

THE ENVIRONMENT

7. INTRODUCTION

- 7.1. This chapter of the REBLP covers both the natural and built environment except for those matters relating to the historic environment which are dealt with in Chapter 8.
- 7.2. The Borough of Elmbridge is characterised by modern settlements based on earlier village origins and interspersed with attractive open spaces and large areas of open countryside. Up to the end of the 18th Century, the greater part of the Borough comprised a few small villages separated by Common lands and private parks. Many of the Commons were then enclosed and turned over to farming at the beginning of the 19th Century. Later in the century, and during the early part of the 20th Century, major new areas of residential development were created, due to the success of the road and rail improvements.
- 7.3. The large area of countryside, comprising Commons, farmland and woodland, is an invaluable resource, the significance of which stretches well beyond the Borough boundary. The countryside, together with the natural environment within the built-up area, is of great importance in maintaining the quality of life in the Borough. The retention and improvement of open spaces, the conservation of trees and woodlands, and the planting of new trees are all important factors in enhancing the environment in Elmbridge.
- 7.4. New buildings, both large and small, can have an impact within their immediate locality. Over a long period of time, the cumulative effect of a series of new developments could alter the character of the Borough. Similarly, changes in traditional activities such as farming can have a significant impact. These changes must be accommodated in such a manner to allow progress and yet avoid conflict with other uses. The Borough is subject to significant pressures for change, all of which have serious implications for the environment. The Council attaches high priority to the conservation and enhancement of the environment, both urban and rural, and the policies in the Local Plan, therefore, reflect this.
- 7.5. Within the wider context of an Environmental Strategy, which also encompasses the Council's approach to Local Agenda 21, the Council has also adopted an Environmental Charter for Elmbridge. This aims to ensure that in pursuit of its own duties and responsibilities it will meet and, where possible, exceed statutory environmental standards, and persuade others to do likewise. In this way the Council intends that the environment, which we borrow from our children rather than inheriting from our parents, will be passed on to future generations in a better condition than it is today.

POLICY CONTEXT

- 7.6. At the international level a number of agreements and accords, such as those emanating from the 1992 Rio and 1997 New York global talks on sustainable development, are beginning to influence environmental decision making and action at the local level. In turn the national policy context for the Environment Chapter comprises government guidance in the form of "Sustainable Development: the UK Strategy"; together with PPG8 "Telecommunications" (December 1992), PPG9 "Nature Conservation" (October 1994), PPG12 "Development Plans" (December 1999), PPG22 "Renewable Energy" (February 1993), PPG23 "Planning and Pollution Control" (July 1994) and PPG24 "Planning and Noise" (September 1994). At the County level the SSP'94 provides the more local context.

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- 7.7. The Council recognises the importance of translating international and national policy and action regarding sustainability into the local context. In 1995 the Council committed itself to implementing the European Union Eco-Management Audit Scheme (EMAS), as adopted for Local Authorities, within the overall context of an Environmental Strategy. The Council is aiming for accreditation under EMAS in mid 2001. The Council's Environmental Strategy was published in 1998 with the inclusion of a commitment to "establish partnerships to promote sustainability by means of TASC21". TASC21 (Towards a Sustainable Community) is the Borough's LA21 community group which the Council helped to establish from an initial environmental forum through consensus building. In November 1999 the Council adopted as one of its targets for 2000/2001 to "Work in conjunction with the Elmbridge Local Agenda 21 group TASC21 to produce a Local Agenda 21 strategy for the Borough reflecting the principles of sustainable development and the anticipated duty regarding social, economic and environmental well-being by December 2000". The seventeen themes of a sustainable community form the basis of a review of the Council's services and policies from which the Council is developing its first LA21 Strategy. It is planned to highlight in the Strategy the need to involve more people in future and issues relating to sector groups such as business and the community will also form a major part of it. The LA21 Strategy is intended to be flexible in order to accommodate Community Planning in future. The Council has agreed to work through the Surrey County Council/Elmbridge Borough Council Partnership Committee to produce the Community Plan, bringing in other partners as necessary. The Local Plan will inform, and be informed by, the progress made via EMAS, Local Agenda 21 and Community Planning.
- 7.8. In conformity with Government guidance, an environmental appraisal of all the policies contained in the REBLP has been undertaken and is included with a summary in Appendix A.

AIMS

- 7.9. It is intended that the Local Plan should provide a clear policy framework within which development is promoted without detriment to the existing character of the Borough, while at the same time securing a progressive improvement of the natural and built environment, so that the quality of life in Elmbridge is maintained and enhanced. The aims of the Council in formulating a Strategy for improving the environment are to: -
- (i) seek to protect and enhance the character of the environment;
 - (ii) seek a high standard of design for all development, which makes provision for the needs of people with disabilities and also enhances public safety and discourages crime;
 - (iii) protect existing public and private amenity land and buildings from unsympathetic development;
 - (iv) reduce the environmental damage resulting from the use of resources;
 - (v) conserve the landscape character of the Borough and seek to improve the tree cover and standard of landscape schemes;
 - (vi) protect the Borough from environmental pollution and initiate and encourage environmental improvements;
 - (vii) protect strategic views and key landmarks;
 - (viii) protect wildlife and nature habitats; and

- (ix) protect open land, within the urban area, which makes an important contribution to the local area;

DEVELOPMENT AND THE ENVIRONMENT

ENV1 THE COUNCIL WILL SEEK TO PROTECT AND ENHANCE THE BOROUGH'S CHARACTER AND ENVIRONMENT AND SEEK TO ENSURE THAT NEW DEVELOPMENT DOES NOT HAVE A MATERIALLY DETRIMENTAL EFFECT ON THE CHARACTER AND ENVIRONMENT. ALL DEVELOPMENT SHOULD THEREFORE: -

- (i) HAVE REGARD TO THE SCALE, CHARACTER AND MATERIALS OF EXISTING DEVELOPMENT IN THE LOCALITY AND BE WORTHY OF, OR ENHANCE, ITS SETTING;**
- (ii) CREATE AN ATTRACTIVE, SAFE AND SECURE ENVIRONMENT;**
- (iii) PROMOTE THE CONSERVATION OF ENERGY, WATER, OTHER RESOURCES, AND NATURAL FEATURES; AND**
- (iv) MINIMISE THE RISK OF HARM TO HUMAN HEALTH AND TO THE ENVIRONMENT FROM THE NOISE, VIBRATION, EFFLUENT, FUMES AND OTHER POLLUTION IT MAY EMIT AND THE TRAFFIC IT MAY GENERATE.**

7.10. The Council places great importance on the protection and enhancement of the environment within the Borough, in both urban and rural areas, as reinforced by its Environmental Charter. This valuable environment is constantly threatened by development proposals, yet the future vitality and prosperity of the Borough is dependent on maintaining a careful balance between these two important considerations. It is necessary, therefore, for all development to pay very careful regard to the Borough's character and environment. The Council will scrutinize all proposals against the criteria listed above.

STANDARD OF DESIGN

ENV2 IN ORDER TO PROTECT AND ENHANCE THE APPEARANCE OF THE AREA AND LOCAL AMENITY, ALL NEW DEVELOPMENT THROUGHOUT THE BOROUGH SHOULD ACHIEVE A STANDARD OF DESIGN WHICH IS SENSITIVE TO THE CHARACTER OF THE SURROUNDING AREA, AND WHICH:

- (i) RESPECTS ITS EXISTING CONTEXT IN TERMS OF ESTABLISHED STREET PATTERNS, PLOT AND FRONTAGE SIZES, BUILDING ALIGNMENTS, VIEWS, LANDMARK BUILDINGS, NATURAL FEATURES AND THE SPACE ABOUT BUILDINGS;**
- (ii) RESPECTS THE SURROUNDING BUILT ENVIRONMENT IN TERMS OF THE SCALE, MASSING AND HEIGHT OF NEW BUILDINGS;**
- (iii) IN TERMS OF SITING, LAYOUT AND ACCESS ARRANGEMENTS, GIVES THE BUILT LAYOUT A CLEAR DEFINITION BETWEEN PUBLIC AND PRIVATE SPACE AND FORMS A CONVENIENT,**

ATTRACTIVE, LIVELY AND SAFE ENVIRONMENT FOR BOTH USERS OF THE DEVELOPMENT AND PASSERS-BY;

- (iv) ACHIEVES A STRONG SENSE OF ENCLOSURE; AND**
- (v) IN TERMS OF ITS FORM AND DESIGN, REINFORCES EXISTING VISUAL CHARACTERISTICS AND IMPORTANT FEATURES.**

Context for Design

- 7.11. The Council fully supports the Government's commitment, as expressed in PPG1 "General Policy and Principles", to good design. The Council will seek to ensure that all new development respects its existing context in terms of established street patterns, plot and frontage sizes, building alignment, views, landmark buildings, natural features and the space around and between buildings. This will enable the layout to be easily understood and successfully integrated; and, where appropriate, to reinforce the character of the surrounding area.

Scale, Massing and Height of Development

- 7.12. The Council will seek to ensure that the scale, massing and height of new buildings respect the surrounding built environment, and will resist developments which constitute over-development of the relevant land.

Siting, Layout and Access Arrangements

- 7.13. The Council will expect the siting and layout of new buildings normally to show their public (front) face(s) and main entrances to the street, river or public open space, with private outdoor space at the back. This will allow the built layout to create a clear definition between public and private space and to form a convenient, attractive, lively and safe environment for both users of the development and passers-by. Rear elevations of buildings and blank walls or fences facing onto streets will normally be discouraged.

Street Enclosure

- 7.14. New development should be appropriately scaled and aligned with the existing buildings in the area to reflect the height/width ratio of the adjoining street and achieve a strong sense of enclosure. This is particularly important at junctions, which are often the focus of public uses and activity. This will enable the buildings to contribute to the character of the street and help to reflect its functional importance. Similarly, where it is appropriate to set buildings back from the edge of the street, the Council will encourage the incorporation of a suitable boundary treatment, such as railings, which contribute to the enclosure of the street.

Form and Design

- 7.15. The form and design of new development, where appropriate, should reinforce existing visual characteristics and important features of surrounding buildings, and be of a standard, which is sensitive to the prevailing proportion, rhythm, skyline, roofscape, windows, doors, materials and detailing, in order to create a harmonious link between new and old, and contribute to a quality environment.

- 7.16. The Council has introduced a Biennial Design Award scheme to encourage high standards of architectural design in the Borough by providing formal recognition of outstanding developments. Two types of award are presented, namely a "Design Award" and a "Conservation Award".

SAFE AND SECURE ENVIRONMENTS

ENV3 THE COUNCIL WILL SEEK TO ENSURE THAT THE DESIGN, USE, LAYOUT AND ACCESS TO BUILDINGS AND BOTH PUBLIC AND PRIVATE SPACES CREATES AN ATTRACTIVE ENVIRONMENT, THAT PROVIDES FOR PUBLIC SAFETY, DETERS VANDALISM AND DISCOURAGES CRIME.

- 7.17. The Council wish to aid in the prevention of crime. It will, therefore, both in its own development programme and in considering proposals to develop by others, attempt to "design against crime". The Council will take account of Circular 5/94 "Planning Out Crime" and has adopted Supplementary Planning Guidance on "Design Against Crime" which contains examples of matters which planning applicants should take into account. The increasing incidence of burglary, vandalism and street crime is a costly and disturbing phenomenon over which the Council has little direct control. The Council, however, can reduce the opportunity for such incidents by paying careful attention to design, land use, layout, access arrangements, improved street lighting and ease of maintenance of buildings and public and private areas in new development. For example, through careful siting and location of dwellings, main entrances and living areas should face the road to enable the residents to see visitors and tradespeople. Appropriate access to properties will ensure an attractive, lively and safe public environment which deters criminal activity. Sometimes there may be a conflict between design criteria working towards different goals, for example, crime prevention, landscape screening and escape from fire, but in most cases an acceptable compromise is possible without any unacceptable compromise of standards. Consultation will be made with the Surrey Police Architectural Liaison Officer, where appropriate.

ENERGY CONSERVATION

ENV4 PROPOSALS FOR ALL TYPES OF NEW DEVELOPMENT, CONVERSION OR CHANGE OF USE SHOULD INCORPORATE ENERGY EFFICIENCY MEASURES. SUCH MEASURES COULD INCLUDE LAYOUT, ORIENTATION, BUILDING DESIGN, USE OF MATERIALS AND ENERGY EFFICIENCY TECHNOLOGY, AND LANDSCAPE DESIGN.

- 7.18. The DETR publication 'Planning for Sustainable Development: Towards Better Practice' (October 1998) encourages the inclusion of policy on energy efficiency in local plans as part of the process of translating sustainable development principles into a practical framework. The Council supports this process and considers that many aspects of both domestic and non-domestic building design and layout can make significant steps towards reducing energy consumption without compromising recognised planning principles. For example, passive solar design makes optimum use of solar gain and natural light entering a building by paying close attention to estate layout and location, building shape and orientation, glazing area and distribution and space use. Landscape design can help ensure that energy benefits are achieved, for example, by the retention of existing tree and shelter belts and/or by new planting. Similarly, the use of sustainable materials, the re-use of building materials and the incorporation of energy efficiency technology can also contribute to energy conservation. In this respect the location of development in places conveniently accessible to modes of

transport other than the private car is also important and is covered by Policy MOV2 in the Movement Chapter. All such measures would also make a contribution towards one of the objectives of the Council's Environmental Strategy.

EXTERNAL STAIRCASES

ENV5 WHERE EXTERNAL STAIRCASES ARE NECESSARY TO PROVIDE ACCESS, THE COUNCIL WILL SEEK TO ENSURE THAT THEY ARE APPROPRIATELY DESIGNED AND LOCATED SO AS NOT TO AFFECT ADVERSELY THE CHARACTER OF THE AREA OR THE AMENITIES OF NEARBY PROPERTIES.

7.19. External staircases lead to a high risk of creating overlooking of adjacent areas by users. Special attention, therefore, will be paid to avoiding such potential overlooking. One method of reducing overlooking which also improves the safety of an external staircase, especially in terms of inclement weather, is enclosing it. Such enclosure, therefore, will be the preferred method of protecting the amenities of adjacent properties. This policy does not apply to those staircases designed purely for escape purposes.

PROVISION OF ENVIRONMENTAL ART THROUGH DEVELOPMENT

ENV6 WHERE APPROPRIATE, THE COUNCIL WILL ENCOURAGE THE INCLUSION OF PUBLIC ART AS PART OF LARGE SCALE DEVELOPMENTS.

7.20. The Council recognises the positive contribution that public art can make to the enjoyment of the environment. Its various forms can include decorative features on buildings, the imaginative use and interaction of materials in landscaping or the introduction of points of interest such as water features, sculpture or formal gardens. Therefore, as part of its 'Arts Strategy for Elmbridge' the Council will encourage the provision of public art by developers which is compatible with its surroundings and stimulates the senses of those using or passing the site. For the purposes of this policy, larger scale development includes proposals for superstores, retail warehouses and major town centre schemes, together with employment or leisure development on sites in excess of 2 hectares and residential sites over 3.5 hectares.

IMPACT OF A CHANGE OF USE ON THE SURROUNDING AREA

ENV7 IN CONSIDERING PROPOSALS FOR THE CHANGE OF USE OF LAND AND/OR BUILDINGS, THE COUNCIL WILL SEEK TO ENSURE THAT THE NEW USE WOULD NOT HAVE AN ADVERSE ENVIRONMENTAL IMPACT ON THE SURROUNDING AREA.

7.21. When considering proposals for change of use, it is important to ensure that the new uses are compatible, and do not have an adverse effect, on the surrounding properties and the locality, particularly in a residential environment, and that proposals should not be detrimental to the character of the area.

PARTIAL DEVELOPMENT OF SITES

ENV8 WHERE PLANNING APPLICATIONS REFER TO ONLY PART OF A SITE THE COUNCIL WILL WISH TO BE SATISFIED THAT THE PROPOSED

DEVELOPMENT WOULD NOT PREJUDICE THE FUTURE USE AND MANAGEMENT OF THE REMAINDER OF THE SITE, OR LEAD TO THE DETERIORATION IN ENVIRONMENTAL QUALITY OF THE AREA.

- 7.22. Landscape features and the built environment have been created by specific land use and management practice. Their continued existence is dependent on any new use involving appropriate maintenance techniques. Problems particularly occur where only part of a site is required for development and the remainder of the land is left without a use. Land which has been separated and has no regular use will quickly deteriorate. For example, hedgerows become unmanaged, fields overgrown, water courses blocked, buildings prone to vandalism and fly tipping is more likely to occur. It is very important to avoid a situation where vacant, unmanaged land creates a poor or derelict appearance in the Borough. Where a development is to occur over a period of time, the Council will need to be satisfied that work will be in accordance with an agreed plan and timescale.

PROVISION OF DOMESTIC RECYCLING FACILITIES

ENV9 ON SUITABLE LARGER DEVELOPMENT SITES ATTRACTING OR ACCOMMODATING LARGE NUMBERS OF PEOPLE, FACILITIES FOR DOMESTIC RECYCLING SHOULD BE PROVIDED UNLESS THEY WOULD HAVE A MATERIALLY ADVERSE IMPACT ON THE CHARACTER AND AMENITY OF THE LOCALITY.

- 7.23. The '3Rs' of the conservation of resources, which are promoted by Elmbridge's Environmental Charter, are:
- (i) Reduce - this means always using the minimum quantity of resources necessary for the task, for example not using cars when there is a viable alternative, or turning off unneeded lights, or avoiding buying goods with excessive packaging;
 - (ii) Re-use - this means making the most of resources, for example, using both sides of the paper and re-using plastic shopping bags; and
 - (iii) Recycle - almost everything can be recycled from paper to textiles and from engine oil to tin cans.
- 7.24. In planning terms recycling is also important in reducing the amount of waste being disposed of at landfill sites and in conserving the use of energy and mineral resources. Waste disposal throughout Surrey is the responsibility of the County Council which produces Waste Local Plans. The Surrey Waste Local Plan, adopted in June 1999 by the County Council, contains a number of policies relevant to the recycling of domestic waste, in addition to those directly related to waste disposal.
- 7.25. The National Waste Strategy, published in May 2000, introduced new local authority waste recovery and recycling targets that are to become mandatory. The Council has since undertaken an initial review of its recycling services and hopes to develop a borough wide house-to-house recycling collection service, which together with a network of recycling centres will help meet the new waste recovery and recycling targets. The initial aim is to double the number of recycling centres in the Borough and in the longer term to ensure such facilities are close and convenient to all households.

ENVIRONMENTAL IMPROVEMENT SCHEMES

ENV10 IN ORDER TO RESTORE AND/OR ENHANCE THE AMENITIES OF THE BOROUGH THE COUNCIL WILL SUPPORT, PROMOTE OR IMPLEMENT A RANGE OF ENVIRONMENTAL IMPROVEMENT SCHEMES, AS RESOURCES AND PRIORITIES ALLOW.

- 7.26. The Council is committed to the protection of amenity and the preservation, restoration and enhancement of the environment. It has the opportunity to carry out improvement schemes as part of its Countryside Management initiatives, and in Conservation Area Enhancement Schemes. The opportunity will also be taken to undertake improvement schemes in the rest of the Borough and to encourage local groups to join in or initiate additional schemes. In this way the Council aim to combat damage to the landscape, acts of vandalism and other anti-social behaviour which can lead to a deterioration in the environment. Problems can include the dumping of rubbish on the Commons or in car parks, proliferation of flyposting, unauthorised advertisement clutter placed on walls and street furniture, depositing of litter and indiscriminate parking on verges.
- 7.27. The Lower Mole Countryside Management Project achieves environmental improvements in the urban fringe by taking direct action and organising voluntary and other labour on specific projects. Policy GRB4 in the Green Belt Chapter refers to Countryside Management practices in general. There is a need for a similar approach to tackle many of the problems in the more urban parts of Elmbridge. With problems such as fly tipping, it is essential to act quickly or further tipping often occurs. At a time of financial restraint it is often the smaller tasks that fall by the wayside which is unfortunate as public involvement in "pride of place" becomes all the more important at such times. Support for and membership of the Thames Landscape Strategy Partnership is a further example of the Council's commitment to restore and enhance local amenities (see Chapter 9 Policy RTT1).
- 7.28. The Council's wish to retain woodlands and its policies and intentions in respect of woodland management, particularly in the more rural parts of the Borough, are set out in Policies GRB14 and GRB15 in the Green Belt chapter. It is important, however, to also continue planting trees on appropriate sites for amenity reasons, particularly in built-up areas where trees add life and colour to the urban landscape, as well as acting as pollution filters. To this end, the rolling programme of planting along the highway and other areas will continue using locally native species, wherever possible. It is also essential to pay attention to the aftercare and maintenance of newly planted trees. Specialist arboricultural and landscape advice exists within the Council and will continue to be available. In particular, landscape and planting advice will be offered to those proposing larger developments and tree care advice to owners of trees included in TPO's or in conservation areas.

LANDSCAPE CONSIDERATIONS IN THE DEVELOPMENT PROCESS

ENV11 THE COUNCIL, WHERE APPROPRIATE, WILL REQUIRE PLANNING APPLICATIONS TO: -

- (i) **BE SUPPORTED BY A FULL SITE SURVEY, INCLUDING, AN ARBORICULTURAL SURVEY AND REPORT AND/OR, WHERE NECESSARY, AN ECOLOGICAL AND/OR LANDSCAPE ASSESSMENT AND ANALYSIS;**

(ii) DEMONSTRATE THAT ACCOUNT HAS BEEN TAKEN OF THE EXISTING LANDSCAPE CHARACTER; AND

(iii) INCORPORATE A LANDSCAPE SCHEME OR DESIGN COMMENSURATE WITH THE CHARACTER AND SCALE OF THE DEVELOPMENT AND THE LOCALITY.

7.29. Elmbridge has several distinctive landscape character areas but the overall impression is one of greenness throughout the Borough. In the urban areas it also provides an important backcloth in the townscape, providing a link between the old and the new. Unfortunately, the existing landscape is seen occasionally by developers as a constraint rather than an invaluable framework within which to formulate their proposals. Therefore, a site survey may be required to ensure that development proposals will be formulated with proper reference to the site and the adjoining landscape. This would include all existing features such as trees, ponds and hedgerows, together with the means of enclosure, access, levels and views into and out of the site. The existing landscape character in most cases should be retained and site planning should ensure that the new development relates and contributes to its surroundings. The Council will encourage the use of locally native species, where appropriate, in order to benefit local wildlife. Any new landscape should not just be ancillary to the buildings nor merely cosmetic, being restricted to parts of the site not needed for any other purpose. The landscaping of a site is an integral part of the planning process, it should never be an afterthought once the rest of the development has been accommodated. Therefore, the Council will expect the site survey and assessment to provide a basis for future development. The full weight of this policy will only be appropriate for certain applications because of their scale, nature or location.

7.30. The Council, where appropriate, will ensure by the imposition of planning conditions that, when granting permission for development, a landscape scheme is submitted and approved in order to conserve and enhance the amenities of the locality. The Council will normally also impose a time limit for the appropriate implementation of the scheme and for any necessary replacement planting. A landscape scheme may follow on from the site survey described in Policy ENV11. The scheme should indicate on an appropriately scaled plan how existing landscape features would be retained and a new development integrated to benefit the surrounding locality. It should also show how soft landscape elements (such as earth mounding and planting) and hard elements (such as paving and walling) would be used to create scale, visual interest and amenity. The Council will normally impose an implementation condition to ensure that a planting scheme is carried out as soon as is practicable following the occupation of the building or the substantial completion of the development, whichever is the sooner. Any trees or plants which die, become severely diseased or are removed within the period specified in the Planning Condition, normally five years after the completion of the development, should be replaced.

TREES

7.31. There are four main categories of tree protection, aside from other restrictions such as private covenants, which are not administered by the Council. They are: -

- (i) trees covered by Tree Preservation Orders (TPOs) made under Section 198 of the Town and Country Planning Act 1990. These require a written application and consent from the Council to undertake any works to them except in certain instances, for example where the tree is dead, dying or dangerous (here 5 days notice is required, except in an emergency);

- (ii) trees within Conservation Areas under Section 211 of the Town and Country Planning Act 1990. Six weeks notice must be given, in writing, to the Local Planning Authority of any work intended to be carried out on a tree growing within a Conservation Area. The Council must then either TPO the tree(s) or allow the work to be carried out. The TPO exemptions procedures regarding dead, dying or dangerous trees also apply in conservation areas.
- (iii) trees covered by planning conditions on development sites which relate to the retention of existing trees or planting of new trees as part of a planning permission; or
- (iv) trees requiring a Felling Licence. An application must be made under the Forestry Act 1967 to the Forestry Authority for a felling licence to cut down more than five cubic metres of timber, or sell more than two cubic metres of this, within any calendar quarter. There are exceptions to this rule which are set out in the Forestry Act 1967 and Regulations.

Guidance regarding the selection criteria used for making TPOs is contained in paragraph 7.33.

RETENTION OF TREES ON DEVELOPMENT SITES

ENV12 DEVELOPMENT WILL BE REFUSED IF IT WOULD RESULT IN THE LOSS OF TREES THAT ARE, OR ARE CAPABLE OF MAKING, A SIGNIFICANT CONTRIBUTION TO THE CHARACTER OR AMENITY OF THE AREA. WHERE PLANNING PERMISSION IS GRANTED, CONDITIONS MAY BE IMPOSED IN ORDER TO RETAIN THE MAXIMUM NUMBER OF TREES AND TO ENSURE THEIR PROTECTION DURING CONSTRUCTION.

- 7.32. During the examination of planning applications, specific consideration will be given to the retention of trees, whether previously included in a Tree Preservation Order or not. Where there are schemes for residential development, for example, it is usual to discuss with the applicants various revisions of the layout in order to retain as many trees as practicable. It is important that information from a site survey and/or arboricultural survey is analysed since early site planning can ensure the successful retention of significant trees. Significant trees are those which are already large or mature or unusual, and those young trees which may not as yet contribute greatly to the character and amenity of the area, but by virtue of their type, form or location could in the future, if retained. A TPO will not normally be used as a sole reason to prevent development of a site or reduce the type of development that could usually be expected on the site. It is often inevitable that on a well treed site some trees will have to be felled, although felling operations may be restricted to ensure that the impact on the habitat for wild birds is kept to a minimum, wherever possible. The Council will, however, seek to retain the most important trees and ensure that new planting schemes form part of the development proposals. Trees may also be at risk during the construction period, often through negligence. If the Council considers that any existing trees may be in danger, conditions may be attached to a planning permission to ensure adequate protection during construction. In this context attention will be drawn to British Standard BS5837 (1991) "Guide for Trees in Relation to Construction" and Arboricultural Practice Notes produced by the Arboricultural Advisory and Information Service. The Council has produced Supplementary Planning Guidance relating to "Tree Preservation" and "Tree Planting, Retention and Protection". The assessment of trees affected by development proposals will be guided principally by Criteria (b) to (e) of paragraph 7.33.

THE MAKING OF TREE PRESERVATION ORDERS

ENV13 THE COUNCIL WILL CONTINUE TO MAKE TREE PRESERVATION ORDERS TO PROTECT TREES WHICH CONTRIBUTE TO THE CHARACTER OF THE BOROUGH.

7.33. The abundance of trees in Elmbridge is a great asset both in the rural and the urban parts of the Borough. The Council attaches great importance to maintaining and improving the tree cover and wishes to encourage private owners to do the same. Many trees are already protected by TPO's, and the Council will continue to make TPO's in the case of trees of particular landscape or townscape importance. The imposition of a TPO statutorily removes some of the Common Law rights normally enjoyed by owners, or others with an interest in the trees included in the Order. The Council will, therefore, when considering whether to include existing trees in a TPO, inspect every tree, or group of trees, and ensure that the following conditions are fulfilled, before imposing such an Order: -

- (a) the tree(s) must normally be of public amenity value and not purely of private benefit; although trees which can be viewed by a limited number of households could also be considered. The benefit may be present or future, for example, when proposed development has taken place or to take account of the potential future growth of the tree;
- (b) the tree(s) must not be in such a mutilated state that its arboricultural amenity value has been lost and it has no potential to reform a reasonable shape;
- (c) that it is healthy and safe or can reasonably be made so, although the importance of wildlife habitats can be taken into account;
- (d) that it is capable of a reasonably long life according to the longevity of the species;
- (e) it is not so close to buildings that it would be unreasonable to refuse its felling if requested. This usually means where the tree may block an excessive amount of light. Construction methods can overcome some problems, such as trees growing in shrinkable soils; and
- (f) whether it is expedient to make a TPO. This usually means whether the tree is under some form of threat as evidenced by information received as to future development proposals or intended tree surgery, for example, cutting back to the boundary by a neighbour.

Special regard will also be paid to rare or unusual trees or trees of historic interest.

WORKS RELATING TO TREES SUBJECT TO TREE PRESERVATION ORDERS

ENV14 THE COUNCIL, IN CONSIDERING APPLICATIONS TO FELL OR CARRY OUT WORKS TO TREES SUBJECT TO TREE PRESERVATION ORDERS, WILL HAVE REGARD TO THE HEALTH AND THE CONTINUING CONTRIBUTION OF THE TREE TO PUBLIC AMENITY. WHERE TREES ARE FELLED, REPLACEMENT PLANTING WILL BE REQUIRED. SURGERY ON TREES WILL BE EXPECTED TO BE CARRIED OUT IN ACCORDANCE WITH THE BEST ARBORICULTURAL PRACTICES.

- 7.34. An owner, or other person with an interest in a tree included in a TPO, who wishes to fell or undertake surgery work to that tree, must obtain the written consent of the Council. There are several circumstances where trees protected by TPO's need to be felled or require surgery. For example, surgery may be necessary in the interests of the long term health of the tree; while as a last resort, felling may be necessary because the tree is dead, dying or dangerous, or to allow other more important trees more room to grow. When protected trees are felled after consent, the Council will normally require replacement planting as a condition of that consent. Where felling occurs in contravention of the TPO or because the tree is dead, dying or dangerous, Section 206 of the Town and Country Planning Act 1990 also requires that replacement planting takes place, unless the Council agrees to waive the requirement. Replanting will normally be insisted upon in order to maintain long term tree cover and high amenity standards with the Borough. When tree surgery is needed a high standard of workmanship will be required. Supplementary Planning Guidance on "Preservation of Trees" provides more detailed advice on these matters.

THE PROTECTION AND RETENTION OF HEDGEROWS

ENV15 IN ORDER TO PROTECT THE CHARACTER AND APPEARANCE OF THE COUNTRYSIDE, IMPORTANT HEDGEROWS IN THE BOROUGH WILL BE PROTECTED.

- 7.35. Hedgerows are an attractive feature of the countryside and should be retained and protected, wherever possible. The Hedgerow Regulations 1997 make provision for their protection. A hedgerow is identified as "important" if it has existed for over 30 years or more, and if it satisfies at least one of the criteria listed in Part II of Schedule I of the Regulations, by virtue of its value from an archaeological, historical, wildlife or landscape perspective. Where a hedgerow is identified as "important" the Council will issue a Hedgerow Retention Order which will exist in perpetuity unless exceptional circumstances justify the hedgerow's partial or total removal. The owner of any hedgerow already protected or potentially protected under the Regulations must apply to the Council for a Hedgerow Removal Notice before removing any part of it. The Council will either give approval for the removal of the hedgerow or issue a Hedgerow Retention Notice within the appointed time. Where a hedgerow is removed in contravention of the regulations, the Council may give notice to the owner requiring the planting of another hedgerow.

CONTROL OF ADVERTISEMENTS

ENV16 THE COUNCIL WILL SEEK TO RESIST ALL ADVERTISEMENTS THAT ARE DETRIMENTAL TO THE VISUAL QUALITY OF THE BOROUGH OR DO NOT MEET PUBLIC SAFETY REQUIREMENTS. WHERE APPROPRIATE, THE COUNCIL WILL SEEK THE REMOVAL OF AN UNDESIRABLE DISPLAY.

- 7.36. Advertisements can give information, direction or advice. Apart from specific exceptions, consent is required before displaying outdoor advertisements that are readily visible to the public. Informative advertisements need to be designed and located so that they can give their message clearly and unmistakably, and should not be confused with or obscured by other signs. They should also be reasonably pleasant in appearance. The Council, however, is only empowered to control the display of advertisements in the interests of amenity and public safety. There is considerable freedom granted by the Advertisement Regulations, especially in

respect of advertisements that pass information to the public. Nevertheless the proliferation of advertisements can have a detrimental effect on the appearance of an area. For example, the Council is concerned about the problems involved with the proliferation of estate agents' boards. Without adequate controls, the street scene can be dominated by advertising, producing a clutter that does not serve any section of the community. Supplementary Planning Guidance on "Control of Advertisements" provides advice to applicants and further details on the factors which the Council will take into account when considering applications for advertisements.

- 7.37. There are occasions or circumstances when greater restraint is required in displaying advertisements, for example, in the open country side, on listed buildings or in conservation areas. Land within the Borough has been designated as Green Belt since it fulfils the functions contained in PPG2 "Green Belts". Similarly, open land which makes a significant contribution to the structure and environmental quality of the built up area has been designated as Strategic Open Urban Land under Policy ENV28. The presence of advertisements in such areas requires very careful control because of the likely impact. For this reason, the Council considers that even the specified classes under Section 14 of the Town & Country Planning (Control of Advertisements) Regulations 1992 which may normally be displayed without express consent, should be subject to the control of the Council, and have, therefore, designated these areas as an Area of Special Control. The designation will be reviewed quinquennially.

POSTER AND ADVERTISEMENT HOARDINGS

ENV17 IN ORDER TO ENSURE THAT POSTER AND ADVERTISEMENT HOARDINGS ARE NOT UNDULY PROMINENT, OR OUT OF SCALE, THE COUNCIL WILL HAVE SPECIAL REGARD TO THEIR VISUAL IMPACT ON THE SURROUNDING AREA.

- 7.38. Posters are a form of advertising that can be particularly prominent and great care has to be exercised to prevent a clutter or a predominance of them in the street scene. Well designed poster units together with other elements such as seating, telephones, litter bins and kiosks, can improve many otherwise indifferent areas and give visual interest and purpose to a space. It is essential, however, that such elements are properly integrated into the area rather than added as an afterthought. The Council, therefore, will examine carefully any proposal for the erection of poster display units. There are some situations where larger poster displays usually referred to as hoardings, are appropriate. This is usually where it can fulfil a positive planning function even if only on a temporary basis. Such situations include screening building sites, car parks and unsightly spaces between buildings.

REMOVAL OF FLYPOSTING

ENV18 THE COUNCIL WILL TAKE ACTION TO REMOVE FLYPOSTING FROM VACANT SHOPS AND OTHER PREMISES TO PREVENT THE DETERIORATION OF THE ENVIRONMENT.

- 7.39. The proliferation of flyposting can harm the character and attractiveness of shopping areas due to the untidy nature of many posters and the air of neglect they can engender. The Council will ensure that any such flyposting is removed by making use of available enforcement powers in appropriate circumstances.

ENVIRONMENTAL POLLUTION

ENV19 DEVELOPMENT WHICH MAY BE LIABLE TO CAUSE POLLUTION WILL NOT BE PERMITTED IF IT WOULD:

- (i) **RELEASE POLLUTANTS INTO WATER, SOIL OR AIR, WHETHER ON SITE OR IN OTHER AREAS, WHICH WOULD HARM PUBLIC HEALTH AND SAFETY, THE NATURAL ENVIRONMENT OR THE LANDSCAPE;**
- (ii) **POSE A RISK THROUGH CONTAMINATION ON SITE OR IN ITS VICINITY;**
- (iii) **CAUSE NUISANCE FROM LIGHT, SMOKE, FUMES, GASES, DUST, STEAM, HEAT, VIBRATION, SMELL, NOISE OR OTHER POLLUTING EMISSIONS;**
- (iv) **HAVE A DAMAGING IMPACT ON OTHER LAND USES;**
- (v) **BE CONSTRAINED BY THE NEED TO COMPLY WITH OTHER STATUTORY ENVIRONMENTAL QUALITY OBJECTIVES OR STANDARDS; OR**
- (vi) **RESTRICT TYPES OF NEW DEVELOPMENT IN THE VICINITY OR IMPOSE SPECIAL CONDITIONS ON THEM.**

7.40. In accordance with paragraphs 1.2, 1.4 and 1.31 -1.37 of PPG23, the aim of Policy ENV19 is to complement other legislation governing pollution control and to highlight the need for close consultation between the various responsible agencies, while dealing with the material considerations relevant to land use planning. The Council considers there is a need to limit environmental damage or interference from pollutants generated by new development. Proposed development which is potentially damaging by way of noise emission, atmospheric, river or ground water pollution, smell, dust or other forms of pollution will be critically examined to ensure that the development is planned in such a way so as to minimise any intrusive effects. With regard to airborne pollution the National Air Quality Strategy will be taken into account.

7.41. Groundwater resources are an invaluable source of water for public supply, industry and agriculture as well as sustaining base flows of rivers. Some activities such as disposal to soakaways, inappropriate storage of chemicals and oils, disturbance of contaminated sites and insecure landfill can result in the pollution of groundwater and supplies. Therefore, the Council, in liaison with the Environment Agency, will seek to prevent or reduce the risk of groundwater pollution by refusing permission for development which poses an unacceptable risk to groundwater. Account will also be taken of the "Policy and Practice for the Protection of Groundwater" produced by the Environment Agency.

DEVELOPMENT AFFECTING CONTAMINATED LAND

ENV20 WHERE THE COUNCIL IS AWARE THAT LAND IS, OR MAY BE, CONTAMINATED, PERMISSION FOR DEVELOPMENT WILL BE REFUSED UNLESS THE PROPOSED DEVELOPMENT, AND ANY REMEDIAL MEASURES, WOULD NOT BE LIKELY TO RESULT IN:

- (i) SIGNIFICANT HARM TO THE HEALTH OF LIVING ORGANISMS OR INTERFERENCE WITH THE ECOLOGICAL SYSTEMS OF WHICH THEY FORM A PART; OR**
- (ii) UNACCEPTABLE HARM TO BUILDINGS; OR**
- (iii) UNDUE IMPACT ON HUMAN LIVING CONDITIONS.**

7.42. In accordance with paragraphs 4.1 -4.13 of PPG23, the aim of Policy ENV20 is to complement other legislation governing pollution control and to highlight the need for close consultation between the various responsible agencies, while dealing with the material considerations relevant to land use planning. PPG23 contains advice on development proposals affecting land that is, or may be, contaminated, and indicates that although contamination is subject to control under pollution control legislation, it, or the potential for it, can be a material planning consideration to be taken into account when determining planning applications. Contamination may give rise to hazards which put at risk the lives or health of people working on the site, the occupiers and users of the buildings and land, or the buildings and services per se. Contamination may also prejudicially affect other living organisms or ecosystems. Contaminants may also escape from the site to cause pollution to air, water or land.

7.43. Elmbridge has only a limited history of land contamination and only a few sites may be contaminated. When considering a planning application on land that is, or may be, contaminated the Environment Agency or other relevant bodies will be consulted and their advice taken into account. Should the degree of contamination be such that remedial action is considered to be needed to safeguard future users or occupiers of the site or neighbouring land, or protect any buildings or services or other living organisms or ecosystems from the hazards, then planning permission may only be granted subject to conditions that will ensure the satisfactory remediation of the land.

LIGHT POLLUTION

ENV21 IN SEEKING TO PREVENT LIGHT POLLUTION THE COUNCIL WILL ONLY PERMIT LIGHTING SCHEMES WHERE IT CAN BE DEMONSTRATED THAT:

- (i) THE SCHEME PROPOSED IS NECESSARY AND THE MINIMUM NEEDED FOR THE PURPOSE REQUIRED;**
- (ii) THE SCHEME WILL NOT HAVE A MATERIALLY ADVERSE IMPACT ON THE CHARACTER AND AMENITY OF THE AREA;**
- (iii) WHERE APPROPRIATE, MEASURES WILL BE PROVIDED TO SCREEN THE LIGHTING INSTALLATION FROM THE SURROUNDING AREA;**
- (iv) THE SCHEME WOULD NOT BE PREJUDICIAL TO HIGHWAY SAFETY; AND**

(v) ANY STRUCTURES, AND ASSOCIATED EQUIPMENT OR BUILDINGS ARE APPROPRIATELY DESIGNED, COLOURED AND LANDSCAPED TO TAKE ACCOUNT OF THE SETTING.

7.44. The use of external lighting installations can be obtrusive and in such circumstances creates a recognised source of pollution. Obtrusive lighting can be damaging in a number of ways, for example, it can cause stress or confusion by shining through a bedroom window or by distracting road users and an impact on the natural night-time environment. While the importance of lighting to road safety is recognised, lighting installed at the edge of town or village locations, or within rural areas, can have a marked impact on the night-time scene, significantly changing the character of the locality. In terms of the Local Plan the action the Council can take is often limited since not all forms of lighting require planning permission, including, for example, security lights on private property or street lighting, which can cause glare both within the immediate locality and over a wider area. However, where planning permission is required for an overall development or an individual lighting scheme, the Council will endeavour to ensure that the lighting scheme proposed is the minimum required to undertake the task and is designed so as to keep light spillage to the absolute minimum. Advice contained in the "Lighting in the Countryside: Towards Good Practice" jointly produced by the DoETR and the Countryside Agency (1997), the Institute of Lighting Engineers' booklet "Guidance Notes for the Reduction of Light Pollution" (1994) and the Council for the Protection of Rural England's briefing paper "Light Pollution" (1996) will be taken into account in assessing proposals for lighting schemes.

FLOODLIGHTING PROPOSALS

ENV22 PLANNING PERMISSION WILL BE GRANTED FOR PROPOSALS FOR THE FLOODLIGHTING OF BUILDINGS, DRIVING RANGES, SPORTS PITCHES, SWIMMING POOLS, TENNIS COURTS AND OTHER FACILITIES UNLESS THE DEVELOPMENT WOULD: -

- (i) HAVE AN UNACCEPTABLE EFFECT ON THE CHARACTER AND AMENITY OF THE SURROUNDING AREA;**
- (ii) HARM THE NATURE CONSERVATION INTERESTS OF THE AREA;**
- (iii) RESULT IN AN UNACCEPTABLE LEVEL OF ASSOCIATED NOISE AND DISTURBANCE; OR**
- (iv) GIVE RISE TO DISTURBANCE AND LOSS OF AMENITY FROM LIGHT SPILLAGE AND ILLUMINATION.**

IN DETERMINING AN APPLICATION CONSIDERATION WILL BE GIVEN TO THE USE OF CONDITIONS TO CONTROL THE HOURS OF OPERATION OF THE FLOODLIGHTS.

7.45. The Council considers there is a need to control the erection of floodlighting in order to ensure that adjoining residents and local wildlife do not suffer adverse effects. Particular consideration will be given to potential noise and general disturbance, light spillage and illumination and the intensity and source of other existing light in the vicinity. The hours of use may be restricted in order to minimise nuisance late at night. The advice contained in paragraph 7.44 above will also be taken into account.

DEVELOPMENT AND ENVIRONMENTAL POLLUTION

ENV23 THE COUNCIL WILL RESIST DEVELOPMENT WHERE AVAILABLE MEASURES TO CONTROL THE EFFECTS OF ENVIRONMENTAL POLLUTION EMANATING FROM EXISTING LAND USES IN THE VICINITY, INCLUDING FUMES, LIGHT, NOISE AND NUISANCE, ARE UNABLE TO PROVIDE ACCEPTABLE CONDITIONS FOR FUTURE OCCUPANTS. PARTICULAR REGARD WILL BE PAID WHERE THE PROPOSED LAND USE INVOLVES OUTDOOR ACTIVITIES, INCLUDING RESIDENTIAL, EDUCATIONAL, AND HEALTH CARE DEVELOPMENT. FURTHERMORE, RESIDENTIAL DEVELOPMENT NEAR NOISE SOURCES WILL BE REQUIRED TO INCORPORATE APPROPRIATE MEASURES, IN ORDER TO REDUCE EXTRANEOUS NOISE LEVELS IN THE HOME.

7.46. The Council recognises that in some locations, especially those adjacent to major roads, railways and employment areas, the ambient noise level is above that which is considered desirable. At these locations the Council will attempt to abate excessive noise levels by insisting on appropriate layouts and floor plans, together with noise reduction measures such as barriers, visual and aural planting screens and double glazing. PPG24 "Planning and Noise" (1994) gives advice on the use of planning powers to minimise the adverse impact of noise and, together with the "Noise Guidelines" produced by Surrey County Council, will be taken into account of when considering planning applications. However, if effective counter measures are not available, the Council will resist developments where the future occupants, such as householders, pupils and patients will be inevitably and unacceptably disturbed.

7.47. One of the most irritating sources of noise experienced in Elmbridge is that created by overflying aircraft. Aircraft noise from both helicopters and fixed-wing craft is particularly intrusive because of its intermittent nature. The Council has no direct control over aircraft noise but will continue to monitor the noise produced and will seek to influence policy in respect of noise levels. In particular, the Council will press for improvements in noise abatement procedures, resist new air routes across Elmbridge, press for quieter aircraft, seek to reduce night flying and to extend the defined night period, press for the re-establishment of a total aircraft movements figure at Heathrow, and encourage trials into quieter methods of take off and landing. The Council is a member of the consortium of local authorities entitled Airports Policy Consortium (APC) and the Local Authorities Aircraft Noise Council (LAANC), and a partner in the Consortium of Local Authorities which opposed the proposed development of Terminal 5 at Heathrow (LAHT 5). The grounds of the Council's objection are that there will be an overall adverse effect on the residents of the Borough caused by the likelihood of increased aircraft noise, an increase in development pressure and an increase in road traffic on an already congested road network.

DEVELOPMENT INVOLVING HAZARDOUS PRODUCTS

ENV24 ALL PROPOSALS INVOLVING HAZARDOUS PRODUCTS WILL BE ASSESSED, IN CONSULTATION WITH THE RELEVANT STATUTORY BODIES, IN THE LIGHT OF: -

- (i) THE PATTERN AND FORM OF LAND USES OF THE SITE AND THE SURROUNDING AREA;**

- (ii) THE PROPENSITY OF THE SITE AND THE LOCALITY TO BE ADVERSELY AFFECTED; AND**
- (iii) THE CUMULATIVE EFFECT OF THE USE IN CONJUNCTION WITH OTHER USERS.**

7.48. Some industries and processes involve the manufacture, use or storage of hazardous substances. In addition, to any planning permission that may be required, applications for a separate Hazardous Substances Consent may need to be made to the Council, as the Hazardous Substances Authority, or to the County Council in respect of mineral undertakings and waste disposal sites. This is required whenever toxic, hazardous or flammable substances are to be kept on properties in excess of specified controlled quantities. The installations where such industries are located may be designated by the Health and Safety Executive as being Listed Major Hazards. The designation depends upon the processes carried out and the quantity of material stored. Listed Major Hazards are not places with a high accident risk. The internal controls on them are frequent and rigorous; although they are few in number within Elmbridge. Nevertheless, the Council is concerned that due attention is given to such installations because of their potential risks to the local population. It is considered that new industrial developments involving the use and storage of hazardous products are not normally appropriate in the built-up, largely residential parts of Elmbridge. In addition, new developments proposed near Listed Major Hazards should not go ahead if it would expose large numbers of people to a hazard risk however slight that risk is. Low intensity uses are generally to be preferred in such cases.

COMMERCIAL TELECOMMUNICATIONS DEVELOPMENT

ENV25 PLANNING PERMISSION FOR TELECOMMUNICATIONS DEVELOPMENTS WILL BE GRANTED, PROVIDED THAT: -

- (i) THEY ARE SITED SO AS TO RESPECT OPERATIONAL EFFICIENCY, TAKING ACCOUNT OF THE EXISTING AND PLANNED FUTURE NETWORKS;**
- (ii) THE PRACTICABILITY OF ALTERNATIVE SITES, MAST SHARING AND UTILISING EXISTING BUILDINGS OR STRUCTURES HAS BEEN FULLY CONSIDERED; AND**
- (iii) THE SITING AND EXTERNAL APPEARANCE OF ALL APPARATUS AND ANCILLARY DEVELOPMENT, INCLUDING LANDSCAPING, ARE DESIGNED TO MINIMISE OBTRUSIVENESS AND ADVERSE IMPACT ON AMENITY AND THE ENVIRONMENT.**

UNLESS TECHNICALLY IMPRACTICABLE, INSTALLATIONS SHOULD AVOID LOCATIONS WITHIN OR CONSPICUOUS FROM CONSERVATION AREAS, GREEN BELT, LISTED BUILDINGS, SITES OF NATURE CONSERVATION IMPORTANCE, SITES OF SPECIAL SCIENTIFIC INTEREST, STRATEGIC OPEN URBAN LAND, STRATEGIC VIEWS AND LANDMARKS AND THE THAMES POLICY AREA.

- 7.49. Fast, reliable and affordable communications can help increase the competitiveness of business and choice for the public. They can also benefit the environment by reducing the need to travel. Consequently, Government policy, as outlined in PPG8 "Telecommunications" (1992), is to facilitate the growth of new and existing systems while, taking account of technical considerations, still being fully committed to environmental objectives, including the protection of the likes of Conservation Areas, Green Belt, Listed Buildings and Sites of Special Scientific Interest. Therefore, in accordance with national policy, the Council will give favourable consideration to telecommunications development which is well located and designed in terms of its contribution to the efficiency of the existing or planned network and its minimal impact on the environment and amenity.
- 7.50. The Council supports the Government's view that the numbers of masts should be minimised, and that where practicable, mast sharing or the use of existing building or structures is the preferred option. Therefore, the Council will expect applicants for new masts to demonstrate that alternatives have been explored and are not practicable, taking account of factors including security, power supply, radio interference, access or the lack or inadequacy of existing structures. As far as is practicable, all telecommunications developments should also be designed in order to minimise their obtrusiveness and impact on amenity. Therefore, particular attention should be paid to their design, materials and colour and the ability of any existing or proposed landscaping to further reduce their impact. Additional information on the intention and application of this policy is contained in the Council's Supplementary Planning Guidance "Telecommunications Development in Elmbridge".

NON NETWORK TELECOMMUNICATIONS DEVELOPMENT

ENV26 IN ORDER TO PRESERVE THE VISUAL AMENITY OF A NEIGHBOURHOOD AND THE APPEARANCE OF ANY BUILDING, PROPOSALS FOR AERIALS, TRANSMITTING AND/OR RECEIVING DEVICES, WILL BE REFUSED UNLESS THEY MET THE FOLLOWING CRITERIA:-

- (i) ALL APPARATUS SHOULD BE LOCATED ON THE REAR ELEVATION OR IN AN ENCLOSED AREA TO THE REAR OF ANY BUILDING;**
- (ii) BLOCKS OF FLATS OR OTHER BUILDINGS WITH MULTIPLE OCCUPATION SHOULD HAVE A COMBINED RECEIVING SYSTEM TO SERVE ALL OCCUPIERS IN ORDER TO AVOID CLUTTER; AND**
- (iii) ALL MASTS WHICH PROTRUDE ABOVE ROOF TOP HEIGHT ARE TELESCOPIC OR DEMOUNTABLE.**

- 7.51. The proliferation of transmitting or receiving devices such as "ham" radio aerials and satellite receiving dishes could have detrimental effects on the Borough's environment. This Policy outlines the criteria which will be applied by the Council when considering applications for non network telecommunications development. The Council's Supplementary Planning Guidance on "Satellite Dish Installations" gives further advice and details of the factors that will take into account when considering applications for satellite dish installations.

STRATEGIC VIEWS AND KEY LANDMARKS

ENV27 STRATEGIC VIEWS AND KEY LANDMARKS, AS SHOWN ON THE PROPOSALS MAP, HAVE BEEN IDENTIFIED IN ORDER TO PROTECT THEIR INTRINSIC CHARACTER AND AMENITY VALUE. DEVELOPMENT WITHIN STRATEGIC VIEWS OR AFFECTING KEY LANDMARKS WILL BE PERMITTED PROVIDED THAT: -

(i) IT WOULD NOT HAVE A MATERIALLY ADVERSE IMPACT ON THE SETTING, CHARACTER AND AMENITY VALUE OF A STRATEGIC VIEW OR A KEY LANDMARK; AND

(ii) ITS LOCATION, MASSING, HEIGHT AND CONFIGURATION ARE ACCEPTABLE IN TERMS OF THE IMPACT ON THE SITE, NEAR AND LONG DISTANCE VIEWS AND THE SKYLINE.

AS OPPORTUNITIES ARISE THE CREATION OF NEW VIEWS OR REINSTATEMENT OF OBSCURED VIEWS WILL BE SOUGHT.

7.52. Elbridge contains strategic views and landmarks which contribute to its character and amenity. It is, therefore, important to protect the best views and landmarks from development, which would unacceptably affect their character or reduce their amenity value. Consequently, this policy has implications for the position, massing, height and configuration of new development. In practice, the policy will not affect normal domestic extensions or redevelopment, but will only be applied in respect of development proposals such as high rise buildings, aeriels and radio masts. Where the Council has control or influence, it will also seek to ensure that views are not obscured or adversely affected by tree planting. It may be applied even when the view point, or landmark, is a considerable distance from the development. It will include backdrop protection as well as direct interference in the line of sight. In many cases, protection of views and backdrops will also require the co-operation of other planning authorities.

The following seven strategic views have been identified: -

(i) River Thames meadowlands from St Mary's Church, Hampton

Vista lines, also identified in the Thames Landscape Strategy, emanate from St Mary's Church (Key Landmark 1) and Garrick's Temple dedicated to Shakespeare (Key Landmark 2), within the London Borough of Richmond upon Thames, and continue south-east to the spire of St Paul's Church, East Molesey (Key Landmark 3). The view includes mature trees along Hurst Road, Molesey extends across open riverside lands including areas of vegetation within Hurst Meadows District Park, Garrick's Ait and the River Thames.

(ii) Surrey Hills from Hampton Court

This vista line, identified in the Thames Landscape Strategy, emanates from Hampton Court Palace (Key Landmark 5) and the Privy Garden, a Grade I listed building and a Scheduled Ancient Monument of international significance within the London Borough of Richmond upon Thames, and continues due south across the River Thames to the semi natural, riverside banks of Albany Reach and sports facilities at Ditton Field. The view is interrupted by a line of Lombardy poplars with glimpses beyond of the distant Surrey Hills on the skyline.

- (iii) Talman vista from Hampton Court towards Surbiton Water Treatment Works
This vista line, also identified in the Thames Landscape Strategy, emanates from Hampton Court Palace (Key Landmark 5), within the London Borough of Richmond upon Thames, and continues south-east following an avenue of lime trees within the Royal Park grounds over the River Thames and its settling basins terminating at the Seething Wells Pumping Station, a Grade II listed building (Key Landmark 6).
- (iv) Broadwater Farm and Thames floodplain from the Terrace, at the Oatlands Park Hotel
A mostly rural, panoramic, view to the north-west from the terrace of the Oatlands Park Hotel (Key Landmark 9) of open farmland within the Thames floodplain. The view includes trees on the slope of the river terrace within the hotel grounds, and parkland trees around the Broadwater Lake in the foreground. Beyond are farm buildings in the middle distance, and far views of high rise buildings at Sunbury Cross and the Grandstand at Kempton Park which are within the Borough of Spelthorne.
- (v) Valley of the River Mole from The Ledges at Esher
There is a wide panoramic view from the public footpaths along the Ledges, Esher. In the foreground there are glimpsed views of open arable land with associated farm buildings from the steep, wooded slopes of the river terrace and in the background there are further wooded slopes. Even though pylons traverse the area, it is considered that the views merits protection. Glimpsed views can be seen of Whiteley Village (Key Landmark 17) and the American Community School due west; Hersham Parish Church (Key Landmark 13) and the residential properties of Hersham due north-west; and Hersham Air Products, the Hersham Centre and Paul Vanson Court, Hersham due north.
- (vi) Winey Hill from Telegraph Hill, Hinchley Wood
There is a wide panoramic view to the south-east, although restricted by tree growth, from the public footpaths at Telegraph Hill, Hinchley Wood. In the foreground there are glimpsed views of open arable land and Claygate Village and in the background views of Ruxley Towers (Key Landmark 16), and the vegetation at Winey Hill, which is within the Royal Borough of Kingston upon Thames.
- (vii) Dorking Gap from Oxshott Heath
Panoramic view due south and south-east of the North Downs, bisected by the Dorking Gap and including the spire of Ranmore Church within the District of Mole Valley approximately 10 miles distant. The view in the foreground is of the open heathland and woodland of Oxshott Heath with limited visibility of the residential properties of Oxshott.

These seven views constitute the most valuable vistas in Elmbridge which have been selected following a survey of the Borough and as such they warrant the protection of a specific policy.

7.53. In addition, the following twenty landmarks have been identified, including three features outside the Borough, which have a significant bearing on Elmbridge.

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| 1. St. Mary's Church, Hampton. | 11. Christ Church, Esher. |
| 2. Shakespearian Temple, Hampton. | 12. Waynfleet Tower, Esher. |
| 3. The Church of St. Paul, East Molesey. | 13. The Church of St. Peter, Hershham. |

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|--|--|
| 4. Gothic Spire, Riverbank, East Molesey. | 14. The Belverdere, Claremont Park, Esher. |
| 5. Hampton Court Palace. | 15. Claremont House, Claremont Park, Esher. |
| 6. Engine House, Surbiton Waterworks, Long Ditton. | 16. Ruxley Tower, Claygate. |
| 7. The Church of St. James, Weybridge. | 17. Whiteley Statue, Whiteley Village. |
| 8. Duchess of York Column, Weybridge. | 18. Painshill House, Cobham. |
| 9. Oatlands Park Hotel, Weybridge. | 19. The Gothic Tower, Painshill Park, Cobham. |
| 10. The Warren, Sandown Park, Esher. | 20. Chatley Semaphore Tower, Telegraph Hill, Cobham. |

STRATEGIC OPEN URBAN LAND

ENV28 IN ORDER TO MAINTAIN THE STRUCTURE, CHARACTER AND ENVIRONMENTAL QUALITY OF THE URBAN AREA, THE COUNCIL WILL NOT PERMIT THE BUILT DEVELOPMENT OF STRATEGIC OPEN URBAN LAND, AS IDENTIFIED ON THE PROPOSALS MAP. VERY EXCEPTIONALLY A LIMITED DEVELOPMENT MAY BE ACCEPTABLE, IF THE COUNCIL IS SATISFIED THAT THE PROPOSED DEVELOPMENT WOULD NOT PREJUDICE THE OPEN CHARACTER, IS FOR THE ESSENTIAL NEEDS OF AN APPROPRIATE OUTDOOR SPORT OR RECREATIONAL USE OR IS OF PARTICULAR BENEFIT TO THE WIDER PUBLIC.

7.54. One of the most important features of the urban landscape structure in Elmbridge is the pattern of open land within the urban area which make the Borough so pleasant. In the more rural parts of the Borough the protection afforded by the Green Belt maintains separation between communities and allows residents to enjoy the visual and aural benefits of keeping this land open. If the quality of life is to be maintained, it is important to also keep land open in the more urban or residential parts of the Borough. The Council, therefore, has designated certain areas as "Strategic Open Urban Land" to which great importance is attached to keeping their open nature. This approach has been copied by other authorities in this part of South East England which experience similar pressures for development.

7.55. The designation of Strategic Open Urban Land (or SOUL) has been applied to land which satisfies the following criteria: -

- (i) land which makes a significant contribution to the structure and environmental quality of the built-up area and is of strategic importance; and
- (ii) it is seen by many people from a public vantage point on a daily basis.

A public vantage point in criterion (ii) includes the land viewed from railways provided that the view is more than fleeting, for example, land at Rydens School, Hersham. It is considered that development requirements can be accommodated in the Borough without incurring losses of SOUL. However, limited development which is for the essential needs of an appropriate outdoor sport or recreational use or is of particular benefit to the wider public, such as small scale changing facilities and other facilities for the community, may be acceptable if the Council is satisfied that the open character of the SOUL would not be compromised. Although

the land north of Hurst Road and east of Graburn Way, East Molesey is no longer subject to Policy ENV28, given its contribution to the character, environment and amenity of the surrounding area, it is subject to Policy ENV29 and the criteria contained therein.

OTHER OPEN LAND IN THE URBAN AREA

ENV29 PROPOSALS FOR THE DEVELOPMENT OF OTHER OPEN LAND WHICH CONTRIBUTES TO THE CHARACTER, ENVIRONMENT OR AMENITY OF THE SURROUNDING URBAN AREA WILL NOT BE PERMITTED UNLESS:

- (i) THE DEVELOPMENT WOULD NOT SIGNIFICANTLY COMPROMISE THE SITE'S VALUE AS OPEN SPACE;**
- (ii) THE DEVELOPMENT IS LIMITED TO A SMALL PART OF THE SITE; AND**
- (iii) IT WOULD ENSURE THE RETENTION, MAINTENANCE AND/OR ENHANCEMENT OF PUBLIC ACCESS ON THE REMAINDER.**

7.56. Within the built up area there are a large number of other open areas which contribute to the character, environment and amenity of the local urban area and hence to the quality of life for residents. Since they are not of a strategic nature they do not warrant SOUL status, but nevertheless, it is important that they have protection from unsuitable development given their contribution to the local area.

7.57. There are a variety of factors that are of relevance in assessing whether an existing open space contributes to the character, amenity and environment of the surrounding urban area. Firstly these other open areas must be capable of being viewed in an uncontrived manner from a public place in order that they may be considered to be of public rather than purely private value. Secondly, they contribute to the character, amenity and environment by reason of factors including their openness, prominence, visibility, public amenity value, size, rarity of alternative open space in the vicinity and the number of dwellings from where a site can be viewed. In this context, amenity is taken to include elements of environmental pleasantness which are of no economic benefit, such as openness, greenness and lack of noise and pollution. Since each open area is unique in terms of its characteristics, location and value to the local area it is not practical to provide a set of quantitative criteria that will be equally relevant to the wide variety of existing sites. Moreover, because of the uniqueness of each site the weight to be attached to individual factors will vary from site to site. For example, a small site may have as much value to its local community as a larger site, as it may be highly prominent and appreciated by many passers by and viewed as a pleasant open space and an important break in the urban fabric. On another site, however, because it is of a considerable size this characteristic alone contributes to the character and amenity of the local area. Similarly, the value of a site may vary over time for various reasons, for example, development resulting in the creation of public views into an open space.

7.58. The degree of public visibility will be assessed in terms of the open views into the site, visibility from principal routes adjacent to or on approaches to the site, distant views and visibility from public vantage points such as footpaths, towpaths, bridges and railways, provided that the view from the latter is more than fleeting.

- 7.59. There may be circumstances where it is possible that limited development on a small part of a site may be acceptable, provided it would not lead to a significant reduction of the site's value as an open space, or the harm caused by the loss of the land is outweighed by the benefits derived from the development for the community. For example, the need for a community facility or the retention, maintenance and/or enhancement of public access to the remainder of the site may outweigh the disbenefits of the loss of open land. ENV29 is solely concerned with safeguarding the amenity value of open space within the urban fabric. If applications are submitted for built development on protected open areas the recreational value, if any, of the site will be considered with reference to policies contained in the Leisure and Recreation Chapter and the ecological value by policies in the Environment Chapter.

NATURE CONSERVATION

DEVELOPMENT AFFECTING PROTECTED SPECIES

ENV30 PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT OR LAND USE CHANGES WHICH WOULD NOT HAVE A MATERIALLY ADVERSE IMPACT ON PROTECTED SPECIES. WHERE DEVELOPMENT IS PERMITTED THAT MAY HAVE AN EFFECT ON PROTECTED SPECIES, THE COUNCIL WILL IMPOSE CONDITIONS, WHERE APPROPRIATE, AND SEEK TO USE ITS POWERS TO ENTER INTO PLANNING AGREEMENTS TO: -

- (i) FACILITATE THE SURVIVAL OF INDIVIDUAL MEMBERS OF THE SPECIES;**
- (ii) REDUCE DISTURBANCE TO A MINIMUM; AND**
- (iii) PROVIDE SUITABLE ALTERNATIVE HABITATS TO SUSTAIN AT LEAST THE CURRENT LEVELS OF POPULATION.**

- 7.60. Certain plant and animal species, including all wild birds, are protected under the Wildlife and Countryside Act 1981. It is an offence to harm or intentionally damage the habitat of any protected species listed in the Act and in the European Directives on the Conservation of Wild Birds and the Conservation of Natural Habitats of Wild Flora and Fauna. Where there is evidence of the presence of a protected species, the Council will consult English Nature before granting planning permission and will consider attaching appropriate planning conditions or entering into planning obligations under which developers would be required to take steps to secure the protection of the species.

DEVELOPMENT AFFECTING INTERNATIONALLY DESIGNATED SITES

ENV31 PROPOSALS FOR DEVELOPMENT OR LAND USE WHICH MAY AFFECT A EUROPEAN SITE, A PROPOSED EUROPEAN SITE OR A RAMSAR SITE WILL BE THE SUBJECT OF RIGOROUS EXAMINATION. DEVELOPMENT OR LAND USE CHANGE NOT DIRECTLY CONNECTED WITH, OR NECESSARY TO, THE MANAGEMENT OF THE SITE AND WHICH IS LIKELY TO HAVE SIGNIFICANT EFFECTS ON THE SITE (EITHER INDIVIDUALLY OR IN COMBINATION WITH OTHER PLANS OR

PROJECTS), WILL ONLY BE PERMITTED WHERE THE COUNCIL IS SATISFIED THAT:

- (i) THERE IS NO ALTERNATIVE SOLUTION; AND**
- (ii) THERE ARE IMPERATIVE REASONS OF OVER-RIDING PUBLIC INTEREST FOR THE DEVELOPMENT OR LAND USE CHANGE.**

WHERE THE SITE CONCERNED HOSTS A PRIMARY NATURAL HABITAT TYPE AND/OR A PRIORITY SPECIES, DEVELOPMENT OR LAND USE CHANGE WILL ONLY BE PERMITTED WHERE THE COUNCIL IS SATISFIED THAT IT IS NECESSARY FOR REASONS OF PUBLIC HEALTH OR SAFETY, OR FOR BENEFICIAL CONSEQUENCES OF PRIMARY IMPORTANCE FOR NATURE CONSERVATION.

WHERE SUCH DEVELOPMENT DOES PROCEED THE COUNCIL WILL CONSIDER THE USE OF CONDITIONS OR PLANNING OBLIGATIONS TO SECURE ALL COMPENSATORY MEASURES NECESSARY TO ENSURE THAT THE OVERALL COHERENCE OF NATURA 2000 IS PROTECTED

- 7.61. The Ramsar Convention on Wetlands of International Importance requires the conservation of wetlands. Annex B of PPG9 "Nature Conservation" identifies the Thames Basin Heaths (including Chatley Heath in Elmbridge as part of the Ockham and Wisley Commons area) and the London Reservoirs and Gravel Pits as sites with potential to qualify for classification as Special Protection Areas (SPAs). When considering development proposals affecting these sites, the Council will treat them in the same way as classified SPAs. The Government has asked the Joint Nature Conservation Committee to review the list of sites and the outcome of this review is awaited. In the meantime the Council will consult English Nature and other relevant bodies in respect of development proposals affecting potential SPAs.

DEVELOPMENT AFFECTING NATIONALLY DESIGNATED SITES

- ENV32 PROPOSALS FOR DEVELOPMENT IN, OR LIKELY TO AFFECT, SITES OF SPECIAL SCIENTIFIC INTEREST, AS SHOWN ON THE PROPOSALS MAP, WILL BE SUBJECT TO SPECIAL SCRUTINY. WHERE SUCH DEVELOPMENT MAY HAVE A SIGNIFICANT ADVERSE EFFECT, DIRECTLY OR INDIRECTLY, ON THE SITE, IT WILL ONLY BE PERMITTED WHERE THE REASONS FOR THE DEVELOPMENT CLEARLY OUTWEIGH THE VALUE OF THE SITE ITSELF AND THE NATIONAL POLICY TO SAFEGUARD THE INTRINSIC NATURE CONSERVATION VALUE OF THE NATIONAL NETWORK OF SUCH SITES.**

WHERE THE SITE CONCERNED IS A NATIONAL NATURE RESERVE OR A SITE IDENTIFIED UNDER THE NATURE CONSERVATION REVIEW, OR GEOLOGICAL CONSERVATION REVIEW, PARTICULAR REGARD WILL BE PAID TO THE INDIVIDUAL SITE'S NATIONAL IMPORTANCE.

WHERE DEVELOPMENT IS PERMITTED THE COUNCIL WILL CONSIDER THE USE OF CONDITIONS OR PLANNING OBLIGATIONS TO ENSURE THE PROTECTION AND, WHERE APPROPRIATE, ENHANCEMENT OF THE SITE'S NATURE CONSERVATION INTEREST.

- 7.62. The aesthetic value of the landscape is a well accepted element of our cultural heritage. It is only in more recent times that the value of this same landscape as a series of habitats for wildlife has been fully appreciated. The first legislation specifically relating to the whole spectrum of wildlife was the Wildlife and Countryside Act 1981. The positive approach towards wildlife which is presented by the Act is a theme which is embraced and promoted by the Council. Elmbridge contains a significant number of sites which are valuable in nature conservation terms. These sites range in importance from national down to the very local level, and even include individual landscape features.
- 7.63. The most important site in the Borough covers parts of Esher Common, West End Common, Fairmile Common and Oxshott Heath which English Nature has designated as a "Site of Special Scientific Interest" (SSSI), where special conservation measures are required. Another SSSI "Ockham and Wisley" is situated mainly in the adjoining Borough of Guildford, with only a relatively small area within Elmbridge. The Esher and Oxshott complex provides a valuable habitat resource of national significance. It comprises mixed woodland and relics of heathland. In addition to its conservation value it provides an attractive setting for informal recreation. Proposals for the management of this area and other common land in the Borough are outlined in the Countryside Management section of the Green Belt Chapter (Policy GRB4). Consultations will occur with English Nature where development proposals affect land in or close to SSSI's. Further sites may be notified during the life of the REBLP, including sites identified under the Nature Conservation Review or the Geological Conservation Review.
- 7.64. The introduction of positive conservation policies also offers the opportunity to attach an educational role to countryside management. Public awareness of countryside, and particularly conservation issues, has developed greatly in the last decade. Consequently there is a need for increased facilities to aid the use and interpretation of the countryside. It is also the Council's firm belief that a wider understanding of these issues will lead to a general reduction in the current levels of misuse. The Council, therefore, will examine the opportunities for providing a conservation interpretation centre, in conjunction with the relevant education and conservation organisations.

DEVELOPMENT AFFECTING LOCALLY DESIGNATED SITES

ENV33 WITHIN A SITE OF NATURE CONSERVATION IMPORTANCE, A LOCAL NATURE RESERVE OR A REGIONALLY IMPORTANT GEOLOGICAL/GEOMORPHOLOGICAL SITE, PROPOSALS FOR DEVELOPMENT WILL BE REFUSED IF THEY WOULD SIGNIFICANTLY HARM OR PREJUDICE THE NATURE CONSERVATION VALUE OF THE SITE OR FEATURE.

- 7.65. Throughout the Borough there are also many smaller sites which contribute to the overall ecological framework. The loss of, or damage to, such sites would greatly reduce the diversity of wildlife within the area. Many of these sites, if considered in isolation, are of very local interest. However, they contribute to the overall ecological network in the Borough and ensure that wildlife is not restricted to a few isolated sites. An even distribution of habitats is necessary if a viable wildlife community is to be maintained. Policy PE8 of the SSP'94 is an

important Policy which reflects the approach to nature conservation operated by the County Council, Elmbridge Borough Council and the Surrey Wildlife Trust. In particular, it stresses the need for creating, as well as conserving, habitats in both urban and rural areas. The Council will continue to seek the views of the appropriate statutory and voluntary bodies on conservation issues. The Council has adopted "Nature Conservation" produced by Surrey County Council as Supplementary Planning Guidance.

7.66. The Sites of Nature Conservation Importance (SNCIs) in the Borough, surveyed by the Surrey Wildlife Trust, are:

- | | |
|---|---|
| 1. Weybridge Heath | 8. Fairmile Common (part) |
| 2. Silvermere | 9. Desborough Island |
| 3. Fieldcommon/ Hersham Pit | 10. Woodlands Park |
| 4. Princes Coverts | 11. Telegraph Hill |
| 5. Ditton Common & golfcourse/
LittleworthCommon | 12. Molesey, QE11 and Island Barn
reservoirs |
| 6. St George's Hill Golf Course | 13. Whiteley Village |
| 7. Birch Wood & Limekiln Wood | 14. River Thames |

7.67. In addition, Local Nature Reserves designated at Molesey Heath, Stokes Field, Long Ditton, Claygate Common and Esher Common under the National Parks and Access to the Countryside Act 1949 are shown on the Proposal Map. The Council is currently preparing , in conjunction with English Nature, management plans for each site. In conjunction with English Nature, and as resources allow, the Council will consider designating further Local Nature Reserves and will prepare management plans for them as appropriate.

DEVELOPMENT AFFECTING MAJOR IMPORTANCE FOR FAUNA AND FLORA

ENV34 DEVELOPMENTS AND LAND USE CHANGES WHICH MAY ADVERSELY AFFECT, DIRECTLY OR INDIRECTLY, THE LANDSCAPE FEATURES LISTED BELOW WHICH ARE OF MAJOR IMPORTANCE FOR WILD FAUNA AND FLORA WILL ONLY B E PERMITTED IF IT CAN BE SHOWN THAT THE REASONS FOR DEVELOPMENT OUTWEIGH THE NEED TO RETAIN THE FEATURES AND MITIGATING MEASURES CAN BE PROVIDED FOR, WITHIN THE CONTROL OF THE DEVELOPER, WHICH WOULD REINSTATE THE NATURE CONSERVATION VALUE OF THE FEATURES. APPROPRIATE MANAGEMENT OF THESE FEATURES WILL BE ENCOURAGED GENERALLY AND PARTICULARLY BY THE IMPOSITION OF CONDITIONS ON PLANNING PERMISSIONS WHERE APPROPRIATE, THE USE OF PLANNING OBLIGATIONS OR BY ENTERING MANAGEMENT AGREEMENTS WITH LANDOWNERS AND DEVELOPERS WHERE APPROPRIATE.

RELEVANT FEATURES INCLUDE HEDGEROWS, LINEAR TREE BELTS/SHELTER BELTS, PLANTATIONS AND SMALL WOODLANDS, LARGER SEMI-NATURAL OR ANCIENT WOODLANDS, SEMI NATURAL GRASSLANDS AND PONDS.

7.68. Individual features such as hedgerows, dit ches and rivers can also make an important contribution to the ecology and appearance of an area. For example, they often provide crucial

links or corridors between sites. They can also provide very specialist habitats which may not exist elsewhere in the area, and their loss could greatly harm the continued existence of a specific species. Changes in agricultural practice have often led to the removal of landscape features such as hedgerows, ponds or small copse. These changes are not normally subject to planning control and, therefore, the Council will need to negotiate with landowners to ensure the retention of features with landscape, geological or nature conservation value. In exceptional cases, the Council will consider making use of statutory powers to secure management agreements, but this will only be as a last resort.

DEVELOPMENT AFFECTING PONDS

ENV35 THE COUNCIL WILL ONLY GRANT PLANNING PERMISSION FOR DEVELOPMENT WHICH WOULD RESULT IN THE LOSS OF PONDS, WHERE IT IS SATISFIED THAT THEY ARE OF NO SIGNIFICANT LANDSCAPE, HISTORICAL OR WILDLIFE VALUE AND THEIR REMOVAL WOULD NOT CREATE DRAINAGE PROBLEMS. THE REINSTATEMENT OF LOST PONDS WILL BE ENCOURAGED, WHERE APPROPRIATE.

7.69. In recent years there has been increasing concern regarding the loss of natural ponds, particularly through development. Ponds can provide a valuable local wildlife habitat as well as making a contribution to local hydrology and drainage. The Council, when considering development proposals that affect ponds, will need to be satisfied that the loss of any pond would not have any significant ramifications on the landscape, heritage or wildlife of the area nor lead to drainage problems.