

ENVIRONMENT INTRODUCTION

- 4.1 Increasing pressure for change is being placed on the environment of the Plan area which is evident in both built-up areas and the surrounding countryside. Agricultural practices have already removed many traditional landscape features and recent surveys carried out independently and on behalf of the District Council reveal continuing losses of wildlife habitats. Existing settlements are also subject to continuing development pressures.
- 4.2 The District Council's strategic land use strategy for achieving sustainable forms of development is set out in Chapter 2. An essential ingredient of sustainability is the environmental legacy likely to be left to future generations. The need to protect and enhance the environmental assets of the Plan area is therefore given primary importance in this Local Plan.
- 4.3 Alongside the more recognised concerns for the quality of the natural and built environment and the effects of new development, there is an increasing awareness about the impact of pollution and potential loss of non-renewable resources. Policies in this chapter set out the District Council's response to these concerns. The policies are arranged in four sections: General Environmental Considerations, Nature Conservation, Landscape and Built Environment.

STRATEGIC FRAMEWORK

- 4.4 The underlying strategy of the North Yorkshire County Structure Plan (Alteration No 3, 1995) is one of restraint in order to protect the important natural resources and high quality environment of the County. The Structure Plan includes conservation policies to safeguard important landscapes and wildlife habitats, and to protect buildings and areas of special townscape, architectural or historic interest, and sites of archaeological importance. Other policies are intended to control waste disposal and potentially polluting or hazardous development.
- 4.5 The North Yorkshire Conservation Strategy, adopted in July 1991, also sets out a series of policies and initiatives aimed at conserving and enhancing the landscape and wildlife habitats.
- 4.6 The Regional Planning Guidance for Yorkshire and Humberside (RPG12, 2001) echoes these themes and also promotes the desirability of protecting locally important features in development plans.

OBJECTIVES

- 4.7 The following objectives are the guiding principles behind the Environment Policies:
- 1) To safeguard the environment and the public from the effects of pollution and to minimise the risk from flooding and hazardous development.
 - 2) To protect and enhance the character of the countryside.

- 3) To safeguard the built heritage of the District.
- 4) To protect, enhance and manage sites and habitats of nature conservation interest and to safeguard and protect species.
- 5) To ensure that new development meets appropriate technical requirements and respects the character and amenity of the locality in which it is situated.
- 6) To encourage high standards of design and landscaping, and improvements in environmental quality.

SECTION ONE: GENERAL CONSIDERATIONS

- 4.8 The Planning system has an important role to play in controlling the quality of the environment, not only through long-term planning, but also through day-to-day decisions as part of the development control process. The benefits of every proposal made should be weighed against the effects that development will have on the environment.
- 4.9 The form and design of new development has a significant effect on the environmental quality of the Plan area. Local people are naturally concerned about the impact of development on the character of the area in which they live and the amenities they enjoy. The District Council is determined to ensure that future proposals achieve a 'good quality of development' by being properly integrated into the environment of the District, respecting the form and character of existing settlements and other features that contribute to the diverse natural and man-made heritage of the Plan area. The first policy in the Plan therefore establishes the basic environmental criteria against which all new development proposals will be judged in order to achieve this objective.
- 4.10 It is equally important to control the location of potentially polluting or hazardous development, and to ensure that development does not have an adverse effect on health, safety and amenity. Selby District is the powerhouse of the region and is affected by dust and emissions associated with the Selby Coalfield and three coal-fired electricity generating power stations in the Aire Valley. Other forms of pollution, such as smells and groundwater or river contamination, have been attributed to major industrial plants and waste storage and disposal sites. Policies in this section are therefore intended not only to safeguard the local environment from the harmful effects of certain types of development, but to contribute toward achieving sustainable forms of development.

Control of Development

- 4.11 Proposals for development are required to comply with the provisions of the current development plan in accordance with Section 54A of the Town and Country Planning Act 1990, unless material considerations indicate otherwise.

4.12 As well as the general policies and specific provisions set out in development plans, proposals for development must also have regard to a range of technical and other legislative requirements embodied in the various Planning Regulations, Circulars and PPG notes. In particular, proposals for development should respect the surrounding area and existing development, and should minimise the impact on the amenity of adjoining occupiers. Proposals should also ensure a satisfactory environment for future occupants or users.

4.13 In determining applications for development, the District Council will take into account a number of principal considerations which the District Council considers important for achieving a high standard of design in new development and enhancing the quality of the environment. These considerations are set out in the following paragraphs.

Suitability of Use

4.14 The type of use proposed (as currently defined by the Use Classes Order, 1987, as amended) will be an important factor in determining whether a proposal is compatible with the location. This does not mean that all non-residential uses will be resisted within predominantly residential areas. For instance, the Use Classes Order specifically refers to business uses (encompassing types of office uses and industrial processes) which may be “carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit”. Similarly, certain services such as local shops, doctors’ surgeries and so forth may be acceptable provided there would be no unacceptably adverse effect on local amenity, for instance, through the operation of the business or associated traffic.

Effect on Neighbouring Properties and the Surrounding Area.

4.15 The extent to which proposals would impact on the character of an area and the amenity of adjoining occupiers is an important consideration. Particular attention will be paid to the effects of increased vehicular and pedestrian movements and associated car parking. There may also be occasions when otherwise compatible uses would not be acceptable because of the likely effects of noise and other forms of pollution. Where appropriate, the District Council will make a careful assessment of potential noise levels and other sources of pollution before determining planning applications. Conditions may be imposed to help regulate and minimise the impact.

4.16 The District Council receives a significant number of applications each year to extend or alter properties or to infill land within existing built-up areas. (Infilling for the purposes of this Local Plan is defined as the filling of a small gap in a group of houses or in an otherwise built-up frontage). Considerable resources are devoted to overcoming potential problems associated with householder applications, particularly extensions. Tandem development (consisting of one house immediately behind another and sharing the same access) and backland development is unlikely to be permitted if it results in significant overlooking or has an otherwise unreasonably adverse effect on local amenity. Potential overlooking of ground floor living rooms or gardens will be an important consideration.

Particular regard will also be given to loss of privacy, outlook, garden enclosure and daylight, although it is not possible to safeguard existing views through planning legislation. Proposals should respect the character of an area and the existing density of development, be sympathetic in design and there should be no unacceptable loss of parking, turning or garden space.

Access and Highways Considerations

4.17 Proposals should be well related to the highway network and include access arrangements which are appropriate to the type of road involved and the volume and character of traffic likely to use it. Points for consideration will include the width of access, alignment, gradient, visibility and the provision of on-site parking in accordance with the Council's adopted car parking standards (which are reproduced in Appendix 4). Proposals for residential development should normally accord with the advice given in Design Bulletin 32 (Second Edition April 1992) published jointly by the (former) Departments of the Environment and Transport, and the North Yorkshire County and Districts Residential Highway Design Guide.

4.18 The development of land and buildings provides the opportunity to secure a more accessible environment for everyone, including wheelchair users and other people with disabilities, elderly people, and people with toddlers or infants in pushchairs. Access needs can be met, through appropriate design of spaces between and around buildings and through parking provision. When a new building is proposed, or an existing building is being extended or altered, developers should consider the access needs of people who might use the building as a place of work, or as visitors or customers. Where the public are to have access to the building, the District Council will consider the extent to which the securing of provision for disabled people can be justified on planning grounds.

Design and Layout of New Development

4.19 The District Wide Landscape Assessment undertaken on behalf of the District Council will provide the foundation for producing a Countryside Design Summary. The District Council will encourage villages to formulate their own Village Design Statements and where appropriate will adopt these as Supplementary Planning Guidance. These will assist in implementing a whole range of development control policies contained within the Local Plan and encourage developers to respect local character.

4.20 There is continuing public concern about the design and scale of new buildings and the social and environmental consequences of modern building methods and materials. Whilst aesthetic judgements are to some extent subjective, PPG1 (General Policy and Principles, 1997) encourages Planning Authorities to reject poor designs which may include those inappropriate to their context, for example those clearly out of scale or incompatible with their surroundings. It is also appropriate to promote or reinforce local distinctiveness, for example in connection with the Countryside Agency's "Design in the Countryside" initiative.

4.21 Experience has shown that successful schemes respect, but do not necessarily mimic, the character of their surroundings. For instance, there may be occasions when the creation of a new landmark building would be more appropriate than a repetition of the local vernacular. However, unless there are exceptional circumstances, the

proportion of site coverage by new buildings should tend to be compatible with that of the surrounding area.

4.22 Selby District Council wishes to encourage high quality design and layout of development, and applicants will be expected to demonstrate, wherever appropriate, that they have considered the wider setting of buildings. Particular weight will be given to the impact of development on existing buildings and on the character of areas recognised for their landscape or townscape value such as Conservation Areas and Locally Important Landscape Areas, where the scale of new development will often be particularly important.

4.23 Similarly, sensitivity in the choice of building materials is one of the most critical factors in integrating new buildings into both established built-up areas or remote countryside locations.

4.24 Increased emphasis will be placed on achieving quality and variety in new residential layouts, so as to provide good living conditions and standards of amenity and open space. Consideration will also be given to the adoption of appropriate measures and designs to reduce criminal activity and vandalism, in liaison with Police Architectural Liaison Officers.

4.25 PPG12 (Development Plans, 1999) DOE Circular 2/96 (Home Energy Conservation Act 1995) suggests that the statutory land use planning system can be used to promote energy conservation. Development Plans can help to improve energy efficiency by influencing the location and design of new buildings and development layouts, using communal rather than individual facilities and ensuring developments are served by public transport. Proposals for all new buildings and for conversion of existing buildings, whether residential, commercial or other, will be expected to demonstrate high standards of energy conservation in their design and scheme layout.

4.26 The use of alternative and renewable forms of energy can aid conservation of the earth's finite resources. The Local Plan contains a specific policy concerning renewable energy schemes (POLICY ENV6). Measures to harness solar energy affecting domestic or commercial property will be considered as part of the overall design and layout of development in relation to POLICY ENV1.

4.27 Solar energy can be harnessed in three ways; through the design and orientation of buildings to maximise the benefit of direct light and heat (passive solar design); through the installation of solar panels on roofs, walls or outbuildings utilising the sun's radiation to heat water passing through the unit (active solar systems); and by incorporating photovoltaic cells within solar panels to convert solar energy into electricity. Design of new buildings should maximise the opportunities for energy conservation through design, orientation and construction. Where the introduction of solar panels (in existing or proposed development) constitutes development, proposals will be assessed, taking into account the effect on local amenity. In the case of conservation areas, listed buildings or other sensitive settings, particular care should be given to ensure that the proposed development is compatible with its surroundings.

Landscaping

4.28 The appearance and treatment of the spaces between and around buildings is of comparable importance to the design of buildings. The District Council is firmly committed to the principle of incorporating generous landscaping as an integral element of development proposals. This is particularly important bearing in mind the scale of development proposed in parts of the District and having regard to the generally flat topography of the Plan area.

4.29 Landscaping schemes should ensure the retention of existing site features such as individual or groups of trees, hedges and shrubs. Schemes should enhance existing vegetation and offer opportunities for habitat creation. The District Council will consider the position of trees in relation to new buildings, and their effect on future occupiers, when examining proposals. Where appropriate, schemes should also embrace the treatment of boundaries, pavements and street furniture.

4.30 Specific policies dealing with strategic landscaping, (POLICY ENV20), and the District Council's general requirements with regard to landscaping, (POLICY ENV21) are included in Section Three LANDSCAPE.

Capacity of services and local facilities

4.31 In considering proposals, account will be taken of the capacity of existing utilities such as drainage, sewers or water supply. It is important that any new development does not place undue pressure on existing infrastructure, such as water and sewerage services, to the detriment of existing users or the environment. However, it is recognised that all development envisaged in the Plan cannot be accommodated within existing infrastructure capacities, and improvements will be required before some developments can proceed. In such cases, development will only be acceptable where the provision of adequate infrastructure can be achieved in advance of or in connection with development schemes.

4.32 Much of the Plan area is low lying and is subjected to seasonal flooding. Development will not be permitted where it would put people or property at increased risk, unless adequate mitigating measures are undertaken. (See also Section on Flood Risk below – POLICY ENV5).

4.33 Where appropriate, access to local facilities such as shops, play space or other services will also be taken into account, particularly when new development would place significant demand on already strained resources.

4.34 A number of policies in the Plan provide guidance on the District Council's expectations with regard to design, and the creation and enhancement of attractive environments. Where appropriate, additional information and advice may be provided through Supplementary Planning Guidance. Major proposals for development will be expected to conform to a planning brief approved by the Council indicating specific requirements in relation to such matters such as scale, density, height, layout, landscape, access and open space requirements.

ENV1 Proposals for development will be permitted provided a good quality of development would be achieved. In considering proposals the District Council will take account of:

1) The effect upon the character of the area or the amenity of adjoining occupiers;

2) The relationship of the proposal to the highway network, the proposed means of access, the need for road/junction improvements in the vicinity of the site, and the arrangements to be made for car parking;

3) The capacity of local services and infrastructure to serve the proposal, or the arrangements to be made for upgrading, or providing services and infrastructure;

4) The standard of layout, design and materials in relation to the site and its surroundings and associated landscaping;

5) The potential loss, or adverse effect upon, significant buildings, related spaces, trees, wildlife habitats, archaeological or other features important to the character of the area;

6) The extent to which the needs of disabled and other inconvenienced persons have been taken into account;

7) The need to maximise opportunities for energy conservation through design, orientation and construction;

and

8) Any other material considerations