and active landfill disposal sites located in the Borough. In view of the potential landfill gas hazards associated with refuse sites it is essential any built development is located having regard to the implications of proximity to a landfill site and that adequate protection measures are incorporated in development schemes. The Borough Council will consult with the Environment Agency on the implications of development proposals in relation to landfill sites.

Site Assessments for Landfill Disposal Sites and Contaminated Land

3.115 POLICY EV/36

Where it is suspected that a development could potentially involve or be affected by contaminated land, conditions will be attached to any consent and/or legal agreements sought to ensure that the approved development does not commence until a site assessment has been carried out and the development incorporates any remedial or safeguarding measures required by the assessment.

- 3.116 Apart from the known landfill sites there may be other sites with potential instability and contamination problems. Where some contamination is suspected the Borough Council will normally grant consent subject to conditions to ensure that full site investigations are carried out.

Recycling

- 3.117 It is well proven that recycling makes good economic as well as environmental sense. It is a government priority to encourage the re-use or recycling of materials which would otherwise be thrown away, and the recovery of energy from waste which cannot be recycled. There are already over thirty recycling facilities across the Borough for glass, cans, paper and textiles. In August 1995 a new bottle bank system was introduced which will bring a bottle bank within easy reach of every home in the Borough. Under the scheme, towns and larger villages will have improved permanent sites and most smaller communities will be visited by a mobile unit. In parts of the Borough a recycling collect scheme has also been introduced with recyclable materials being collected on a fortnightly basis as part of the normal household refuse collection service. The Borough Council is committed to improving the range and quality of recycling facilities in the Borough. Policy CA/10 requires the provision of recycling facilities in new local centres proposed in the Plan.

Telecommunication Structures

3.118 POLICY EV/37

Applications for the erection of telecommunications masts and ancillary structures which require planning permission will be approved provided:

- i) **the applicant can demonstrate that the possibility of mast sharing or erecting the equipment on existing buildings, masts or other structures has been ruled out on technical grounds following detailed investigation;**
- ii) **the type of mast, its scale, mass, design, colour and materials, and its siting does not have an unacceptable impact on the character or appearance of the landscape or the built environment or nature conservation interests.**

In considering such applications the Local Planning Authority will take account of the special siting, technical and operational requirements of the equipment, the significance of the proposal as part of a national network, and whether the proposal meets ICNIRP guidelines on the limitation of exposure of the general public to electromagnetic fields.

- 3.119 In accordance with PPG8, the Borough council is keen to facilitate the growth of new and existing telecommunications systems. However, telecommunication antennas, if poorly sited can be particularly intrusive. This policy seeks to ensure that the proliferation of masts is avoided and that when required their location is strictly controlled. The Council will require applicants for telecommunications developments to confirm in writing what steps they have taken to investigate the potential for mast sharing or using other existing structures.

- 3.120 Health considerations in relation to telecommunications structures can be a material consideration in determining applications for telecommunications structures. The Independent Expert Group on Mobile Phones under the chairmanship of Sir William Steward reported on the concerns about health effects from the use of mobile phones, base stations and transmitters in May 2000. They recommended a precautionary approach to the consideration of the health implications arising from telecommunications development. The Council will require applicants for telecommunications development to confirm in writing that all areas to which the public would have access will have radiation levels which fall within the ICNIRP guidelines.

Satellite Television Dishes

3.121 POLICY EV/38

Proposals for satellite dishes which require planning permission will be acceptable provided the dish:

- i) by reason of its size, colour, appearance and siting would not have a significant impact on the appearance of the building;**
- ii) would not be visually intrusive or damaging to the wider streetscene;**
- iii) would not adversely affect the amenities of neighbouring properties;**
- iv) would not lead to a clutter of dishes which collectively would detract from the character and appearance of the locality.**

- 3.122 Satellite television dishes are becoming an increasingly common feature on residential and commercial properties throughout the Borough. Unfortunately in some instances, whether because of poor siting or choice of dish, they can be particularly unsightly and incongruous features on a building. This policy seeks to ensure that satellite television dishes are sensitively positioned so as to respect both the buildings on which they are placed and the wider streetscene.

- 3.123 Whilst for the majority of householders, planning permission will not normally be required for the erection of a satellite dish, it is a condition of installing a dish that it must be sited to minimise the impact on the external appearance of the building. In certain circumstances the Borough Council may require the repositioning of dishes it considers to be poorly sited. The Council will look closely at dishes erected under permitted development rights on the front elevations of terraced properties where the visual impact of the dish can be particularly damaging. Dishes may be particularly intrusive if poorly position on terraced properties.

- 3.124 Further details on the siting of satellite television antennas can be found in the DoE Booklet, "A Householders Planning Guide for the Installation of Satellite Television Dishes".

Development and Pollution

3.125 POLICY EV/39

Planning permission will not be granted for new development which:

- i) because of its nature or operation, would be likely to result in a serious risk to the health or general amenities of nearby residents, the public generally or the natural environment; or,**
- ii) involves residential or other development sensitive to pollution which would be likely to suffer poor environmental amenity due to excessive noise, disturbance, dust, smoke or other polluting effects arising from existing development nearby.**

Planning permission will only be granted in these instances where appropriate measures to overcome the potential pollution problems are proposed and implemented to the satisfaction of the local planning authority.

- 3.126 PPG23 emphasises that the planning system has an important role to play in determining the location of development which may give rise to pollution and also in controlling other development proposed close to potential sources of pollution. The Borough Council is concerned to ensure that conflicts between potentially polluting activities and other land uses is minimised. Certain developments can have a potential impact on health, the natural environment or general amenity through releases to water, land or air, or because of noise, dust, vibration, light or heat. Where proposals involve potentially polluting activities, or would be located close to potential pollution sources, satisfactory measures to overcome any problems should be included in the proposals. The Borough Council will, where appropriate, consider the use of conditions or seek to enter into planning obligations to control pollution aspects of development.

Light Pollution

3.127 POLICY EV/40

Planning permission for lighting installations, or for development requiring or likely to require external lighting, will only be granted where it can be demonstrated to the satisfaction of the local planning authority that:

- i) the lighting scheme proposed is the minimum needed for security or working purposes;**
- ii) potential pollution from glare and spillage is minimised, particularly to residential areas, areas of nature conservation and locations in the open countryside or on the edge of existing settlements;**
- iii) the lighting proposed would not cause a distraction to drivers using nearby highways;**
- iv) the visual impact of proposed lighting installations and structures on the character of the surroundings is minimised.**

- 3.128 There is increasing concern about light pollution from external light sources. Where external lighting can be controlled the Council will be concerned to ensure that excessive glare and light spillage are avoided and that the visual impact of lighting structures is minimised through appropriate design and landscaping measures. This can be achieved through careful control of both the amount and detailed design of external lighting. The Council will pay particular attention to proposals in sensitive locations in the open countryside or on the edge of existing settlements. In considering proposals involving external lighting, the Borough Council will have regard to guidance provided in the report "Lighting in the Countryside: Towards Better Practice" commissioned by the ODPM.

Renewable Energy

3.129 POLICY EV/41

Planning permission will be granted for development for renewable energy schemes provided:

- i) the proposal would not have an adverse effect on the character or appearance of the locality;**
- ii) there would be no adverse impact on adjoining land-uses or residential amenity;**
- iii) features of natural, cultural, historical and archaeological interests would be safeguarded;**
- iv) the proposal would not result in unacceptable levels of vehicular traffic on minor roads.**

- 3.130 It is Government policy to stimulate the exploitation and development of renewable energy resources whenever they have prospects of being economically attractive and environmentally acceptable. PPG22 emphasises the careful balance that needs to be struck in harnessing the potential of renewable energy resources whilst at the same time safeguarding the character of the countryside. Renewable energy sources offer the prospect of increasing the diversity and security of energy supplies and reducing harmful emissions to the environment. Sources of renewable energy can include energy flows that occur naturally and repeatedly, for example from the sun, wind or rainfall. Combustible or digestible industrial, agricultural and domestic waste are also potential sources of renewable energy.
- 3.131 The Borough Council is keen to support the development of renewable energy initiatives in the Borough where they are environmentally acceptable. Opportunities within the Borough can include initiatives related to agriculture and forestry, the combustion of methane gas from landfill sites and the development of wind power. Whilst opportunities may arise in the National Forest area, such as energy forestry, any proposals will be considered on their merits in line with the policies of this plan. In terms of the recovery of landfill gas energy, a scheme at the Mountsorrel Landfill site has been awarded a contract under the Non-Fossil Fuels Obligation. There may also be opportunities at Allsopps Lane Tip in association with the development of the site as an ecology park.
- 3.132 In considering applications for renewable energy developments, the Borough Council will take account of the local and wider benefits the proposal may bring and the fact that renewable energy resources can usually only be developed where they occur.

Wind Power

3.133 POLICY EV/42

Planning permission for wind farms and individual wind turbines will be granted provided:

- i) **the Council is satisfied that the wind regime on the proposed site is capable of successfully supporting the generation of wind power;**
- ii) **the proposed development is sensitively located in relation to the existing landform and landscape features so that its visual impact, particularly to wider views, is minimised;**
- iii) **the proposal does not have an unacceptable impact on the special landscape character of areas of particularly attractive countryside or local landscape value;**
- iv) **there would be no detrimental impact on sites of special scientific interest, other areas of nature conservation interest, scheduled ancient monuments or other archaeological sites as a result of the development;**
- v) **the proposal would not have a detrimental impact on surrounding properties due to noise nuisance, shadow flicker or electromagnetic interference;**
- vi) **the structure is located at least one and a half times its height with the blade extended away from any public highway, footpath or bridleway;**
- vii) **the proposal would not involve the erection of overhead power line to connect it to the national grid which would detract from the qualities and character of the landscape.**

- 3.134 So far commercial interest has mainly focused on the potential for wind power generation. However the technically most favourable sites are often areas of special landscape character or are important ecologically. This is the case in Charnwood. Whilst there is clearly the potential for wind power generation in the District, the best locations are likely to be on the high land in the Charnwood Forest or the Wolds. The development of wind power sites in the Forest would conflict with long established policies seeking to protect this area's special landscape character. In the Wolds, because of the sweeping open character of the landscape, wind power developments would be difficult to assimilate successfully.
- 3.135 This policy establishes the general criteria against which proposals for wind power generation in Charnwood can be assessed to ensure that the potential for wind power generation is realised without unacceptable environmental impacts. Key considerations associated with proposals for wind turbines will be their visual impact and any potential noise impact. Other potential effects that will need to be considered include turbine safety, shadow flicker and electromagnetic interference. Applications for the development of windfarms and individual turbines will be required to demonstrate that the wind regime on the proposed site has been properly assessed and is capable of supporting the generation of wind power. Full details of the number, size, design, colour and general location of the machine(s) along with details of the location and appearance of any ancillary buildings and structures, and photomontages to indicate the likely impact of the proposal on major viewpoints will also be required.
- 3.136 Full details of the likely noise impact of the proposal should also be provided particularly in relation to any impact on nearby noise sensitive developments. The Borough Council may also seek to negotiate a legal agreement with applicants to ensure that any interference to television or microwave signals resulting from the proposal is abated.

Percent for Art

3.137 POLICY EV/43

The Borough Council will seek to negotiate the provision of works of public art in places which can readily be seen by the public as an integral part of the design of major developments.

- 3.138 In an attempt to encourage permanent works of art in new development the Arts Council has initiated the 'Percent for Art' Scheme. The scheme seeks to encourage developers in both the public and private sectors to allocate a percentage of any contract sum for commissioning new works of art by artists and craftsmen. Ideally at least one percent of the contract might be directed towards works of art but the total may vary depending on the size and scale of the project.
- 3.139 The Borough Council supports the Percent for Art initiative and through the Policy will encourage the voluntary provision of public works of art by negotiation with prospective developers. The Borough Council will separately pursue the preparation of a Public Arts Strategy for Charnwood.