

7. ENVIRONMENTAL PROTECTION POLICIES

Traffic/Highway Matters

WLP 4

Waste development will only be permitted where:

- a) The access and the highway network serving the site are suitable or could be made suitable and able to accommodate any associated increase in traffic; and**
- b) Any associated increase in traffic or highway improvements would not cause unacceptable harm to the environment, road safety or residential amenity.**

7.4.1 Development of new waste management sites, or an intensification of existing waste management sites, can involve considerable vehicle movements and disturbance arising from construction works. Once operational, most waste management facilities will involve some increase in road transport, and can generate substantial movements of lorries. Some facilities, particularly Household Waste Recycling Centres tend to attract cars with a concentration of use of the facility at weekends or bank holidays. If the highway network is unable, or cannot be made suitable to accommodate associated increases in traffic, then proposals for waste development will not be permitted.

7.4.2 Road traffic associated with such waste development can have significant environmental impact on the countryside and residential amenity, and can on occasions cause structural damage to the highway network.

7.4.3 Any increase in traffic movements also has implications for global warming, through carbon dioxide emissions, and in turn for the achievement of Structure Plan and other targets for reducing carbon dioxide emissions. Increased emissions have implications for the environment and residential amenity, as poor air quality can affect people with existing breathing difficulties, and can damage sensitive flora, fauna and the fabric of buildings.

7.4.4 There are various measures which can be taken to address the main problems associated with traffic associated with waste operations i.e. noise and vibration, mud, dust, spillage of waste, materials, fumes, damage to buildings and roads, visual intrusion and reduction in road safety. Measures to limit adverse effects include:

- sheeting of lorries
- installation of wheel cleaning facilities
- highway improvements
- hours of working / opening
- road traffic orders
- noise attenuation of reversing beepers, plant and equipment
- private haul roads
- road safety improvements
- vehicle routeing arrangements

Transport of Waste - Proximity Principle

WLP 5

The WPA will consider favourably proposals that entail disposal or management of waste as near as possible to the point at which it is generated, subject to policies and criteria contained elsewhere in the development plan.

- 7.5.1 In line with the Government's guiding principles for sustainable waste management, and advice set out in PPG13 'Transport' and PPG10 'Planning and Waste Management', the number and length of journeys should be reduced and waste should be managed in accordance with the proximity principle. The WPA will therefore seek to ensure that travelling distances for waste are kept to a minimum, thereby reducing environmental cost e.g. adverse impact on air quality, and financial costs.
- 7.5.2 A network of sites has been identified in the Plan in order to promote the move away from waste disposal by landfill to more sustainable waste management. It is important that these sites come forward during the Plan period. If an inadequate network of new facilities develops this would slow down the move to more sustainable waste management. It could also mean an increase in the transport of waste, which would be harmful to the environment and be contrary to the proximity principle.
- 7.5.3 In all instances the proximity principle will be taken into account as part of the process of determining the Best Practicable Environmental Option (BPEO) together with other relevant policies in the Waste Local Plan, including WLP 8 relating to waste development in the Green Belt. There may be circumstances where waste will need to be transported over greater distances to waste treatment facilities for processing e.g. where there is an inadequate range or distribution of disposal facilities i.e. in large urban conurbations or because of other environmental factors such as the need to protect local aquifers. This may also be the case when considering the management of certain waste streams e.g. nuclear and radioactive, and difficult or special wastes, where fewer more specialised facilities are required, and which may be located beyond the Plan area. In these instances the method of transporting waste in each case should be taken into account when considering the BPEO for any proposal.

Transport of Waste - Water, Rail and Pipeline

WLP 6

The WPA favour waste developments accessible, where practicable, by rail, water, conveyors or pipelines, where this accords with the proximity principle.

- 7.6.1 The majority of movements to and from waste management operations are by road. Where large amounts of material are involved, and the flexibility of road transport is not essential, the development of alternative means of transport e.g. the movement of waste by rail and water will be supported wherever this is environmentally acceptable. This is in line with Government guidance, including that set out in PPG13 'Transport'.

- 7.6.2 It is recognised that different types of transport may be appropriate in different circumstances. Household, commercial and industrial wastes normally require the greater flexibility offered by road transport, as their sources are local and scattered.
- 7.6.3 The method of transporting waste to and from a waste management facility should complement the proximity principle. This principle requires that waste is generally managed as near to its place of origin as possible, and seeks to avoid exportation of waste, including the movement of waste from one region to another. The mode of transport is important, as in certain circumstances a longer journey by river or rail may be environmentally preferable to a shorter journey by road.
- 7.6.4 It is recognised that road transport is likely to be unavoidable in many situations due to the absence of alternatives. There may also be situations where conflicts arise between transport by other modes and other interests such as recreation or nature conservation.

Protection of Landscape Character

WLP 7

Waste development will not be permitted in the countryside unless it can be demonstrated that its impact on the landscape can be assimilated without significantly adversely changing the existing landscape character.

- 7.7.1 There is a growing recognition that landscapes influence the quality of our lives. Increasingly it is accepted that we should not just be concerned about the 'high quality' landscapes such as those found in registered parks and gardens but we need to value the diversity of the 'ordinary' countryside. Countryside is defined as being outside settlement boundaries and village envelopes as defined in district local plans.
- 7.7.2 The adopted Structure Plan (1995) and district local plans identify Areas of Best Landscape. Proposals within these areas will be examined carefully for their affects, and will not normally be permitted if the character of these areas would be adversely affected. Exceptionally, development may be permitted subject to satisfactory mitigation measures being put in place. Local plans also include other designations such as Protected Village Frontages and Village Amenity Areas. It is unlikely that any of these would be affected by waste development proposals, but if they are, careful consideration would be given to proposals, and they will not be permitted unless other material considerations relating to the proposal clearly outweigh the need to safeguard such areas.
- 7.7.3 In 1991 'Cambridgeshire Landscape Guidelines - A Manual for Management and Change in the Rural Landscape' recognised the distinct character areas in Cambridgeshire (including Peterborough). This approach has since been endorsed by the publication of English Nature's and the Countryside Agency's, 'Countryside Character Map of England'. These publications set the framework for this policy, identifying the type of features that provide local character and what can and cannot be done to the countryside without harming that character.
- 7.7.4 Even on a limited scale, waste development can have a significant detrimental impact on the local character of an area. This can arise from the visual impact of waste

operations and associated plant, but also from other aspects such as traffic movement.

- 7.7.5 The Plan area is relatively flat and open, and development can often be visible over long distances. It is therefore crucial that efforts are made to suitably integrate development into the character of the countryside. This must be done sensitively; recognising that different techniques and features will be necessary for different character areas. However, there will be instances where it will not be possible to integrate waste development into the countryside without causing unacceptable harm to landscape character, and in such cases planning permission will not be granted.

Green Belt

WLP 8

Landfilling in the Green Belt will only be permitted if it represents the only option for the essential reclamation of a mineral site or other derelict or degraded void, to an appropriate beneficial afteruse within an acceptable timescale.

Other than in very special circumstances, the construction of new buildings for waste management purposes will not be permitted; nor other forms of waste development unless they maintain openness and do not conflict with the purposes of including land within the Green Belt.

- 7.8.1 There is a strong presumption against development within the Cambridge Green Belt. Structure Plan Policy SP18/3, Cambridge Green Belt Local Plan Policy GB3/1 and the Cambridge and South Cambridgeshire Local Plans define exceptional development that is considered to be appropriate within Green Belt. This includes development for the purposes of agriculture, public utilities and other uses appropriate in a rural area.
- 7.8.2 Planning permission for waste management facilities might only be given where the development is either not inappropriate or where very special circumstances can be shown by the applicant. An example of such circumstances may be the provision of essential sewage infrastructure, where it has been demonstrated that this is required and cannot be located elsewhere.
- 7.8.3 Such circumstances may also arise where waste development represents the only option for the essential reclamation of a mineral site or other derelict or degraded void. PPG2 'Green Belts' appears to accept that in such circumstances waste development i.e. landfill may be appropriate. This is because it addresses the green belt objective of improving such land. As the primary aim is to bring green belt land back into a beneficial after-use, and the landfill operation is purely a temporary development and a means of achieving this, the WPA would not wish to see the life of such operations unduly prolonged.

Protecting Surrounding Uses

WLP 9

Waste development will only be permitted where it can be demonstrated that it is compatible with existing or proposed neighbouring land uses and there would be no unacceptable harm to the environment or to human health or safety, visual intrusion or loss to residential or other amenities.

7.9.1 PPG10 'Planning and Waste Management', Annex A considers the location of waste management facilities. Such development should be located where it is compatible with neighbouring land uses, and the most appropriate location for such development is where it will have the least impact on the local population and the environment. PPG10 identifies a number of possibilities where waste development could be located, i.e. within or adjacent to:

- industrial areas
- degraded, contaminated, or derelict land
- working or worked out quarries
- existing landfill sites
- existing or redundant buildings
- sites previously occupied by other types of waste management facilities
- other suitable sites located close to railways or water transport wharves, or major junctions in the road network

7.9.2 PPG10 also acknowledges that waste operations and associated vehicle movements can give rise to a variety of adverse impacts including visual intrusion, noise, dust, fumes, soil contamination, air and water pollution, vibration, smell, and litter. These impacts can affect individuals, communities and particular social groups. PPG12 requires consideration to be given to the relationship of planning policies and proposals to social needs and problems, including the likely impact on different groups in the population. PPG23 advises that public perception of the impacts of waste management development can be a material consideration in planning decisions.

7.9.3 The Waste Local Plan has an important role to play in ensuring that amenities and quality of life of people, including residential and recreational use of the countryside, will not be adversely affected to an unacceptable degree by waste development. In addition, the Plan has the objective of ensuring that waste management practices do not incur unacceptable adverse impact on the environment or endanger human health. Waste management facilities are also subject to a system of waste management licensing administered and enforced by the Environment Agency, which is designed to protect human health and the environment. In this context the 'environment' is taken to encompass all natural resources, including air, soil, water, flora and fauna, geology and geomorphology.

7.9.4 In assessing the likely impact of proposals, including those arising from an intensification of an existing waste development, the WPAs will have regard to the ability of the site to accommodate new, changed or increased activities without compromising the environmental conditions of the site, and the relationship of the site with neighbouring development. The WPAs will also have regard to any concerns expressed in response to planning proposals, and in considering the weight to be

attached to such concerns will seek the advice of the relevant regulatory bodies on the significance of any risk to human health and the environment from the proposal.

- 7.9.5 The stability and contamination of sites and the impact of remediation to render sites suitable for the proposed development will also be addressed.
- 7.9.6 PPG12 also requires local authorities to take account of the need to revitalise and broaden the local economy and stimulate employment opportunities. Waste management development, particularly recovery operations, can make a significant contribution to local employment and the local economy. However, waste management development located on industrial estates must not detract from the ability of the remainder of the site to attract other forms of new development. Provided that the waste management use is compatible with other existing or proposed forms of industrial development, there is no reason why this should be the case. The WPAs will have regard to the economic effects of waste management development.

Nature Conservation

WLP 10

Waste development will only be permitted where:

- a) **It has been demonstrated that there would be no likely adverse impact on existing or proposed sites of international importance for nature conservation i.e. Ramsar sites, Special Protection Areas or Special Areas of Conservation**
- b) **It has been demonstrated that there will be no likely significant adverse impact on sites of national importance for nature conservation, i.e. national nature reserves and sites of special scientific interest**
- c) **It has been demonstrated that there will be no likely significant adverse impact on sites of local nature conservation or geological interest, such as county wildlife sites or regionally important geological sites, or any landscape feature that is of major importance for wild flora or fauna unless it has been demonstrated that satisfactory mitigation measures would be put in place.**

Nature Conservation

- 7.10.1 Waste development can cause unacceptable harm to nature conservation sites, and the valued flora, fauna and physical characteristics contained therein. Such damage can be incurred directly through physical destruction or indirectly through pollution, alteration of water tables, dust and other disturbance to sensitive species.
- 7.10.2 Waste Local Plans are required to take account of nature conservation interests, especially in respect of designated sites (PPG9 'Nature Conservation' para 26). Government guidance recognises that nature conservation may be a significant material consideration in determining planning applications, including those for waste development.

- 7.10.3 International and national sites of nature conservation are protected by national legislation. The WPA will place most weight on sites of international importance and proposals would be subject to the most rigorous examination, which may involve an assessment to be made in accordance with the provisions of the Habitats Directive. The scope and content of any assessment will depend on the location of the site, size and significance of the proposal. Where it is concluded that development would directly or cumulatively adversely affect such sites development would not be permitted. Only in cases of overriding public interest such as for reasons of public health and safety, and there are no other satisfactory alternatives, would any development be considered.
- 7.10.4 In cases where the proposed development would be likely to have a significant adverse impact on nationally important sites, planning permission would not be granted, unless the reasons for development clearly outweigh the nature conservation or geological value of the site and the national policies in place to safeguard such interests or conditions can be imposed to protect the nature conservation interests of the site or mitigate any adverse impacts.
- 7.10.5 Development that may affect local interests will not be permitted unless there is a clear justification for the proposal, and these outweigh the need to safeguard the substantive nature conservation or geological value of the site. In all cases where development is permitted, damage to the value of the site must be kept to a minimum and satisfactory mitigation measures put in place. In this context the WPA will also take into account County Wildlife Sites and local plan designations. Where appropriate the WPA will take into account the advice of English Nature.
- 7.10.6 Notwithstanding the above it is important to recognise that locally designated sites make a valuable contribution to the character and biodiversity of Cambridgeshire and Peterborough. 'Cambridgeshire's Biodiversity' was the first stage in the preparation of Cambridgeshire and Peterborough Biodiversity Action Plan (April 2000). This document provides an overall framework for action by identifying the local flora and fauna species that require the preparation of biodiversity action plans for habitats or species. The majority of Habitat Action Plans (HAPS) and Species Action Plans (SAPS) for the Plan area have now been completed. These Plans will be used in assessing the overall impact and potential benefits of waste development proposals. Local initiatives may come forward during the Plan period including the 'Wicken Fen Vision' This proposal seeks to recreate a substantial area of fenland and wetland habitat in an area north east of Cambridge.
- 7.10.7 Locally important species are identified in Biodiversity Species Action Plans (see para 7.10.6).

Geological and Geomorphological Features

- 7.10.8 Regionally Important Geological/Geomorphological sites (RIGS) as well as sites of more local geological value have been identified in the Plan area (see The Peterborough Geology Audit, Peterborough Environment City Trust Feb 2000). These sites provide valuable educational and research facilities, and supplement geological and geomorphological sites that are identified as SSSIs. Peterborough City Council has adopted supplementary planning guidance based on the geology audit. The WPA will not permit waste development where this would have a significant adverse affect on such sites.

Landscape Features of Major Importance for Wild Flora and Fauna

7.10.9 In accordance with the Habitats Regulations 1994, development that may adversely affect the integrity or continuity of landscape features that are of major importance for wild fauna and flora, will only be permitted if it can be shown that the reasons for development clearly outweigh the need to retain the features, and satisfactorily mitigating measures can be provided. Such features may include hedgerows, ditches and banks, tree belts, and ponds. Larger features may also fall within these criteria, including ancient and semi-natural woodland. In practice these sites are likely to be addressed by specific nature conservation designations including County Wildlife Sites.

Protected Species

WLP 11

Waste development will not be permitted where it may have an adverse affect on protected species.

Exceptionally, where development is permitted that may have the potential to affect protected species the following will be required, as appropriate:

- (a) The facilitation of the survival of individual members of the species**
- (b) Reduction of disturbance to a minimum**
- (c) The provision of an alternative suitable habitat to sustain at least the current levels of populations, and the translocation of the species.**

7.11.1 The presence of a statutorily protected species (under the Wildlife and Countryside Act 1981 (as amended), Schedules 1, 5 and 8, or the Badgers Act 1992) or its habitat is material in the consideration of any waste development proposal. In instances where a protected species or their habitats form part of a site the advice of English Nature will be sought. Development will only be permitted where appropriate planning conditions may be attached, or a legal agreement undertaken, which would satisfactorily secure the protection of the species or its habitat:

7.11.2 Developers are advised to undertake early consultation with English Nature where advice on protected species, and licensing arrangements under parallel legislation, can be obtained. With regard to European Protected Species the Department of the Environment, Food and Rural Affairs (DEFRA) is now the licensing authority. Locally important species are identified in Biodiversity Species and Habitats Action Plans.

Archaeology and the Historic Environment

WLP 12

Waste development will not be permitted where there would be an adverse affect on:

- a) Any site of historical or architectural importance, including any listed building, historic landscape, scheduled ancient monument or, other archaeological remains of national importance and or its setting**
- b) Any significant adverse impact on any conservation area or site of local architectural, archaeological or historical importance.**

Exceptionally, waste development may be permitted on a site of local archaeological importance where satisfactory mitigation measures (including preservation in situ of archaeological remains and/or archaeological investigation followed by the publication of the results) have been defined following consideration of the results of prior evaluation.

7.12.1 PPG 15 'Planning and the Historic Environment' advises that the protection of the historic environment whether individual listed buildings, conservation areas, parks and gardens, battlefields or the wider historic landscape is a key aspect of the wider environmental considerations, which planning authorities are required to take into account when preparing development plans. Cambridgeshire and Peterborough have many buildings of architectural and historical interest, and areas of historic landscape including parkland and battlefields, that often provide the setting for an important listed building or historic villages. Any proposal which would lead to the loss of, or adversely affect, such features will not be permitted.

7.12.2 Archaeological remains are a finite and non-renewable resource, and in many cases they are fragile and vulnerable to damage. Care must therefore be taken to ensure that such remains are not needlessly or thoughtlessly destroyed.

7.12.3 There are approximately 250 Scheduled Ancient Monuments (SAM's) within the Plan area, and many other non-scheduled sites which merit protection.

7.12.4 Waste development that involves the prior removal of soils, or any other significant impact at or below ground level, may damage archaeological features upon or just below the ground. It is therefore essential that early consultation on archaeological matters takes place in order to identify constraints well before the submission of a planning application.

7.12.5 In the event that planning permission is granted, and the preservation of archaeological remains 'in situ' is not justified, appropriate excavation and recording of archaeological remains will be required in accordance with guidance set out in PPG16 'Archaeology and Planning'. The details of mitigation requirements can only be determined after archaeological characteristics of sites have been evaluated. The results of a field evaluation should therefore accompany planning applications for sites of high archaeological potential.

Rights of Way

WLP 13

Waste development which would adversely affect the use of public rights of way either temporarily or permanently will not be permitted unless alternative routes (including temporary diversions) of equivalent convenience quality and interest are provided.

7.13.1 The rights of way network comprises footpaths, bridleways and byways. These provide access to the countryside and are also an important part of our heritage.

7.13.2 Certain waste developments can have an adverse impact on public rights of way. Operators will be required to provide satisfactory alternative routes if their proposal affects existing rights of way. Where temporary diversions are necessary they should be convenient and reinstated to the original alignment as soon as possible. If there is permanent loss, then appropriate alternatives of at least equivalent convenience, quality and interest should be provided.

Agricultural Land

WLP 14

Waste development which would result in the permanent loss or degradation of best and most versatile agricultural land, (grades 1, 2, and 3a in the Ministry of Agriculture, Fisheries and Food Agricultural Land Classification System) will not be permitted unless it can be shown that there is an overriding need for the development and an absence of suitable alternative sites has been demonstrated.

Where there is an overriding need to develop best and most versatile land the WPA will give preference to a location which would involve the loss of the lowest grade land.

7.14.1 High quality agricultural land is an important national resource, and together Cambridgeshire and Peterborough have a larger proportion of high quality agricultural land than any other area in England. The WPA will protect the best and most versatile land from irreversible development in accordance with Government policy set out in PPG 7 'The Countryside – Environmental Quality and Economic and Social Development', and the Structure Plan Policy SP10/1.

7.14.2 Where there is an overriding need to develop agricultural land, poorer quality land will usually be developed in preference to that of a higher quality. However, considerations including for example the sites importance for biodiversity, the quality and character of the landscape, its amenity value or heritage interest, accessibility to infrastructure, source of waste arisings and the protection of natural resources may also justify the development of best and most versatile agricultural land. In the case of landfill the extent to which it would be possible to ensure satisfactory restoration of the land within a reasonable timescale will also be considered.

- 7.14.3 Proposals will be expected to address the impact of development on the extent and quality of agricultural land grades 1, 2, and 3a, (including providing an Agricultural Land Classification survey carried out in accordance with Revised Guidelines and Criteria for Grading the Quality of Agricultural Land, MAFF 1988), any proposals for restoration, and the impact on the viability and structure of agricultural holdings. In such instances an Agricultural Land Classification survey may be appropriate, advice on this can be sought from the Rural Development Service of the Department of the Environment, Food and Rural Affairs. The WPA will take such issues into consideration when determining proposals.
- 7.14.4 Where the development proposed involves landfill and/or landraising attention will also be given to measures that will address differential settlement, prevention of pollution and soil contamination, the impact of landfill gas and leachate control infrastructure on any future afteruse and final landform. Where landfill and/or landraising affects the best and most versatile land, proposals for restoration and aftercare should preserve the long-term potential for the land as a national, high quality agricultural resource.
- 7.14.5 Waste management facilities requiring permanent built development would not normally be permitted on best and most versatile agricultural land.

Water Resources and Pollution Prevention

WLP 15

Waste development will only be permitted where it is demonstrated that there would be no significant adverse impact or risk to:

- a) The quantity or quality of surface or ground water resources; and**
- b) The quantity or quality of water abstraction currently enjoyed by abstractors unless acceptable alternative provision is made; and**
- c) the flow of groundwater at or in the vicinity of the site.**

All proposed waste development will be required to incorporate adequate pollution control and monitoring measures.

- 7.15.1 Whilst modern containment and drainage engineering has significantly reduced the likelihood of water contamination etc., waste development has the potential to pollute surface and groundwater resources if operations are not effectively controlled and monitored. In particular problems can arise from surface water run-off, landfill leachate and the discharge of waste water from waste management operations such as composting and recycling plants.
- 7.15.2 The Environment Agency has a duty to protect the quality of groundwater and to conserve the use of water resources. The Environment Agency as Pollution Control Authority assesses the risk of proposed waste development giving rise to pollution. The Agency will be consulted when applications are received which may affect water

resources. Where appropriate, planning conditions may be imposed to ensure that measures are taken to prevent water contamination.

7.15.3 Further information on particularly sensitive localities can be obtained from the Agency, in particular advice is set out in 'Policy and Practice for Protection of Groundwater - 2nd Edition', Groundwater Vulnerability Maps produced by the British Geological Survey (BGS), and other maps produced by the Agency outlining Groundwater Protection Zones. The groundwater vulnerability maps and the Agency's indicative floodplain maps can be viewed on the Agency's web site (www.environment-agency.gov.uk).

Land Drainage and Floodplain Protection

WLP 16

Waste development will only be permitted where it is demonstrated that:

- a) **There would be no unacceptable increase in the risk of flooding to others; and**
- b) **There would not be an unacceptable risk of flooding; and**
- c) **Existing flood defences would not be prejudiced; and**
- d) **There would be no unacceptable impact on flood conveyance and flood storage capacities of a floodplain; and**
- e) **Surface run-off from the development would not adversely affect land drainage in the locality.**

7.16.1 Waste development within floodplains, particularly landfilling, can cause problems in respect of drainage and floodplain protection. Landfilling can preclude certain types of flood alleviation works being put in place, and the infilling of wet pits can reduce their flood attenuation capacity, and interfere with natural groundwater paths. Landraising is not acceptable in a floodplain.

7.16.2 Other waste management facilities can also exacerbate the risk of flooding e.g. through impermeable surfacing. Development may proceed where compensatory works can be carried out. In all instances advice should be sought from the Environment Agency. The groundwater vulnerability maps and the Agency's indicative floodplain maps can be viewed on the Agency's web site (www.environment-agency.gov.uk).

Airport Safeguarding

WLP 17

Waste development within the safeguarding areas of airports or aerodromes will only be permitted where it can be demonstrated that the development and associated operations would not constitute a hazard to air traffic.

- 7.17.1 The main hazard arising from waste development, which is located close to airports or aerodromes, is bird strike. This is often associated with landfill and/or landraising of putrescible waste. In all instances where development is proposed within safeguarding areas consultation is required with the Ministry of Defence or the Civil Aviation Authority as appropriate.

