

3. DESIGN & DEVELOPMENT PRINCIPLES

Introduction

- 3.1 This Chapter includes proposals that address general issues of “sustainability” applicable to all development. Proposals are included promoting high quality design, resource efficiency, minimisation of the risk of flooding or other environmental damage, access provision for those with mobility problems, and the adequate provision of physical and social infrastructure. In providing for sustainable development the Chapter also contains more specific proposals relevant to unneighbourly uses, uses with significant pollution potential, development on contaminated land, and public utility and renewable energy schemes.
- 3.2 The Local Plan’s strategy (see Chapter 2) places particular emphasis on a design-led approach to new development and redevelopment. Therefore, for all locations where development may be permitted, the Local Plan includes design and development proposals intended to secure high quality, whilst delivering the levels of development and residential density required by strategic and Government policy. This strategy has the added potential to support, and strengthen accessibility to, local services, facilities and public transport and thus contribute to patterns of development and movement that are sustainable.

Development Aims

- 3.3 The Local Plan seeks to achieve the maximum amount of development within the existing built-up areas, consistent with protecting the amenity value of important open and recreational space and maintaining and enhancing the character and quality of the environment.
- 3.4 The need for more sustainable development is now a cornerstone of the City Council’s Corporate Strategy and of this Local Plan. Key objectives are, therefore to:
- achieve a more effective, efficient and sustainable use of land by releasing additional development capacity within the District’s built-up areas, giving priority to the re-use of previously developed land and existing buildings and reducing the overall land-take for development and associated roads and off-street parking;

- maximise accessibility to local services and facilities by alternatives to the private car, including shared trips, to reduce the number and length of motorised journeys. Also, to help reduce emissions and pollution by providing for enhanced public transport services and improved integration between different modes of travel, as well as opportunities for easier pedestrian and cyclist movement;
- deliver high quality development of all types throughout the District. Such development will fully reflect and respond to the existing townscape and landscape character of each locality and, by improving local ‘permeability’, help to connect residential neighbourhoods with local facilities and services;
- improve energy and water efficiency in all development;
- ensure development or change of use does not exacerbate the risks of flooding or adversely affect the function of floodplains and that development is designed to avoid flood risk;
- ensure pollution is controlled to minimise the impact on the environment and neighbouring uses;
- ensure adequate social and physical infrastructure provision whilst minimising any harm to amenity or the environment caused by public utility or energy schemes.

Design And Development Principles For All New Development

Design-led approach

- 3.5 The proposed policy approach is needed to realise the potential to increase the use of previously developed land. This is particularly important in the case of housing, allowing significant increases in residential densities, extending the range of housing choice and, at the same time, improving the environmental quality and integration of new development. This will be achieved by an urban design-led approach which will ensure that every development proposal, whatever its scale, responds positively to the particular characteristics of a site and its surroundings and reinforces local distinctiveness.

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- 3.6 Such an approach can be most successful when principles of townscape and landscape-driven design are applied to individual sites, rather than by the use of general planning standards, which are subject to varying interpretation and, in previous plans, have required adaptation in their application to particular 'character areas'.
- 3.7 All development proposals should identify constraints and opportunities relating to the site and its surroundings and generate a design solution that meets the objectives in paragraph 3.4 above. In pursuing this, the Local Planning Authority will seek to ensure that development is sensitive to the character of individual locations, the development required and the need for a more productive use of space.
- 3.8 Residential densities should generally be in the range of 30-50 dwellings per hectare net (see Planning Policy Guidance Note 3: Housing). In locations where there is greater accessibility to public transport and services/facilities, good "permeability" for pedestrians and cyclists, and where it is appropriate to the locality, higher densities may be acceptable, allowing more efficient use of land.
- 3.9 No proposal for new development should be considered in isolation. Matters of design and layout should be informed by the broader context, which includes all aspects of

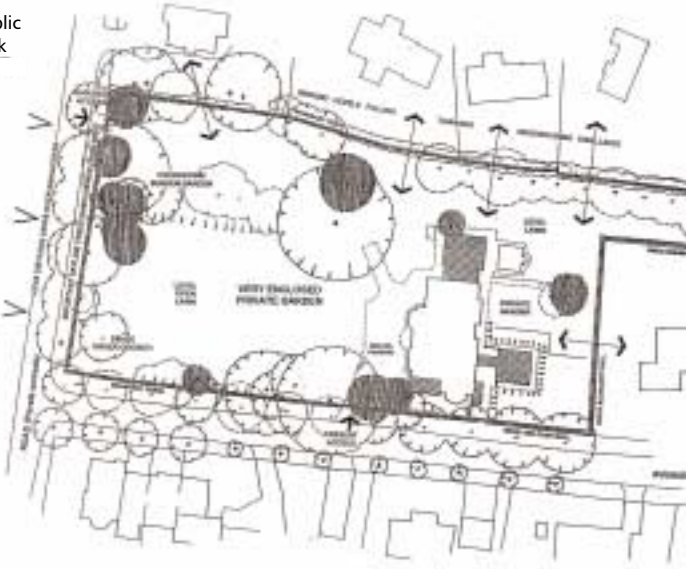
townscape and landscape, from both the public and private domains. Local patterns of roads and spaces, together with their pedestrian and cyclist interconnections; methods of defining and enclosing publicly accessible and private areas; locally prevalent design details, materials, construction techniques and traditions, are all elements that combine to create and enhance local townscapes and landscapes. These, in turn, help to underpin the character, distinctiveness and vitality of the District's settlements.

- 3.10 The Local Plan requires all such matters to be taken into account and reflected in the design and implementation of new development. Where appropriate, the Plan proposals will be complemented by 'supplementary planning guidance', including 'planning briefs' for individual sites and, in instances where they have been produced and adopted, 'village design statements' and 'neighbourhood plans'.

Planning applications: supporting and explanatory information

- 3.11 Adequate information should be submitted with every planning application, to demonstrate that a proper assessment of how the proposal responds to the site, the locality and the policy framework has been carried out. For straightforward or small-scale proposals sufficient illustrative material will be required to show the development in its context. This will include plans and elevations showing the proposed design and, as appropriate, layout plans, cross-sections and photographs which show the relationship to adjoining development and uses. Details of existing development and features on the site and its surroundings will also be needed. In terms of the design process it may be sufficient, in the case of small schemes, to submit a short accompanying statement which sets out the principles which have been followed and how the proposal responds to the site context. However, the scope and length of such a statement should be appropriate to the nature of the scheme.
- 3.12 For complex or large-scale development, or proposals involving sensitive sites (e.g. within or adjoining Conservation Areas or sites designated for a particular interest), a more detailed explanation of the design principles will be required. Additional illustrative and explanatory information will be needed,

Public Park



"Matters of design and layout should be informed by the broader context"

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including perspective views and models. In cases where specialist information is required (such as for ecology or archaeology), it may be necessary for applicants to employ technical expertise to advise on the appropriate approach and presentation.

3.13 Prior to a planning application being submitted for any large or complex site, or one which is situated in a sensitive location, the developer should undertake a full contextual appraisal of the proposed development. This will set out the inter-related stages of the design process and, in so doing, provide the background information which the Authority and other parties to the decision making process will need, in dealing with a subsequent planning application. The appraisal should address and explain the following:

- the purpose of the proposed development and how its' design relates to the site and its' setting, including surrounding uses and built forms, topography and vegetation;
- the extent to which the proposed development meets the Local Planning Authority's urban design, townscape/landscape and other policy objectives, including any development brief, village design statement or other 'supplementary planning guidance' which may be relevant;
- the development's transport and sustainability impacts, the modes of travel envisaged, the accessibility of the site to the public transport network and the degree to which the development proposed might benefit from a "Green Travel Plan" and/or attract improvements to the quality of local services;
- opportunities to connect the proposed scheme with existing open spaces and pedestrian or cycle networks, in order to enhance local 'permeability' and stimulate movement and activity, taking account of "Secured by Design" principles;
- the extent to which the design principles have incorporated the results of initial consultations, including any involving the local community;
- the consideration given to other, related sites and any resultant opportunities for combined or co-ordinated development,

including making provision for pedestrian or vehicular links to be established in the future;

- opportunities to maximise energy efficiency and appropriately accommodate runoff.

3.14 As well as informing the design process and providing the Local Planning Authority with the basis for more informed decision making, preliminary information of this sort can highlight shared, or diverging objectives. It can also provide more scope for the creative resolution of potential conflicts and help to avoid more time consuming obstacles or difficulties arising in the formal stages of any subsequent planning application.

3.15 Accordingly, in order to carry forward the Review Plan's objective of high quality design and development, the Local Planning Authority will require a design statement for any application for planning permission. Development proposals for large sites, sites in sensitive locations, or which will significantly affect the locality will require a full site analysis (as set out in paragraph 3.13 above). For smaller or less sensitive schemes an appropriate design statement will be required, as described in paragraph 3.11 above.

Proposal DP.1

The Local Planning Authority will only permit development where planning applications are supported by a design statement. Particularly in the case of larger or more sensitive sites, or development proposals which will have a significant impact on the local area, design statements should include a full site analysis identifying, as appropriate, the following:

- (i) the significant townscape, landscape and natural features and designations (see also Proposal DP.5);*
- (ii) an accurate site survey which includes the location of existing buildings, trees, hedgerows and other landscape features on the site and details of site levels;*
- (iii) the relationship of the site to surrounding development and/or countryside, including other neighbouring uses and open spaces within both the public and private domains;*



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- (iv) existing rights of way and accesses for pedestrians, cyclists and vehicles, both within the site and the surrounding area;
- (v) any known elements of historic importance which may be affected by the development, including archaeological remains, ancient monuments, historic buildings, important historic parks and gardens or other historic landscape features;
- (vi) opportunities for maximising energy efficiency and appropriately dealing with drainage issues.

Plans, sketches and other explanatory information should be included, as appropriate to the site and the scale of development, to set the proposal in its full context, indicating where important existing features are to be retained and enhanced where appropriate, justifying the removal of any such features and explaining how the site analysis has influenced the design of the proposal.

3.16 Winchester District contains a number of large public or private institutions that control and influence large areas of land. Development proposals put forward by these bodies should illustrate how they relate to any wider strategy for the land holding concerned. Therefore, the Local Planning Authority encourages major land owners/users to prepare master plans for the future of their holdings, particularly where programmes of development are envisaged.

3.17 Such master plans will enable the Local Planning Authority, when considering development proposals by major landowners, to be aware of any wider implications or strategy.

Proposal DP.2

In order to encourage major landowners/users within the District to produce long term master plans for their holdings, proposals for incremental development will not be permitted in the absence of such plans, or where the wider implications or cumulative benefits are not apparent or cannot be secured.

General design criteria

3.18 All new development proposals, throughout the District, which involve the construction of new buildings or the replacement, adaptation, conversion or extension of existing buildings will be judged against the following design principles and criteria:

Proposal DP.3

Development which accords with other relevant proposals of this Plan will be permitted, provided it:

- (i) makes efficient and effective use of land or buildings and, in the case of new residential development, achieves net residential densities generally of at least 30 dwellings per hectare;
- (ii) in terms of design, scale and layout, responds positively to the character, appearance and variety of the local environment, reflecting its distinctive development forms and patterns of building, spaces, means of enclosure, townscape and landscape and incorporates in the design those features which are important to the history and form of the area;
- (iii) keeps parking provision to a minimum, taking into account the level of accessibility of the site by non-car modes (see Proposal T.4);
- (iv) provides for ease of movement and local 'permeability', by providing pedestrian and cycle links within the site which are safe and subject to natural surveillance and include additional links (or provision for future links) to surrounding footpaths, cycle routes, open spaces and sites (see also Proposal T.3);
- (v) maximises access to public transport and, in instances of new development likely to generate a large number of journeys, provides a choice of travel mode, to reduce the need to travel by car (see Proposal T.3);
- (vi) facilitates the development of adjacent sites (where the proposals of this Plan provide for this) or combined/co-ordinated schemes where appropriate, by providing for future access to be gained to them and promoting an appropriate layout;

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(vii) does not have an unacceptable adverse impact on adjoining land, uses or property;

(viii) provides adequate recreational space for residential development, in accordance with the provisions and method of operation of Proposal RT.3.

3.19 New development should be appropriate to the site, achieve a high quality of design and efficient use of land and buildings, and should respond creatively to the character and distinctiveness of the surrounding area. It should have safe vehicular and pedestrian access and appropriate levels of parking, in conformity with the Highway Authority's latest adopted standards. The design should be compatible with the means of circulation on site, including servicing and emergency access, whilst encouraging movement on foot and by cycle. Recreational space for residential development should always meet the required minimum standard (see Proposal RT.3 and accompanying text).

3.20 The amenities and operations of neighbouring properties and other lawful uses should be taken into account and protected. Wherever possible, opportunities should be taken to enhance the overall appearance and amenities of the area. In larger schemes, the Local Planning Authority will encourage the development and enhancement of streets which, in accordance with the principles of "Secured By Design", assist in providing a safer environment and allow the natural surveillance of footpaths, cycle routes and public spaces. The aim, overall, is to reduce the opportunity for, and fear of, crime and antisocial behaviour.

3.21 The Crime and Disorder Act 1998 places a duty on the Council to exercise its various functions having regard to the need to do all that it reasonably can to prevent crime and disorder in its area. This duty has been taken into account in preparing this Plan.

3.22 Many occupiers of existing buildings wish to create extra space by adding an extension. This can provide useful space, often as an alternative to moving to a larger property. It is, however, important that any extension is carefully designed to respect and relate to the original building and integrate with the character and appearance of the surrounding area. Proposals to extend properties in the

countryside are subject to additional considerations (see Proposal C.22).

Access for people with limited mobility

3.23 It is important that buildings and the external environment are accessible to all members of the community. This includes parents with pushchairs, elderly people, people temporarily disabled as a result of accident or illness, those with sensory problems and people confined to wheelchairs or with mobility problems.

3.24 Although the main instrument for enforcing the regulations for meeting the needs of people with disabilities and other special needs remains the Building Regulations 1991, it is also a matter of planning concern. The operation of this proposal is, therefore, intended to link with the provisions of the Disability Discrimination Act 1995 and other current legislation and is intended to include external access arrangements for all developments used, or visited by, the public.

Proposal DP.4

In order to achieve development accessible to all members of the community, proposals will only be permitted if there is adequate access and appropriate facilities for people with disabilities and other special needs. Where there is an identified local need for mobility housing, the Local Planning Authority will seek to negotiate elements of housing, accessible to the disabled, on suitable sites.

Landscape and the built environment

3.25 The townscape, spaces around buildings and the wider landscape of the countryside, provide a framework for existing and proposed development. The treatment of such spaces is important if an attractive environment is to be created. This should be designed and implemented with as much care as buildings.

Proposal DP.5

In order to maintain or enhance the District's townscape and landscape, development will not be permitted where it would detract from, or result in the loss of:

- (i) important views and skylines;*
- (ii) slopes;*

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- (iii) *trees and hedgerows;*
- (iv) *open areas important to the townscape or the setting of buildings, including Listed Buildings;*
- (v) *the landscape framework, including those 'key characteristics' listed at Appendix 2;*
- (vi) *water features.*

Proposals in areas with special landscape designations, such as the East Hampshire Area of Outstanding Natural Beauty should, in particular, avoid harm to, and be in sympathy with, both the immediate and wider landscape setting.

- 3.26 Any important landscape, ecological, historical or archaeological features should be retained and, where possible, enhanced. Important townscape and landscape features may, for example, include important open areas or recreational areas/facilities, subject to Proposal RT.1 or RT.2, or locally important features such as trees, walls, banks and hedges, which may contribute significantly to the character of an area.
- 3.27 For major proposals, a full "environmental assessment" of the effect of the proposals may be required, including a full evaluation of the impact on the landscape. The requirements are set out in the Town and Country Planning (Assessment of Environmental Effects) Regulations, 1999. Under these Regulations it is, initially, for the Local Planning Authority to decide whether or not a proposed development requires Environmental Assessment. Projects of more than local importance, which are of such a scale or in a particularly sensitive environment, may require such an assessment. However, the Regulations provide for the Authority or, ultimately, the Secretary of State for the Environment to decide whether, in the circumstances of a given proposal, such an assessment is necessary.

Trees and development

- 3.28 Planning applications should, where applicable, be accompanied by a full tree survey showing position, species, spread, height, condition and recommendations for management. Trees adjacent to a site should be included if they are likely to be affected. Trees to be removed should be clearly indicated.

- 3.29 Where trees are to be retained, their relationship with the development should be carefully considered to ensure their future wellbeing. In particular, there should be no intrusion on the canopy or root spread and adequate space should be allowed for future growth. Proposals that could lead to subsequent pressure for removal, or the premature demise of trees, should be avoided. Similarly, new planting should have adequate space to mature.
- 3.30 Guidance on trees in relation to construction is given by BS5837. Conditions may be imposed on planning consents, or planning obligations sought, to protect trees, which will be rigorously monitored. Trees currently protected by Tree Preservation Order legislation or within Conservation Areas, on or adjacent to the site, should be retained and not adversely affected by development.
- 3.31 The management and protection of trees and hedgerows in the District will be given high priority. The City Council will continue to serve Tree Preservation Orders where appropriate and, in the countryside areas of the District, will also use the powers provided by the Hedgerows Regulations 1997 to protect important countryside hedgerows. Where the removal of any countryside hedgerow is contemplated and before any action is taken, advice on the requirements contained in these Regulations should be obtained from the Planning Department. The Local Planning Authority will also seek to encourage greater public awareness and responsibility for trees by continuing to promote such ventures as the Parish Tree Warden Scheme and developing a tree strategy.
- 3.32 Where trees contribute significantly to the character of an area, and there is a perceived problem of a declining tree population, replacement and supplementary tree planting using appropriate species is likely to be required, to ensure continuity of tree cover. Adequate land should be set aside for this purpose.

Design of amenity open space

Proposal DP.6

In order to ensure an attractive environment, development which accords with other relevant proposals of this Plan will be permitted, provided it includes adequate on-site amenity open space which should:

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- (i) *be of a high standard of design, appropriate to the use and character of the development and its location and reflecting relevant supplementary planning or design guidance;*
- (ii) *contribute to maintaining or enhancing the visual and environmental character of the area;*
- (iii) *incorporate appropriate hard landscaping and planting;*
- (iv) *locate and design car parking areas sensitively;*
- (v) *include arrangements for the future management and maintenance of all areas.*

3.33 Amenity space, landscaping or open space provided on-site should be designed as an integral part of the development. These should be located and laid out in such a way as to maintain or enhance the local environment, incorporating existing natural vegetation and features wherever possible, for the benefit of the appearance of the development and for all potential occupiers. In submitting detailed drawings and specifications, planting plans should clearly indicate retained vegetation; the position, species, density and size of proposed planting; means of protection; and management intentions. Services (water supply, drainage, electricity supply, etc) should also be indicated on landscape drawings.

3.34 Where open space is for public use, it should be appropriately designed for informal use by the community. Visually, it should help to create a sense of place and use natural features to advantage. Where a developer wishes open space to be publicly adopted, a planning obligation will normally be required to cover future maintenance costs. Submitted plans should clearly indicate the areas concerned.

3.35 Open space provided on-site may be public or private. The design of both needs equal care. Where the development includes housing, private gardens should be particularly carefully considered, as they form an outdoor extension to the living space of dwellings.

Proposal DP.7

Residential development which accords with other relevant proposals of this Plan

will be permitted where adequate private amenity space is provided, appropriate to the size, design and residential function of the development and not unacceptably overlooked by neighbouring properties.

Efficient use of resources

3.36 Sustainable development requires efficient use of resources to meet the needs of existing and future generations. Inefficient use of resources also generates 'waste' which raises disposal issues and affects the global environment.

3.37 More sustainable patterns of development help to reduce the demands on resources, especially energy and water. This Plan includes proposals that seek to promote more sustainable patterns of development by promoting mixed use, locating development near existing facilities and services, centres of employment, and integrating development with public transport. The design of individual developments also influences their sustainability. Aspects of sustainable design for resource efficiency include:

- use of waste prevention and minimisation techniques;
- installation of pollution abatement technology to reduce emissions to air and water;
- measures for disposing of surface water drainage as close to its source as possible;
- building design which facilitates the use of renewable energy;
- energy efficient installations, including passive solar design for buildings (to reduce heating costs and maximise natural light) and improved insulation;
- water efficient installations and water recycling;
- use of renewable and recycled materials during construction and design to facilitate recycling systems, including combined heat and power and community heating schemes;
- building design and construction which aims to extend the useful life of the building and ensure it is adaptable;
- use of 'soft' construction and maintenance techniques harnessing natural processes.



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- 3.38 Whilst some of these considerations are beyond the scope of the planning system, development proposals which consider all aspects of sustainable design will be encouraged.

Proposal DP.8

Permission will be granted for development that accords with other proposals of this Plan where the Local Planning Authority is satisfied that it is appropriate in terms of:

- (i) the layout, siting and landscaping of new buildings to maximise energy-efficiency, utilising natural shelter and opportunities for passive solar gain;*
- (ii) opportunities for linking the development to renewable energy schemes (see also proposal DP.18);*
- (iii) measures to reduce water consumption;*
- (iv) sustainable urban drainage systems (see also DP.10 and DP.11);*
- (v) waste minimisation during construction including the use of renewable and recycled materials, locally sourced where possible;*
- (vi) balancing cut and fill on site, where possible, to minimise the import and export of material;*
- (vii) the planned life of the building and its adaptability;*
- (viii) measures to ensure that sub-soil structure is not destroyed by compaction, thereby protecting natural surface water drainage, oxygen content and the potential of the ground to support plant life.*

- 3.39 Development which would be demonstrably wasteful in its use of energy or in its depletion of natural resources (e.g. groundwater supplies) will not be permitted.
- 3.40 The District is particularly reliant on groundwater as a source of water supply, and to maintain river flows, along with the protection of the Special Area of Conservation (SAC) habitat and target species of the River Itchen. The chalk downland in the north and east of the District is an important aquifer. In order to protect groundwater from the threat of over-abstraction or pollution, the City Council

consults the Environment Agency on certain categories of planning applications, and will be guided by its advice about the extent to which development accords with its policies.

Proposal DP.9

Planning permission for new development which accords with other relevant proposals of this Plan will be permitted, provided that it does not threaten the sustainability or purity of sources of water supply and, in particular, will not conflict with the Environment Agency's "Groundwater Protection Policy".

Flood risk

- 3.41 Flood risk is a material planning consideration. In accordance with Planning Policy Guidance Note 25: Development and Floodrisk, Proposals DP.10 and DP.11 seek to avoid inappropriate development in areas at highest risk from flooding. Most development will require an assessment of flood risk, which should consider the threat to the proposed development and the potential for the development to lead to flooding elsewhere. Particular regard for flood risk should be had where development proposals:
- generate significant runoff from the site;
 - impede (or impede the maintenance of) flood defences or existing structures which may serve as a flood defences;
 - reduce water storage areas, either natural or manmade.
- 3.42 A particular characteristic of Winchester District, given the high proportion of chalk downland and relatively high water tables, is groundwater flooding. What are normally dry valley bottoms can become functional waterways during periods of intense or prolonged rainfall. Development proposed in these 'dry' valley bottoms should also include an assessment of risk.
- 3.43 The Environment Agency produces Indicative Floodplain Maps, which are shown on the Local Plan Proposals Map. They provide additional information but are under constant review and do not preclude the need for flood risk assessments. Therefore, independent assessments of flood risk will need to be provided, the responsibility for which lies with the developer.

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Proposal DP.10

Planning permission for development or change of use which accord with other relevant proposals in this Plan will be permitted, provided that:

- (i) appropriate measures are taken to ensure that runoff from the site will not be significantly increased;*
- (ii) in areas with low potential risk of flooding, access is provided for essential civil infrastructure in times of emergency;*
- (iii) in 'dry' valleys, buildings are positioned and designed to prevent and resist flooding, and not add to flood risk up or down stream;*
- (iv) in already developed floodplains, where an adequate level of flood defence already exists, buildings are designed to resist flooding, there are suitable warning and evacuation procedures in place, and development does not add to flood risk up or down stream. Civil emergency infrastructure will not be permitted in areas already defended.*

Proposal DP.11

Development or change of use in functional floodplains will not be permitted unless:

- (i) the Local Planning Authority is satisfied that there is no alternative site and that the refusal of planning permission will lead to social and economic blight. In this instance particular attention must be paid to design, mitigation, warning and evacuation arrangements; or*
- (ii) the proposal is for sport, recreation, amenity or conservation, or essential transport and utility infrastructure, in which case adequate warning and evacuation procedures should be in place; and*
- (iii) it accords with Proposal DP.3 and other relevant proposals of this Plan.*

3.44 For the purposes of Proposals DP.10 and DP.11 "development" includes redevelopment or the raising of ground levels. It has become increasingly evident that development can significantly affect the volume and rate of

surface water run-off. This is usually a result of permeable surfaces being replaced by impermeable surfaces (e.g. roads and buildings). The harmful results of such changes can often appear some distance from the development and could include increased risk of flooding, silting and pollution, damage to watercourses and their environments, and a reduction in river base flows and aquifer recharge capability.

3.45 Where possible the Local Planning Authority will seek Sustainable Drainage Systems in all new development. It may be necessary to provide flood protection and mitigation measures, including the provision of long term monitoring and management. Under such circumstances, developers will be expected to identify, implement and fund the necessary measures, with advice as necessary from The Environment Agency and the City Council, as Land Drainage Authority. In some circumstances, specialist work needed may best be undertaken by The Environment Agency. In such cases, the cost should be met by the developer.

3.46 Developers who are in any doubt as to whether their proposals are subject to the provisions of Proposal DP.11 should contact The Environment Agency. The Agency holds information identifying the areas already known to be at risk from flooding and is in the process of updating and expanding this information. Regard may also be had to Local Environment Agency Plans covering the rivers in the District (rivers Test, Dever, Arle, Meon, Itchen, Hamble and Wallington).

Infrastructure for new development

3.47 It is necessary to ensure that development does not overload physical or social infrastructure (e.g. local roads, schools, health and welfare provision or sewage works). In



"Inadequacies in infrastructure can be overcome by new and improved facilities"



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many cases inadequacies in infrastructure can be overcome by providing new or improved facilities. Where such provision results directly from proposed development, developers will be expected to ensure that development makes a fair contribution towards its cost.

Proposal DP.12

Development proposals which fail to make appropriate provision for the social and physical infrastructure necessary to serve them will not be permitted. In suitable cases reasonable and equitable financial contributions from developers may be accepted in lieu of the actual provision of physical and social infrastructure required as a result of development. In addition developers are encouraged to subscribe to the "Percent for Art" initiative.

- 3.48 In addition to meeting the general requirements of Proposal DP.12, it will be necessary for development to fulfil the more specific requirements of other relevant proposals of the Plan, relating to the provision of adequate recreational space, transport infrastructure, etc, as appropriate.
- 3.49 The requirements arising from Proposal DP.12 are not specified in detail, as they will vary from case to case. It may be necessary for developers to enter into planning obligations ("Section 106" agreements), prior to the grant of planning permission, to ensure the provision of infrastructure or other works necessitated by their proposals. Prospective developers, especially of larger scale development, should therefore consult with the Local Planning and Highway Authorities at an early stage to ascertain the likely obligations. These can then be properly reflected in the purchase price of land or property, prior to entering into commitments.

Specific design and development principles

- 3.50 This section details Design and Development Principles for:
 - pollution-generating development;
 - unneighbourly uses;
 - pollution-sensitive development;
 - development on contaminated land;
 - public utility development;
 - renewable energy schemes.

Pollution generating development

- 3.51 When formulating development proposals, early consideration should be given to the potential for pollution from a proposed use. Guidance should be sought from the appropriate pollution control authorities on the standards of environmental quality required and features that need to be incorporated in the design process.
- 3.52 For advice on acceptable noise levels, standards of air quality, and other measures to avoid adverse environmental affects or nuisance, developers should consult the City Council's Environmental Health Department. For proposed uses listed in Part A of the Environmental Protection (Prescribed Processes and Substances) Regulations 1991, applicants will need to consult the Environment Agency. Developers also should consult the Environment Agency for advice on standards of water quality (see also Proposal DP.9).
- 3.53 All planning applications for development with potential to cause pollution should include a statement setting out how the proposed location and design minimises the problem, and how the effects are to be mitigated.

Proposal DP.13

Development which may generate air, land or water pollution, and which accords with other relevant proposals of this Plan, will only be permitted where the Local Planning Authority is satisfied that it has been designed to reduce the impact to an acceptable level. Proposals should comply with the statutory standards of environmental quality required by the pollution control authorities, and include a statement setting out how the requirements have been met in designing the proposal.

- 3.54 Developers who are in doubt as to whether their proposals are likely to cause pollution should contact the Environmental Health Department of the City Council before submitting a planning application.

Unneighbourly uses

- 3.55 Development proposals which generate unneighbourly nuisances e.g. dust, noise, or smell, will not normally be acceptable within or adjacent to developed areas. Uses performing a necessary local function, where

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the levels of pollution cannot be controlled sufficiently for the use to be accommodated in the settlements, may exceptionally require a suitable location in the countryside.

- 3.56 Suitable locations should be contained within a clearly defined area and have minimum impact on the locality. It will be necessary for proposals to comply with the requirements of the relevant pollution control authorities and to demonstrate how their design minimises the impact on the local area.

Proposal DP.14

Development which would create, consolidate or expand noisy or noxious uses, or which would generate volumes or types of traffic unsuited to the local area will not be permitted. Exceptionally, if such development needs to be provided in a local area, it may be permitted where it can be designed to the satisfaction of the Local Planning Authority, and is:

- (i) remote from existing housing or other pollution-sensitive development;*
- (ii) well screened by landform or vegetation that will withstand the pollution;*
- (iii) accessed by a means suitable for heavy vehicles;*
- (iv) capable of containing the land use within a defined area.*

- 3.57 Where the Local Planning Authority grants planning permission for the use of such sites it may, where it is considered necessary and in consultation with the relevant pollution control authority, place conditions on the use of the site to control the occupier, the hours worked, and the arrangements made for minimising disturbance (including the routing of heavy lorry movements) and maintaining landscape works.

Pollution-sensitive development

- 3.58 In addition to uses which have potential for generating pollution, it is important to consider the effects of accommodating new development adjacent to existing uses which generate pollution, particularly noise. Proposals for new development in such locations will need to include measures to control the impact of the particular form of pollution. Such measures will always be

necessary when housing, educational establishments or hospitals are proposed adjacent to a noise-generating use.

- 3.59 Developers should seek guidance from the appropriate pollution control authority at an early stage. This will establish the appropriate environmental quality to be achieved and the measures to be incorporated to reduce the impact of pollution.

Proposal DP.15

Development which accords with other relevant proposals of this Plan will only be permitted provided the Local Planning Authority is satisfied that it achieves an acceptable standard of environmental quality and minimises levels of pollution affecting the development, both within buildings and in spaces around them.

- 3.60 In advising developers on maximum levels of pollution, the City Council will have regard to the latest Government advice. For noise, this is currently contained in Planning Policy Guidance Note 24 "Planning and Noise". More general advice is contained in the Planning Policy Guidance Note 23 "Planning and Pollution Control".

Contaminated land

- 3.61 Within the District, there is likely to be land that has been subject to a degree of contamination as a result of previous land uses. It is important to identify these sites before any planning proposals are made. The responsibility for identifying the presence and extent of contamination, and dealing with it, lies with the landowner or other persons identified under the appropriate legislation. It is essential to establish the history of a site and the surrounding area before a planning application is submitted. In view of the potential liability for cleaning up a contaminated site, developers are strongly advised to undertake initial enquiries, searches, desktop assessments, investigations and, where necessary, site surveys prior to purchasing a site that may have been subject to a contaminative use.
- 3.62 Contamination becomes a problem if there are "receptors" (i.e. people, the environment or property) that may suffer from its effects and if there is a link or pathway between the source of contamination and "receptors". Therefore,

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not only is it essential that development does not cause contamination directly or disturb previous contamination, but it is also important to ensure that it does not establish a pathway or link between “receptors” and existing contamination. If a previous land use indicates the possibility of contamination, further investigations should be carried out and adequate information submitted to show that the assessment has been carried out effectively.

Proposal DP.16

The development of land which is known or suspected to be contaminated, or which is likely to be affected by contamination in the vicinity, will only be permitted where:

- (i) the full nature and extent of contamination is established;*
- (ii) appropriate remedial measures are included to prevent risk to future users of the site, the surrounding area and the environment (including water supplies and water bearing aquifers);*
- (iii) all site investigations, risk assessment, remediation and associated works are carried out to current industry best practice guidelines (attention is drawn to BS10175: “Investigation of Potentially Contaminated Land”, 2001).*

Exceptionally, development which does not accord with other proposals of this Plan may be permitted where the Local Planning Authority is satisfied that:

- (a) contamination is causing demonstrable harm or risk to human health, the environment or property, such that action is needed to prevent it;*
- (b) the type and scale of development proposed is the only way of dealing effectively with the harm being caused, or of removing the risk, taking account of all other options and the costs of remediation;*
- (c) the development will not cause undue harm or risk to health, the amenities of the area, the environment, property or the protection of the countryside;*

(d) the Local Planning Authority is satisfied that the remediation works proposed will achieve the long term suitability of the site for its intended use and overcome the problems identified.

- 3.63 Parts of the District may be affected by “natural hazards”, such as the emission of radon gas. The requirements of Proposal DP.16 will be applied to development affected by natural hazards, as well as man-made contamination.
- 3.64 To enable the significance of contamination and the associated risks to be assessed, advice will need to be obtained from the Environmental Health Service of Winchester City Council, the Environment Agency, or the Health and Safety Executive, as appropriate. Particular attention should be paid to developments which are sensitive to contamination, such as housing or educational establishments, or those that may impact directly or indirectly on water supplies, including water bearing aquifers. If planning permission is granted on a site where contamination is known or suspected to be present, it is the applicant’s responsibility to ensure that the development is, and will remain, suitable in terms of end use, risk to health, impact on the environment and property (including ground and surface waters and gaseous emissions).
- 3.65 Any proposed future use should take account of the type and extent of contamination and be designed to minimise the risks to health, property or the environment. Development can help to facilitate cleaning up of a site and will be permitted where it accords with other policies of the Plan.
- 3.66 There may exceptionally be cases where development that would be permitted by this Plan is either inappropriate or would not be viable due to the clean up costs involved. In such cases an exception to the Plan’s proposals may be justified. The applicant would, however, need to demonstrate an overriding need for remedial measures and that development is the only way to achieve remediation, and that an exception to planning policy is necessary for environmental or health reasons (taking account of the costs of appropriate remediation).

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Public utilities

3.67 Although many forms of development for the purposes of the public utilities, and the installation of some telecommunications apparatus, enjoy permitted development rights, the environmental impact of such development should be minimised. Proposal DP.17 applies to development in the countryside as well as in the settlements.

Proposal DP.17

Public utilities or radio and telecommunications development will be permitted (where planning permission is required), provided that:

- (i) where technically possible, existing buildings, structures, apparatus and/or sites are shared;*
- (ii) the impact is minimised by appropriate routing, siting, materials and colour, particularly where development would affect listed buildings, Conservation Areas, the East Hampshire Area of Outstanding Natural Beauty, or sites of archaeological or ecological importance. Proposals that are unduly harmful to sensitive environments or would adversely effect the amenities of a residential area will not be permitted;*
- (iii) where possible, all cables and pipelines are placed underground, having regard to any archaeological or ecological constraints;*
- (iv) a satisfactory landscaping/restoration scheme is included, including provision for management;*
- (v) it accords with Proposal DP.3 and other relevant proposals of this Plan.*

3.68 A wide range of development is covered by the provisions of Proposal DP.17, such as the laying of pipelines, cables and transmission lines, the provision of electricity substations and gas governor stations, and the installation of radio and telecommunications apparatus (for both domestic and non-domestic purposes). Agencies responsible for development to which the Proposal applies are encouraged to liaise with the Local Planning Authority at an early stage to ensure

that proposals can be accommodated in a satisfactory manner and that important constraints, such as archaeology, are identified. Particular care is needed in Conservation Areas or in the vicinity of listed buildings. Where services are placed underground or new landscaping is proposed, the site should be restored/landscaped with appropriate indigenous species.

3.69 Radio and telecommunications is a rapidly expanding industry and the requirements for fixed and mobile systems vary. Certain telecommunication masts, masts on buildings, antennas, satellite dishes and equipment cabinets are "permitted development" but require "prior notification" to be given to the Planning Authority (refer to General Permitted Development Order, Schedule 2, part 24 for specific criteria). However, Government guidance (Planning Policy Guidance Note 8: Telecommunications) is being reviewed and Ministerial announcements indicate that in future all mast proposals will need to undergo the same publicity as a normal planning application, and the period for determining prior notification applications will be extended to 8 weeks.

3.70 Proposals should include sufficient information to enable the Local Authority to understand the technical requirements/constraints of the installation and its role within the network. To prevent the proliferation of various aerials and masts, site sharing is generally encouraged, subject to the visual impact of the proposal. Where new installations are essential, they should avoid the most environmentally sensitive parts of the District. The apparatus and structures tend to be very utilitarian, and their visual impact should be reduced wherever possible by appropriate use of materials and colours, sensitive siting and landscaping.

Renewable energy schemes

3.71 In order to promote sustainable development and take account of international obligations to reduce CO² emissions and regional targets for increasing the proportion of renewable energy consumption, the Local Planning Authority will encourage renewable energy schemes. Opportunities for renewable energy schemes in the District include combustion plants, biogas plants, wind turbines and photovoltaic installations.



3. DESIGN & DEVELOPMENT PRINCIPLES

Renewable energy schemes can have positive and negative impacts on:

- the emission of green house gases;
- the District's landscape, nature conservation, heritage value and character;
- the quality of life for local people.

3.72 Schemes are generally more suitable if they are directed at the local level to power individual buildings or sites i.e. linked to on-site use. Schemes that propose to link to the electricity grid, although not precluded, are generally larger and more difficult to accommodate acceptably:

Proposal DP.18

Proposals for renewable energy schemes will be permitted provided;

- they are appropriately designed and located, having regard to the desirability of using the best available technology and the need to minimise visual or other intrusion;*
- the Local Planning Authority is satisfied that the benefits for the environment, local economy and the local community outweigh any harmful effects;*
- they accord with Proposal DP.2 and other relevant proposals of this Plan.*

3.73 The ease with which proposals may be satisfactorily accommodated within their surroundings is likely to depend on:

- the technology and, therefore, the type and size of plant and equipment to be used;
- the nature of any associated activities or development such as lorry movements or power lines;
- its relationship to surrounding development and environmental constraints.

3.74 In principle, renewable energy schemes are to be encouraged but, as with other kinds of development, account will be taken of related environmental impacts, for example increased noise levels (especially from wind turbines) or smoke pollution (from wood, etc burning plants). The benefits of achieving renewable energy will in some cases be outweighed by the potential adverse local environmental impacts. For this reason, the Local Planning

Authority will need to be satisfied that sufficient information is available to ensure that a proper analysis of a scheme can be undertaken. Some proposals will require the submission of a formal Environmental Assessment under the Town and Country Planning (Assessment of Environmental Effects) Regulations 1999. Account may also need to be taken of decommissioning arrangements for plant and equipment.