

## 3. Sustainable Development

### **SD5 Sustainable Design**

### **SD6 Sustainability Statement**

### **SD7 Renewable Energy**

#### **Why are these policies needed?**

Key legislation aims to reduce CO<sub>2</sub> emissions globally by 50% by 2050. The UK has committed to reducing emissions by at least 34% by 2020 and at least 80% by 2050.

The National Planning Policy Framework promotes sustainable development throughout. It acknowledges the key role planning plays in shaping places to secure radical reductions in greenhouse gas emissions, providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. It requires local planning authorities to adopt proactive strategies to mitigate and adapt to climate change.

The government is committed to zero carbon homes by 2016. Where it is not possible to reduce the regulated CO<sub>2</sub> emissions to zero using on-site measures, the remaining emissions can be mitigated through allowable off-site solutions.

Policies SE1, SE4 and U1 of the Watford District Plan 2000 were replaced by the Core Strategy, but these proposed policies incorporate and update some of the content of those policies. This policy supplements Core Strategy policies and together with proposed Policy SD14, replaces SE7.

#### **What are they intended to do?**

The council is committed to working towards lower carbon emissions in line with Core Strategy policy SD3, which sets out the broad approach to dealing with climate change, and the Watford Climate Change Strategy. This policy is designed to expand on policy SD3 and provide clarity. The preferred approach is to achieve sustainability measures through the use of nationally recognised code levels enabling a clear framework for developers and assessors to use.

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We previously asked for views on two different levels of sustainable design standards. Given the responses we received and the importance of sustainable design, our preferred option is the higher of the two standards. We intend to progress this option unless superseded by government policy. A sustainability statement is considered essential to assess compliance with policy.

#### **Policy SD 5 Sustainable Design**

All residential development will be expected to meet a minimum of Code for Sustainable Homes level 4\*. Non-residential development should meet BREEAM Very Good.

All Major Development should meet current BREEAM Communities standards. Major development within the Special Policy Areas should achieve a minimum of Code for Sustainable Homes level 5 or BREEAM Excellent.

No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that the appropriate Code Level or BREEAM rating has been achieved.

*\*The dwelling(s) shall achieve a Code Level in accordance with the requirements of the Code for Sustainable Homes: Technical guide (or such national measure of sustainability for house design that replaces that scheme).*

### **Policy SD 6 Sustainability Statement**

In order to demonstrate compliance with Core Strategy Policy SD1 a sustainability statement should be submitted to the council for all new development applications (including those for extensions) to detail sustainability measures implemented to meet the council's targets. This should be informed by the Building Futures Sustainable Design Toolkit and online guidance at [www.hertslink.org/buildingfutures](http://www.hertslink.org/buildingfutures).

This statement should also form part of any pre-application discussions with the local authority ~~Development Management section of the Planning Department~~ prior to submission of a planning application.

### **Policy SD 7 Renewable Energy Technology**

Development proposals should incorporate renewable energy technology where feasible and financially viable.

Proposals for appropriate renewable energy technology on existing homes and non-residential buildings will be supported.

Proposals for standalone renewable or low carbon energy generating schemes will be considered in accordance with the NPPF. Schemes will be considered favourably where careful siting and design ensures the scheme does not have an unacceptable impact, in isolation or cumulatively with other similar developments, on the environment and local amenity.

### **This Policy supports/delivers:**

National Policy:	NPPF (para 93-96); Building Regulations.
Watford Sustainable Community Strategy Objectives:	A well-planned town with homes to suit all needs. A town that protects its environment and heritage.
Core Strategy Strategic Objectives:	SO2: Sustainable neighbourhoods. SO5: Enhance Watford's environment, green infrastructure and heritage assets.

Core Strategy Policies:	SD3 Climate Change, UD1 Delivering High Quality Design.
Other Local Policies:	Climate Change Strategy.

## Decentralised Energy

### Why is this policy needed?

The NPPF (Para 97) requires local planning authorities to identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems. Core Strategy Policy SD3 promotes the delivery of, and contribution to, networks of decentralised community heating systems.

### What is it intended to do?

The Low and Zero Carbon Study identifies parts of Watford as having potential for district heating systems as identified on the Energy Opportunities Plan. Due to the costs and practicalities of installing the necessary pipe work, district heating generally needs to be implemented through large scale developments. The Core Strategy identifies areas where a large scale of development is expected as Special Policy Areas (SPAs). This creates opportunities for solutions on a neighbourhood scale. Once district heating systems are in place in the SPAs the networks will have the opportunity to naturally expand to incorporate the wider areas identified in the Low and Zero Carbon Study. It would be desirable for development within these wider areas to deliver or contribute to networks of district heating to help the borough contribute to national renewable energy targets and improve energy efficiency.

Text has been added to the policy to ensure that the contribution towards the provision of district heating networks does not threaten the financial viability of a scheme.

### Policy SD 8 Decentralised Energy

Proposals for decentralised energy networks will be supported. Within SPA1 Town Centre, SPA2 Watford Junction or SPA3 Health Campus, development will be expected to contribute towards the provision of district heating networks where financially viable.

Throughout the borough, developments will be expected to link up to available networks.

Where no network is currently in place, development should occur in such a way that connection at a later date will be feasible.

## This Policy supports/delivers:

National Policy:	NPPF para 97.
Watford Sustainable Community Strategy Objectives:	A well planned town with homes to suit all needs. A town that protects its environment and heritage.
Core Strategy Strategic Objectives:	SO5. Enhance Watford's environment, green infrastructure and heritage assets.
Core Strategy Policies:	SD3 Climate Change.

## Flood Risk

### Why is this policy needed?

The National Planning Policy Framework (NPPF) is clear (para 100) about the need to avoid inappropriate development in areas at the highest risk of flooding, and that where development is necessary, it is made safe without increasing flood risk elsewhere.

The National Planning Practice Guidance (NPPG) provides more advice on how flood risk, from all sources, should be assessed and taken into account.

Drainage is a particular issue in Watford with potential impacts on settlements along the River Colne downstream of Watford. The Surface Water Management Plan also identifies areas within Watford which may be at risk of flooding from local sources (primarily surface water). The Surface Water Management Plan is prepared and kept under review by Hertfordshire County Council.

The Flood and Water Management Act 2010, removes the automatic right to connect to sewers and enables authorities to adopt Sustainable Drainage Systems (SuDS) for new developments and redevelopments. It sets out the basis for a number of more local documents, such as on sustainable drainage and emergency planning.

This policy replaces Saved Watford District Plan 2000 Policy SE27 Flood prevention.

### What is it intended to do?

The policy sets out a requirement for flood risk, whether from rivers or other sources, to be assessed in relevant locations.

In Watford the Functional Floodplain (FRZ 3b) is defined as the area where there is a 5% chance of flooding in any one year (1 in 20 year event) for the River Gade catchment and where there is a 2% chance of flooding in any one year (1 in 50 year event) for the Upper Colne and Mimms Hall Brook area.

Policy SD9 will ensure that development is steered towards sites and areas with lower flood risk using the sequential test, and that where applicable an exception

test is applied. In some cases developers will be required to contribute to the delivery of flood risk management schemes and facilities as set out in the Strategic Flood Risk Assessment, the Flood Risk Management Strategy for Hertfordshire and other relevant plans and policies, such as by the Environment Agency and DEEFRA.

Developers will also be responsible for incorporating flood resilient and resistant design and construction, raising flood awareness and improving emergency planning as part of certain development schemes.

All new development should incorporate Sustainable Drainage Systems (SuDS) as part of the design.

Policies on drainage and flood risk have been amalgamated into a single policy covering all types of flooding.

### **Policy SD 9 Managing Flood Risk**

Development must be located, designed and laid out to minimise ~~ensure that~~ the risk of flooding from all sources ~~is minimised~~, whilst not increasing the risk of flooding elsewhere.

~~Development proposals should demonstrate that they have taken account of any recommendations or issues identified in any relevant local or regional flood risk documents. This could include Strategic Flood Risk Assessments and Surface Water Management Plans.~~

Development will be guided to areas of lower flood risk through the application of the Sequential Test, and where applicable, an the Exception Test will also be required. This means that development of unallocated sites will not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding, unless they meet the Sequential and/or Exception tests.

A site specific flood risk assessment will be required for development proposals over 1ha in flood risk zone 1, and for all development proposals (including minor development and change of use) in flood risk zones 2 and 3, and in the areas identified as at risk of flooding in the latest Surface Water Management Plan.

~~Where development is located within the floodplain (after satisfying the sequential and exception tests where required) there will be a commitment by the applicant to promote the management and reduction of flood risk through resistant and resilient design and construction~~

Development proposals within flood risk zone 3 (FRZ3a and 3b) should also show in areas at risk of flooding (including from surface water flooding) will need to demonstrate that:

- ~~• requirements for resilient and resistant design and construction have been satisfied;~~
- ~~• the developer has provided a plan to raise flood awareness of future residents or occupiers of the development and improve emergency planning such as a flood emergency and evacuation plan in consultation with the emergency and resilience teams of the local planning authorities (both County and district); and~~

- The design and construction are resilient and resistant to flooding, including safe access and egress routes.
- A plan is in place to raise flood awareness of future occupiers and improve emergency planning on consultation with the local authorities.
- The development It would not constrain the natural function of the flood plain, either by impeding flow, hindering maintenance access or by reducing flood water storage capacity.

Developers should demonstrate that their proposal takes account of relevant recommendations or issues identified in local or regional flood risk documents, including strategic flood risk assessments and surface water management plans.

~~When considering design of developments, Floor levels in flood zones 2 and 3a should be designed to be above the 4% 1 in 100 years plus climate change predicted maximum flood levels, plus a minimum freeboard of 300mm, taking account of climate change. The allowance to be made for climate change should follow the latest Environment Agency standing advice (currently 'Climate Change Allowances for Planners'). As part of the modelling, an allowance of at least 30% for climate change would be expected.~~

#### **Drainage and surface water:**

The Council will expect developers to show that there is adequate waste water infrastructure capacity to serve all new developments.

In order to demonstrate this, applications should:

- Contain drainage proposals which demonstrate that there is no increase in surface water run-off and which achieve greenfield run off rates.
- Demonstrate how the drainage proposals maximise other environmental benefits such as biodiversity and green infrastructure
- Show that opportunities for SuDs have been maximised and incorporated.
- Show that there would be no increased risk to foul and surface water flooding both on and off site and that where upgrades are required that the developer has liaised with the relevant water/wastewater infrastructure provider to ensure these are in place ahead of occupation of the development.

#### **Policy SD 10 Drainage**

~~Development must be located, designed and laid out to ensure that the risk of flooding from any source is minimised whilst not increasing the risk of flooding elsewhere.~~

~~The council will require applications for development to include a Drainage Impact Assessment including mitigation measures. Drainage proposals for new development should demonstrate no increase in surface water run-off and aim to achieve greenfield runoff rates. Drainage proposals should also show how they maximise other environmental benefits, such as biodiversity and green infrastructure.~~

~~In 'Areas of Search' (identified in the Surface Water Management Plan) all new development (including householder extensions) will be expected to assess the risk of surface water flooding in more detail, and where there is a risk, show how it will be~~

addressed.  
~~Development proposals are required to demonstrate that:  
the requirements for integrated sustainable drainage or SuDS have been considered from an early design stage, and opportunities have been maximised and been incorporated into the design and implementation of the proposal;  
enough space has been set aside for SuDS; and  
the requirements for providing a Drainage Impact Assessment in consultation with HCC have been satisfied.  
there is no increased risk to foul and surface water flooding both on and off site and that where upgrades are required that these are in place ahead of occupation of the development.~~

**This Policy supports/delivers:**

National Policy:	NPPF: Paras 100 -104 on flood risk, Para 99 on climate change adaptation. A Practice Guide Companion to PPS25.
Watford Sustainable Community Strategy Objectives:	A well-planned town with homes to suit all needs. A town that protects its environment and heritage. A healthy town.
Core Strategy Strategic Objectives:	SO2: Sustainable Neighbourhoods. SO5: Enhance Watford's environment, green infrastructure and heritage assets.
Core Strategy Policies:	SD1: Sustainable Design, SD2: Water and Wastewater, SD3: Climate Change, GI1: Green Infrastructure.
Local Policies:	SFRA 2012, Flood Risk Management Strategy, Surface Water Management Strategy

## Water Consumption

### Why is this policy needed?

Hertfordshire is classified as suffering from serious water stress. Assessments for the county show that the vast majority of the rivers and groundwater are over-abstracted.

In Watford the average water use per person is approximately 174 litres per person per day (l/p/d). This is well above the national (148 l/p/d) and Hertfordshire (163 l/p/d) averages and is not sustainable.

Adopted Core Strategy policy SD2 highlights the council's aim to minimise water consumption whilst also protecting water quality.

The water consumption target is supported by local evidence in the Water Cycle Study and referred to in the adopted Core Strategy.

### What is it intended to do?

This policy is intended to expand on the Core Strategy policy SD2 to set a specific water target for new development in line with that set in the Water Cycle Study. All development will need to employ water efficiency measures to reduce water consumption.

### **Policy SD 11 Water Consumption**

Development should be designed to protect water resources.

Planning permission will only be granted, where it is demonstrated that adequate water supply is available and that efficient use of water resources has been made, to enable a predicted per capita consumption of 105l/p/d, by incorporating all or some of the water efficiency measures as outlined in the Building Futures Sustainable Design Toolkit and online guidance. This could include:

- Rain water harvesting
- Harvesting and recycling of grey water
- Using water efficient appliances
- Green roofs and walls, and
- Drought proof planting and water efficient landscaping / irrigation measures

Development will be resisted that relies on groundwater abstraction without demonstrating that water efficiency and water re-use measures have been maximised.

### **This Policy supports/delivers:**

National Policy:	NPPF (para 94).
Watford Sustainable Community Strategy Objectives:	A well-planned town with homes to suit all needs. A town that protects its environment and heritage.
Core Strategy Strategic Objectives:	SO5: Enhance Watford's environment, green infrastructure and heritage assets.
Core Strategy Policies:	SD2: Water and Wastewater.
Other Local Evidence:	Water Cycle Study, Environment Agency aims.

## **Protection and Restoration of River Corridors, Canals and Watercourses**

**Why is this policy needed?**



Most of Watford's urban area is framed by the flood plains and green infrastructure belonging to two rivers, the River Gade to the west, and the River Colne to the east, as well as the Grand Union Canal, also to the west. These waterways make an important contribution to the character of the town. Local Wildlife Sites through which the rivers pass (such as Cassiobury Park), also provide important sites for the feeding and roosting of wintering wildfowl and other wildlife.

The Water Framework Directive sets a target for all rivers to have a good ecological status or potential by 2027 (natural watercourses are given an ecological "status" whilst man-made or substantially altered watercourses are given an ecological "potential"). At present the watercourses in Watford are classified as "moderate" so improvements are needed to achieve "good" status.

This policy is a modified version of saved Watford District Plan policies SE18, SE19 and SE26. It replaces SE26; SE18 and 19 having been replaced in the Core Strategy.

### **What is it intended to do?**

To enhance and improve the river corridors, canals and watercourses, to help achieve at least a "good" ecological status or potential.

The Thames River Basin Management Plan, due to be updated in 2015, sets out river restoration and other mitigation measures for the improvement of the water environment, water quality and water ecology, and includes actions to help the River Colne and River Gade achieve good ecological status or potential.

### **Policy SD 12 Protection and Restoration of River Corridors, Canals and Watercourses**

Development should be set back by at least 8m from the top of the bank of a main river (as defined by the Environment Agency) and at least 5m from the top of the bank of any other watercourse, to ensure that acceptable flood flow routes are maintained; to enhance and protect the local water environment, biodiversity, wildlife corridors and green infrastructure; and to allow access for essential maintenance.

Where developments are considered to affect nearby watercourses or where proposals are in, adjacent, or close to a river or watercourse, the Council will require improvements to the water environment and water ecology. This should include restoration and enhancement of marginal, bankside and floodplain habitat where appropriate, as well as in-stream, aquatic habitats. Developers should make on site improvements to the water environment as far as possible. If this should prove impossible, then financial or land contributions towards the restoration of rivers or watercourses ~~may be considered~~ will be required.

Where proposed development is adjacent to a watercourse the applicant should show they have taken account of the Thames River Basin Management Plan, the Colne Catchment Management Plan and other relevant river management and restoration plans and how the proposal contributes to habitat and biodiversity improvements through river restoration (including de-culverting), biodiversity enhancements or other mitigation measures in consultation with the Environment Agency. The historic interest of the watercourse should be taken into account in determining the appropriate approach to restoration.

Wherever ~~possible~~ appropriate, public access to the watercourses should be

provided, which should be designed to allow access for all users, including those who use wheelchairs or with pushchairs.

**This Policy supports/delivers:**

National Policy:	Water Framework Directive.
Watford Sustainable Community Strategy Objectives:	A town that protects its environment and heritage.
Core Strategy Strategic Objectives:	SO4 Enhance Watford’s regional health, recreational, educational, cultural and social role.  SO5 Enhance Watford’s environment, green infrastructure and heritage assets
Core Strategy Policies:	SD2, GI1, GI3.
Other Local Policies :	Thames River Basin Management Plan.

**Waste Management**

**Why is this policy needed?**

National Policy sets out a number of objectives including:

- Encouraging and engaging with the community to take more responsibility for dealing with waste;
- Disposing of waste without harming human health and the environment;
- Locating waste recycling, handling and reduction facilities as close as practicable to the origin of the waste; and
- Driving waste management up the waste hierarchy, with disposal as a last resort.

Whilst the responsibility for dealing with waste (and minerals) lies principally with County and Unitary Councils, District Councils can help promote kerbside collection and community recycling through planning policy. This can be done by ensuring that new development makes sufficient provision for waste management and by promoting designs and layouts that secure the integration of waste management facilities.

The amount of waste produced in Hertfordshire is approximately 3 million tonnes per year, of which over 500,000 tonnes is local authority collected (household waste). Hertfordshire has limited landfill capacity and has only one remaining landfill that is expected to be available until 2017. At present a large proportion of waste is exported out of the County, normally into Bedfordshire landfill facilities. In

order to reduce dependency on landfill, levels of recycling are increasing. Nevertheless, 60% of all of Hertfordshire's household waste still goes to landfill.

This policy is a modified version of SE7 Waste Storage, Recovery and Recycling in New Development, which it replaces.

### **What is it intended to do?**

The policy is intended to encourage householders and occupiers of other buildings to sort and recycle waste. Waste and recycling storage areas should be integrated into all new development and must provide adequate space to facilitate waste recycling through separation, storage, handling, bulking and collection of waste generated within the property. Facilities should be well designed so that they do not detract from the amenity of the area in which they are located.

Adequate space must be provided to ensure that waste containers can be easily accessed and collected by waste collectors.

A Site Waste Management Plan is required by law for all construction projects that are worth more than £300,000. This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where waste is being taken to. Projects over £500,000 may require further information.

### **Policy SD 14 Waste**

All development will be expected to provide adequate storage for waste and recycling in a convenient location for collection. The siting and design of waste and recycling areas should not result in any adverse impact to residential or workplace amenities. Guidance can be found in ~~Appendix 1~~ at <http://www.watford.gov.uk/ccm/content/planning-and-development/refuse---recycling-requirements-for-residential-developments-.en> .

For developments likely to generate significant waste, the council will expect the Waste Hierarchy to be implemented. The Strategic Objectives outlined in the Hertfordshire Waste Core Strategy and Development Management Policies should be adhered to as well as Policy SD4 of the Core Strategy.

Further guidance is available from:

- Building Futures: A Hertfordshire guide to promoting sustainability in development (<http://www.hertslink.org/buildingfutures>).
- Hertfordshire Waste Partnership: <http://www.wasteaware.org.uk/>
- Site Waste Management Plans: Waste and Resources Action Programme Guidance <http://www.wrap.org.uk>

## This Policy supports/delivers:

National Policy:	PPS10: Planning for Sustainable Waste Management (until superseded by the National Waste Management Plan for England).
Watford Sustainable Community Strategy Objectives:	A well-planned town with homes to suit all needs. A town that protects its environment and heritage.
Core Strategy Strategic Objectives:	SO4: Enhance Watford's regional health, recreational, educational, cultural and social role. SO5: Enhance Watford's environment, green infrastructure and heritage assets.
Core Strategy Policies:	SD4 Waste

## Unstable, Contaminated and Potentially Contaminated Land

### Why is this policy needed?

As a local planning authority we are required, by law, to ensure that a site is suitable for use taking account of ground conditions and land instability, including from natural hazards and/or former and proposed activities.

This policy is a simplified version of WDP2000 policy SE24 which it replaces.

### What is it intended to do?

Nearly all new developments in Watford will take place on previously developed land, often referred to as brownfield land. Where there may be a risk of contamination, site investigation information will be required. Further assessments may be required to assess the effects (including cumulative effects) of contamination/pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution and any necessary remediation, as a condition of any planning permission.

The presence of contamination in the ground does not mean that the area cannot be developed. Indeed many contaminated and potentially contaminated sites have been successfully and safely redeveloped to provide safe and high quality housing and working environments. This policy is intended to ensure redevelopment of potentially contaminated land occurs in an appropriate way to ensure remediation to a level that is suitable for the use of the land.

Further guidance is published on the Environment Agency website, on related issues such as the relationship between derelict land, contaminated land and land or groundwater potentially affected by contamination (potentially contaminated land). Information on the location of former landfill sites, which are often an initial indication for unstable, contaminated and potentially contaminated land, is available from the EA web-map: [Interactive Maps - Environment Agency - What's in your backyard?](#)

### **Policy SD 15 Unstable, Contaminated and Potentially Contaminated Land**

Where unstable, contaminated or potentially contaminated land is suspected, site investigation information will be required to assess the risk and the level of contamination and the suitability of the site for the proposed use. This should include a strategy for the remediation of the site.

The Council will require appropriate remediation of any unstable or contaminated land before development can commence. Where adequate remediation of the proposed development cannot be achieved, planning permission will be refused.

#### **This Policy supports/delivers:**

National Policy:	NPPF para 109.
Watford Sustainable Community Strategy Objectives:	A well-planned town with homes to suit all needs. A healthy town. A town that protects its environment and heritage.
Core Strategy Strategic Objectives:	SO2: Sustainable neighbourhoods. SO4: Enhance Watford's regional health, recreational, educational, cultural and social role. SO5: Enhance Watford's environment, green infrastructure and heritage assets.
Core Strategy Policies:	SD1 Sustainable Development.

## **Potentially Hazardous or Polluting Development**

### **Why is this policy needed?**

Contamination of land is a material consideration in the granting of planning permission, this means that LPAs are legally required to consider contamination by potentially hazardous or polluting development when granting planning permission. The policy is also needed to ensure public health and the environment are protected.

Groundwater protection is needed as Watford is located over a chalk aquifer and is identified as a high risk area for groundwater vulnerability. Most of Watford falls within groundwater source protection zones (SPZ) 1 and 2, which are designations made by the Environment Agency to help ensure drinking water is clean and safe.

All groundwater sources are heavily over-abstracted locally which usually impacts on surface water and the water environment. Particularly following dry winter periods, groundwater sources become depleted with impacts on water supply security and the natural environment. These effects are expected to increase in future due to the impact of climate change, in particular the higher tendency to extreme weather events such as droughts.

The Water Framework Directive requires countries throughout the European Union to manage the water environment to consistent standards. This includes progressively reducing the pollution of groundwater and preventing or limiting the entry of pollutants. Watford is located over the Mid-Chilterns Chalk which is currently at poor chemical status – it is essential that there are no negative impacts and that improvements are made wherever possible.

A variety of land uses and management practices have the potential to adversely impact on groundwater quality. This includes industrial uses, cemeteries, petrol stations, waste management, water abstraction and the use of ground source heat pump systems. There may be restrictions on some of these uses within SPZ1 and SPZ2 and developers are encouraged to contact the Environment Agency for advice.

This policy is a modified version of SE25 Potentially Hazardous or Polluting Development and SE28 Groundwater Quality which it replaces.

### **What is it intended to do?**

To prevent unacceptable risks from pollution this policy will ensure that new development is appropriate for its location. The effects (including cumulative) of pollution on health, the natural environment and the potential sensitivity of the area or proposed development to adverse effects from pollution will be taken into account.

The policy also ensures that potential impacts on the groundwater supply and quality are considered and assessed at an early stage in the process, before any decision is made on a planning application.

Waste and Mineral applications, which could include potentially hazardous or polluting development, will need to comply with the Hertfordshire Waste and Minerals planning documents.

### **Policy SD 16 Potentially Hazardous or Polluting Development**

Proposals for potentially hazardous or polluting development will only be permitted where the Council is satisfied that there will be no risk to public health or the environment and no significant adverse effects on general amenity resulting from release to water air or land, or from noise, dust, vibration, heat or light.

Developments that could adversely affect groundwater quality, flow or volume will not be granted permission. Where there may be a potential impact, a preliminary risk assessment will be required to identify the risks, and appraise the development and remediation options.

Planning permission will be refused where ~~insufficient information is provided, or the~~

risk associated with the development is unacceptable.

### **This Policy supports/delivers:**

National Policy:	NPPF para 94, 109-110, 120. EU Water Framework Directive.
Watford Sustainable Community Strategy Objectives:	A well-planned town with homes to suit all needs. A healthy town. A town that protects its environment and heritage.
Core Strategy Strategic Objectives:	SO4: Enhance Watford's regional health, recreational, educational, cultural and social role. SO5: Enhance Watford's environment, green infrastructure and heritage assets.
Core Strategy Policies:	SD1 Sustainable Development. SD2 Water and Wastewater

## **Air Quality**

### **Why is this policy needed?**

The Core Strategy refers to the issue of air pollution and air quality, particularly as a result of congestion on the road network. The Sustainability Appraisal also highlighted the strong link between Watford's transport policies and air quality.

In 2005, the council carried out an assessment of air quality across the borough and concluded there were six areas that would not meet the national air quality objective. These areas were designated Air Quality Management Areas (AQMA), maps of these areas can be seen on the council website. The council regularly produces Updating and Screening Assessments, Progress Reports and amendments to the Air Quality Action Plan that it has produced to try and improve air quality.

Where a development is in, or close to an AQMA, an air quality assessment may be needed to establish the effects that the development will have on air quality. Consideration will need to be given to the impact of a development on air quality, in terms of emissions caused by the operational characteristics of the development (industrial, commercial and domestic) and the traffic generated by it.

This proposal is an amalgamated and modified version of policies SE20 Air Quality and SE21 Air Quality Management Areas, which it replaces.

### **What is it intended to do?**

The policy is intended to ensure that development occurs in line with the council's Air Quality Action Plan (AQAP) to improve air quality throughout the borough, and in particular in the identified AQMAs.

The council aims to improve air quality in designated AQMAs, not just maintain it. This means that there may be occasions where although a development can demonstrate there will be no negative impact on air quality, refusal may still be appropriate if no improvement can be obtained.

### **Policy SD 17 Air Quality**

Applications for all major development and other development which, due to its nature or operational characteristics, may give rise to emissions, will be required to consider the impact of the development in terms of the effects on air quality caused by both the operational characteristics of the development (industrial processes and emissions, biomass boilers, etc.) and the traffic generated by it. The Council will have regard to the potential effects of a development on local air quality when determining planning applications.

Developments should not cause significant harm to air quality, cumulatively or individually. Any development within or adjacent to locations with poor air quality, areas designated as Air Quality Management Areas (AQMAs), will need to be assessed with regard to the council's Air Quality Action Plan. Applicants should ensure that development in these areas improves the air quality. Where adequate mitigation is not provided and/or is not practicable, planning permission may be refused.

Air Quality Management Area locations can be found on the council's website.

( For reference the current link is:

<http://www.watford.gov.uk/ccm/content/ehl/east/pollution-control-local-air-quality.en>)

### **This Policy supports/delivers:**

National Policy:	NPPF para 124.
Watford Sustainable Community Strategy Objectives:	A well-planned town with homes to suit all needs. A healthy town. Town that protects its environment and heritage.
Core Strategy Strategic Objectives:	SO2 Sustainable Neighbourhoods.
Core Strategy Policies:	SD1 Sustainable Design, SD3 Climate Change. EMP2 Employment Land.
Other Local Policies:	Air Quality Management Areas, Air Quality Action Plan.



# Noise Protection

## Why is this policy needed?

The National Planning Policy Framework states that planning policies and decisions should aim to:

- avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Part 2 of the Technical Guide to the NPPF (March 2012) has some guidance on noise emissions from Mineral Works in paragraphs 28-31, which would be relevant to the rail aggregate and concrete batching plants at Watford Junction.

This policy is a modified version of policy SE22 Noise, which it replaces. In addition to the provisions in the existing policy discussions with Environmental Health officers and the Town Centre manager have highlighted potential noise and disturbance issues where upper floors of premises in the town centre are converted to residential development. In principle residential development is a positive land use in a town centre as it contributes to maintaining a vital and vibrant town centre. However, issues can arise where existing uses of the ground floor of buildings and in particular those associated with the night time economy generate noise which may disturb residents of converted upper floors. To manage this so that both the uses can coexist successfully it is important to ensure that suitable noise attenuation measures are in place and where it is not possible to achieve an acceptable level of noise within a residential unit, permission for the conversion will not be given. We have identified areas within the town centre where this issue is more likely to arise and where we will expect a full noise report to be submitted with any applications for conversion to residential uses.

## What is it intended to do?

Noise sensitive developments should be adequately separated from major sources of noise, such as road, rail and certain types of development which generate above average levels of noise such as night clubs.

New residential development should wherever possible be sited away from noise generating land uses. Noise generating uses should be sited away from noise sensitive uses (more guidance available from BS 4142).

## Policy SD 18 Noise

All noise sensitive development (residential, schools, hospitals, hotels, etc.) should be located away from significant sources of noise arising from roads, railways and certain commercial uses (Classes B2 and B8, motor repair uses, night time economy etc.). Where this is not possible, a full noise assessment will be required to assess the potential impact of noise on the development and to propose mitigation measures to achieve acceptable noise levels for future occupiers without adversely impacting the operation of existing businesses in the area (see Appendix F for detailed guidance). Where acceptable noise mitigation cannot be achieved (through design and layout, insulation measures, etc.) planning permission may be refused.

In relation to the night time economy an area has been defined where particular attention will be paid to ensure that where residential development is proposed either as a result of conversion or new build a satisfactory residential environment can be achieved without impacting adversely on the operation of existing businesses contributing to the night time economy in the town centre. This area is shown on the map in the map book.

All development that may give rise to significant noise due to its nature or operational characteristics should be located away from existing noise sensitive uses. Where this is not possible, a full noise assessment will be required to assess the potential impact of noise on existing properties and to propose mitigation measures to achieve acceptable noise levels (see Appendix ii (b) for detailed guidance). Where acceptable noise mitigation cannot be achieved (through design and layout, insulation measures, hours of operation, etc.) planning permission may be refused.

### This Policy supports/delivers:

National Policy:	NPPF para 123.
Watford Sustainable Community Strategy Objectives:	A well-planned town with homes to suit all needs. A healthy town. A town that protects its environment and heritage.
Core Strategy Strategic Objectives:	SO1 a family friendly town centre SO 2 Sustainable Neighbourhoods.
Core Strategy Policies:	SS1 Spatial Strategy SPA1 Town Centre SD1 Sustainable Development and SD3 Climate Change. EMP2 Employment Land.

# External Lighting

## Why is this policy needed?

The National Planning Policy Framework requires Local Planning Authorities to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation by encouraging good design, planning policies and decisions. Under section 79 of the Environmental Protection Act 1990, local authorities have a duty to take reasonably practicable steps to investigate complaints of statutory nuisance, including: "Artificial light emitted from premises so as to be prejudicial to health or a nuisance."

The [Department for Communities and Local Government](#) (DCLG) is responsible for lighting policy in the planning regime, and the [Department for Transport](#) is responsible for street lighting policy and lighting on most transport premises.

This policy is a modified version of Watford District Plan 2000 policy SE23 Light Pollution, which it replaces.

## What is it intended to do?

External lighting contributes to the delivery of high quality design such as through improvements of legibility, community safety and the quality of the public realm. However, it is important to avoid light pollution that can have a negative effect on the amenity of surrounding areas and have a negative impact on biodiversity by influencing plant and animal activity patterns. In particular, light pollution can be harmful to birds, bats, and other nocturnal species that avoid overly lit areas. Lighting should be avoided in the open countryside, and nature protection sites, such as in woodlands and nature conservation areas and applications for this might be refused if mitigation is not satisfactory/ suitable.

Proposals involving the provision of publicly accessible developments in the vicinity of residential property, a listed building or a conservation area or open countryside, where external lighting would be provided or made necessary by the development, are required to be accompanied by a Lighting Impact Assessment prepared by a lighting specialist. Conditions may be used to mitigate any significant impact, for example by limiting the times of use and restricting illumination levels. The replacement or improvement of existing lighting to minimise impact shall also be considered.

## What you told us

Minor amendments were suggested to consider appropriate landscaping and avoid adverse impact on heritage assets, changes have been made to the policy to reflect this.

## Policy Wording

### Policy SD 19 External Lighting

In order to minimise light pollution in the environment, all external lighting schemes should be designed to:

- a. be the minimum needed for security and/or operational purposes;
- b. avoid pollution from uplighting, glare and light spillage;
- c. avoid adverse impact on residential amenity;
- d. avoid adverse impact on the character / openness of the Green Belt;
- e. avoid adverse impact on ecological interests;

- f. avoid dazzling or distraction of users of roads and waterways;
- g. where possible consider appropriate landscaping to limit visual intrusion;
- h. avoid adverse impact on heritage assets.

Any development that is unable to comply may be refused planning permission.

**This Policy supports/delivers:**

National Policy:	NPPF para 125.
Watford Sustainable Community Strategy Objectives:	<p>A well-planned town with homes to suit all needs.</p> <p>A healthy town.</p> <p>A town that protects its environment and heritage.</p> <p>A safer town.</p>
Core Strategy Strategic Objectives:	SO2 Sustainable Neighbourhoods.
Core Strategy Policies:	SD1 Sustainable Design and SD3 Climate Change.