

24 Environmental Quality

24.1 Introduction

24.1.1 The control of pollution is critical to achieving the District Plan's strategic objectives by promoting healthy lifestyles and an enhanced quality of life for residents and visitors to the district. Pollution control through development also plays a significant role in planning for climate change and working in harmony with the environment to conserve natural resources and increase biodiversity.

24.1.2 Proposals for all types of development must therefore take into account nearby land uses to ensure that the right development is located in the right place across the district, in order to safeguard the quality of the environment. Policies relating to water quality and water pollution are contained within Chapter 23: Water.

24.2 Contaminated Land and Land Instability

24.2.1 Land may be contaminated and/or unstable for a number of reasons, such as previous commercial use or use as a landfill site. Such land can be re-used for new purposes but special remedial measures may be needed to reduce hazards arising from the previous use, and new buildings may need to be specially designed. Developers are responsible for ensuring that unacceptable risks from contamination and land instability are not present on site. If necessary, any risks will be successfully addressed through the remediation of contaminated land without undue environmental impact during and following the development.

24.2.2 When considering proposals for development, regard will be given to the Council's most recent Contaminated Land Strategy.

For more information on the Council's Contaminated Land Strategy go to: www.eastherts.gov.uk/envhealth

Policy EQ1 Contaminated Land and Land Instability

- I. The District Council will encourage the remediation of contaminated land to ensure that land is brought back into use, subject to the requirements of this policy.
- II. The Council will require evidence, as part of any application, to show that unacceptable risks from contamination and land instability will be successfully addressed through remediation without undue environmental impact during and following the development. In particular, the developer shall carry out an adequate investigation to inform a risk assessment.

- III. Where necessary, appropriate monitoring procedures to be undertaken prior, during and post remediation will be agreed with the developer/applicant. This should be set out in a verification report.

24.3 Noise Pollution

24.3.1 The impact of noise on the environment can be detrimental to health and quality of life. There is therefore a need to control the introduction of noise sources into the environment, as well as ensuring that new noise sensitive development is located away from existing sources of significant noise.

24.3.2 One of the most common causes of noise pollution is from traffic noise. In East Herts the proximity of both Luton and Stansted Airports to the district has a specific impact which needs to be taken into account when development proposals are considered. The M11 and the A120 are the main roads serving Stansted Airport. Any increase in activity associated with the airport will subsequently increase the level of traffic on surrounding roads, exacerbating the potential for noise pollution.

24.3.3 Noise can also affect the tranquillity of an area. Tranquillity is a key characteristic of the natural environment. Tranquil spaces, often located within the more rural parts of the district, play a multi-functional role as part of the district's green infrastructure network. They attract visitors, improve health and wellbeing by offering a place to relax and exercise, provide a haven for wildlife and improve biodiversity and enhance the character and identity of a place. These areas will be protected from noise pollution to ensure that areas defined by their tranquillity are protected from development that generates noise.

24.3.4 Where new noise generating development such as industrial and commercial and outdoor sport and recreation uses are proposed, it is expected that they will be located at an appropriate distance away from noise sensitive development i.e. residential areas, schools and hospitals.

24.3.5 The Council is preparing a Noise Assessment Planning Guidance Document to provide advice for applicants of noise generating and noise sensitive developments. It will also set out criteria for the preparation of such assessments as part of the application process.

The Council's (emerging) Noise Assessment Planning Guidance Document can be found on the Council's Website at www.eastherts.gov.uk/envhealth

Policy EQ2 Noise Pollution

- I. Development should be designed and operated in a way that minimises the direct and cumulative impact of noise on the surrounding environment. Particular consideration should be given to the proximity of noise sensitive uses, and in particular, the potential impact of development on human health.

- II. Applications should be supported by a Noise Assessment in line with the Council's Noise Assessment Planning Guidance Document.
- III. Noise sensitive development should be located away from existing noise generating sources or programmed developments where possible to prevent prejudicing the continued existing operations. The use of design, layout, landscaping tools and construction methods should be employed to reduce the impact of surrounding noise sources.

24.4 Light Pollution

24.4.1 Light pollution can cause sleep disturbance and annoyance and is caused by the brightening of the night sky over inhabited areas and excessive brightness from light causing high levels of glare. Dark night skies are important for health and wellbeing, and for the conservation of natural habitats and the behaviour of nocturnal animals and birds.

24.4.2 In addition to impacting upon human health and natural habitats, light pollution is a sign of wasted energy from excessive lighting. Lighting at night in commercial areas is often used for security and to increase visual prominence. Lighting schemes must therefore be designed carefully as part of the overall development proposal to prevent light spillage and glare and to represent the minimum necessary for commercial and security purposes. Schemes will be considered against the latest national guidance and lighting standards including the 'Guidance Notes for the Reduction of Obtrusive Light (2011)'.

Guidance Notes for the Reduction of Obtrusive Light (2011) can be accessed on the website of the Institution of Lighting Professionals here:
www.theilp.org.uk/documents/obtrusive-light/

Policy EQ3 Light Pollution

- I. External lighting schemes must:
 - (a) Not have an unacceptable adverse impact on neighbouring uses or the wider landscape;
 - (b) Be the minimum required for security and operational purposes;
 - (c) Minimise the potential glare and spillage;
 - (d) Minimise harm to the amenity of residents and road users and prevent impacts on the local ecology.
- II. Where appropriate, the District Council will seek to control the times of illumination.

24.5 Air Quality

24.5.1 Clean air is critical to health and wellbeing and quality of life and is also crucial to support habitats and biodiversity. The nature of the district, with its dispersed towns, villages and hamlets with poor inter-connectivity by passenger transport, relative affluence and mobility, high car-ownership and close proximity to London and larger towns and cities, all contribute to higher levels of greenhouse gas emissions per person than neighbouring districts.

24.5.2 The historic nature and organic growth of the district's principle towns of Bishop's Stortford, Hertford and Ware have in themselves led to inefficient road and transport networks and where these issues coincide with limited connections to major roads, congestion is inevitable. Such congestion can result in high levels of localised pollutants which can cause problems for those with respiratory conditions.

24.5.3 Bishop's Stortford in particular suffers from this issue; the combination of the historic road network combined with its proximity to Stansted Airport means that the town centre frequently suffers from congestion and the resultant poor air quality. As such an Air Quality Management Area (AQMA) has been established in the town centre (at Hockerill Lights) to monitor levels of pollutants. There is also an AQMA in Hertford (at the Mill Road/A414 roundabout), and in London Road, Sawbridgeworth. These monitoring sites are supported by action plans to improve air quality in these locations. The Council also produces regular update and screening assessments and progress reports for the whole district and regular assessments on each AQMA. **The Council also has an Air Quality Action Plan which sets out how the Council will work with partner organisations and residents to contribute towards improving air quality across the District.**

More information on Air Quality Management Areas **and the Council's Air Quality Action Plan** can be found on the Council's Website at www.eastherts.gov.uk/envhealth

24.5.4 The Council ~~is preparing~~ **has prepared** an Air Quality Planning Guidance Document which defines the Council's expectations of developers to ensure a consistent approach and sets criteria for when an Air Pollution Assessment is required and a range of mitigation options. In some cases it may be necessary to place conditions where permission is granted in order to ensure mitigation is delivered. **It is intended that the Air Quality Planning Guidance Document will be adopted by the Council as a Supplementary Planning Document.**

The Council's ~~(emerging)~~ Air Quality Planning Guidance Document can be found on the Council's Website at www.eastherts.gov.uk/envhealth
www.eastherts.gov.uk/evidencebase

24.5.5 New vehicle technology, such as hybrid and electric engines, has significant potential to improve air quality by reducing the use of traditional fuel vehicles, which

are a main source of pollutants. New technology takes time to establish and the lack of electric charging points is cited as one of the main deterrents for individuals considering switching to such vehicles. While some developers may argue that there is currently insufficient demand to justify the installation of charging points, a shift to this type of technology will only be achievable if charging points are in place to offer choice to users at locations of both journey origin and destination. So, while initial users of developments may drive traditional petrol/diesel vehicles, as older vehicles reach the end of their lifespan there will be the opportunity for a greater numbers of hybrid and electric vehicles to replace them if sufficient access to charging points is in place and available. It is therefore considered that, as the increased availability of charging points will of itself be likely to generate its own demand, all major developments should incorporate sufficient numbers of electric vehicle charging points.

24.5.6 In order to minimise the environmental impact of buses on local air quality, and in light of the district having declared AQMAs in three of its five towns, it is considered important that where major developments involve the introduction of new bus routes or significant changes to existing routes, low emission vehicles should be provided to help mitigate the effects of the generated trips.

24.5.7 In line with Policy ~~DES3~~ **DES4 (Design of Development)**, the Council will expect proposals to embrace renewable, zero and low-carbon technology to fulfil some, if not all, of the expected energy use of the proposed development. Where proposals are within or near the urban areas of settlements, applications should be supported by an air quality assessment, which details proposed mitigation measures where necessary.

Policy EQ4 Air Quality

- ~~I. — Development and land uses should minimise potential impacts on local air quality both during construction and operation including the operation of heating, cooling and extraction units. Applications should be supported by Air Pollution Assessment in line with the Council's Air Quality Planning Guidance Document.~~
- ~~II. — Development within designated Air Quality Management Areas (AQMAs), or development which may have an impact on these areas, must have regard to the Council's latest strategy and action plan for the reduction of pollutants in the defined catchment, maintaining acceptable levels of air quality. Evidence of mitigation measures will be required.~~
- ~~III. — New developments should make provision for electric vehicle charging points in safe and accessible locations in accordance with Policy DES3 Design of Development.~~
- ~~IV. — In order to minimise the impact of travel on local air quality, where major developments involve the introduction of new bus routes or significant changes to existing routes, service providers will be required, in agreement with Hertfordshire County Council's Transport,~~

~~Access and Safety Unit, to ensure that the vehicles serving these locations will either be of 'hybrid' type or meet the latest 'Euro' emissions regulations.~~

- I. The effect of development upon air quality is a material consideration. All applications should take account of the Council's Air Quality Planning Guidance Document, which details when an air quality assessment is required.
- II. All development should take account of the Council's latest Air Quality Action Plan, local Air Quality Strategies, Local Transport Plans, as well as national air quality guidance.
- III. All developments should include measures to minimise air quality impact at the design stage and should incorporate best practice in the design, construction and operation of all developments.
- IV. Where development (on its own or cumulatively) will have a negative impact on local air quality during either construction or operation, mitigation measures will be sought that will remove over-riding impacts, such as an air quality neutral or negative development. Evidence of mitigation measures will be required upfront.
- V. Where on-site mitigation is not sufficient, appropriate off-site mitigation measures may be required. Where adequate mitigation cannot be provided, development will not normally be permitted.
- VI. Developments must not:
 - lead to a breach or worsening of a breach of UK or EU limit values;
 - lead to a breach or worsening of a breach of an Air Quality objective or cause the declaration of an Air Quality Management Area or;
 - prejudice the implementation of any Air Quality Action Plan or local air quality strategy.

24.6 Waste and Recycling

24.6.1 The Hertfordshire Waste Local Plan is prepared by Hertfordshire County Council. It details policies involving the management of refuse or waste materials other than mineral waste. The Plan contains a hierarchy of disposal, focussing on encouraging waste minimisation, re-use, recycling and the use of waste as fuel. As such, it considers the disposal of waste by landfill as a last resort and endorses the proximity principle; whereby waste should be dealt with as near to the source as possible.

24.6.2 The Hertfordshire Waste Local Plan forms part of the Development Plan for East Herts. As such, applications will be determined having regard to the Waste Local Plan.

24.7 Minerals

24.7.1 The Minerals Local Plan is prepared by Hertfordshire County Council. It sets out how proposals for the extraction and working of minerals are managed. There is a need to ensure that potential and known mineral reserves are safeguarded from development which may 'sterilise' or prejudice the opportunity to extract them now or in the future. Where a proposed development has the potential to affect mineral reserves, appropriate consultation with the County Council must take place. As such, the Minerals Local Plan defines areas known as Minerals Safeguarding Areas and Consultation Areas.

24.7.2 The Hertfordshire Minerals Local Plan forms part of the Development Plan for East Herts. As such, applications will be determined having regard to the Minerals Local Plan.