

ENVIRONMENTAL PROTECTION

Chapter 6

UTILITIES

The South Somerset Local Plan (SSLP) was adopted on 27 April 2006 and “saved” until 26 April 2009 pending the preparation of replacement Local Development Framework (LDF) documents.

The Government Office for the South West have agreed to extend most Policies and Proposals beyond the 3 year saved period”.

Policies that have not been extended are struck through in the text. For ease of reference these are:

Chapter 6: Utilities	Policy EU1	Renewable Energy
	Policy EU2	Wind Turbines
	Policy EU5	Flooding
Chapter 10: Housing	Policy HG5	Replacement Dwellings in the Countryside
	Policy HG13	Sites for Travelling Show People
	Policy HG14	Sites for Travelling Show People

A number of **Proposals** have also not been extended as they have already been implemented or have Planning Permission and are under construction. These are:

Chapter 12: Area East	Proposal ME/CACA/3(ii)	Torbay Road, Castle Cary
Chapter 13: Area North	Proposal HG/SOME/4	The Mill House, Sutton Road, Somerton
	Proposal HG/SOPE/2	Land at Lightgate Lane, South Petherton
	Proposal TP/SOME/5	Widening of Cartway Lane, Somerton
	Proposal TP/SOME/6	Pedestrian Priority in West Street, Somerton
	Proposal CR/FIVE/1	Land at existing playing field, Fivehead
Chapter 14: Area South	Proposal HG/YEOV/2	Former Factory site, west of Larkhill Road, Yeovil
	Proposal HG/YEOV/3	Former Jewsons Yard, Newton Road, Yeovil
	Proposal ME/YEOV/6	Land east of Buckland Road, Pen Mill, Yeovil
	Proposal CR/BRYM/3	Land at Abbey Farm, Yeovil
Chapter 15: Area West	Proposal HG/CHAR/2	Land off Lower Touches, Chard
	Proposal HG/ILMI/1	Land north of Summervale Medical Centre, Wharf Lane, Ilminster
	Proposal MU/ILMI/2	Land off Shudrick Lane, Ilminster

CHAPTER 6: UTILITIES

INTRODUCTION

- 6.1 A wide range of public services is provided by the various utility companies and a particular regulatory role is fulfilled by the Environment Agency in respect of the water environment. Various statutory consultees, both public and private, have been consulted in the preparation of the Local Plan and their requirements have been taken into account.

LOCAL PLAN OBJECTIVES

- 6.2 It is essential that the Local Plan should take into account the existing pattern of public utilities and any changes which are expected in the provision of these. The Local Plan's policies and proposals for the control and location of new development are intended to support the Joint Structure Plan Review in ensuring that efficient and economic use is made of services and facilities, and that development which would aggravate deficiencies or problems is not permitted.

POLICIES

Renewable Energy

- 6.3 Planning Policy Statement 22 requires local authorities to adopt a positive approach to renewable sources of energy when preparing local plans and to seek to balance the desirability of renewable energy sources with their potential impact on the local environment. In February 2000, the Government published "New and renewable Energy Prospects for the 21st Century - Conclusions in response to the public consultation". This confirmed that the Government's current target is to see 5% of UK electricity requirements being met from renewables by the end of 2003, with 10% being achieved by 2010, subject to the costs on consumers being acceptable.

- 6.4 An assessment of the potential for renewable energy in the South West was undertaken in 2000/01 by the Energy Technology Support Unit (ETSU) and Terence O'Rourke plc on behalf of the Government Office for the South West (GOSW). This report confirmed that the

South West possesses diverse and substantial resources and that it would be appropriate if a target in excess of the national 10% objective to be set for the region. Therefore the report proposes a target of procuring between 11% and 15% of its electricity from renewable energy sources by 2010 and this target is incorporated in the Regional Planning Guidance for the South West (RPG10).

- 6.5 The report identifies that there are significant technically available resources across the South West for onshore wind energy. Wood biomass (with the inclusion of short rotation coppice) waste to energy schemes (combustion, biological treatment and landfill gas) also present opportunities. Resources are also available for solar technologies, other agricultural wastes and small hydro-electric schemes.

- 6.6 The Council recognises the potential contribution that these renewable sources can provide to energy generation by increasing diversity of supply. However, it is also committed to the protection and enhancement of the environment and will ensure that a balance is struck between any local environmental impacts of energy developments and the national need to produce energy from renewable sources.

Policy EU1

Proposals for renewable energy projects designed to generate or capture energy from naturally sustainable sources will be permitted provided that there will not be any unacceptable impact on landscape character, nature conservation value or amenity.

Wind Turbines

- 6.7 Wind turbines provide a clean and efficient source of energy from a readily available resource. However, they need to be located in areas of high wind speed and relatively low turbulence and these requirements often coincide with open and exposed rural landscapes where wind turbines are most

noticeable and the environmental impact on the surrounding countryside can be significant. Safety and nuisance problems can also be experienced with noise, shadow flicker and radio interference from single turbines or wind farms so proposals should be carefully sited to eliminate such impacts. All details of associated ancillary development should be submitted with the planning application as an integral part of the scheme.

Policy EU2

When considering proposals for wind turbines or wind farms, including any ancillary associated development, regard will be had to the following:

1. The impact on landscape character, nature conservation value or amenity;
2. The development will not generate noise levels detrimental to the amenity of properties in the surrounding area;
3. The development will not lead to any safety risk or nuisance to the public arising from shadow flicker or radio interference.

6.8 The use of the many different methods of producing energy from renewable resources has implications for both the natural and existing built environment. To ensure that the impact of proposals is minimised, the District Council will, if required, prepare detailed guidance for applicants. If a Supplementary Planning Document is necessary, this will be programmed as part of the Local development Scheme having regard to other priorities.

Water Services

6.9 In order to protect the environment and to avoid pollution problems, it is important that the full range of water services (supply, disposal and treatment) is available or may readily be provided, even where development would otherwise be in accordance with Local Plan policies. New development should avoid excessive water abstraction, which can adversely affect ground water levels and river flows and consequently landscape and wildlife.

6.10 Circular 03/99 (April 1999) on "Non-mains sewerage in new development" aims to ensure

that developers and local planning authorities give proper consideration to whether proposals for non-mains drainage arrangements to serve a new development are likely to lead to significant environmental, public health or amenity problems. The circular lists the factors which need to be considered in assessing proposals: contravention of recognised practices, adverse effect on water sources/resources, health hazard or nuisance, damage to controlled waters, damage to the environment and amenity, overloading the existing capacity of the area, absence of suitable outlets, unsuitable soakage characteristics, high water table, rising ground water levels and flooding.

Policy EU3

Planning permission will be granted for development proposals employing non-mains sewerage arrangements provided that the proposed sewerage and disposal arrangements would not lead to a significant environmental, public health or amenity problem in the area.

Policy EU4

Development will be permitted only where:

1. Existing or proposed water supplies are sufficient and wholesome, and do not adversely affect the water environment;
2. Adequate drainage, sewerage and sewage treatment facilities are available or where suitable arrangements are made for their provision;
3. In sewered areas, foul discharge from new development is connected to mains foul sewerage unless it is demonstrated that such a connection is not feasible;

The use of more sustainable drainage systems, designed to control surface water as near to its source as possible, will be promoted. Where the use of such a system is inappropriate, separate surface water sewers with outfall to a watercourse may be permitted.

- 6.11 The design and construction of water services should take into account the ease of future maintenance and renewal of infrastructure. The cost of subsequent maintenance or other current expenditure should normally be borne by the body or authority in which the asset is to be vested. Wherever possible, surfacing material used for car parks, drives, etc. should be porous in order to allow the passage of precipitation into the soil and thus help to reduce flooding and loss of fresh water and soil.
- 6.12 Sustainable Drainage Systems (SuDS) for surface water disposal incorporate such methods as soakage lagoons, reed beds, retention basins, permeable paving, etc. The use of such methods allows for considerable environmental benefit by reducing the risk of flooding; cleaning contaminants, retaining rainfall close to source; providing wildlife/ecological amenity, and helping to improve the aesthetic quality of development. Properly designed SuDS not only provide protection against flooding and pollution and aid in replenishment of water resources but may also increase the amenity of the proposal thereby increasing its intrinsic value. The use of such systems can provide an area for conservation enhancement. Guidance and advice on SuDS can be found in Planning Policy Guidance Note 25: Development and Flood Risk (PPG25), Appendix E. In certain limited circumstances, e.g. to serve tourist facilities or isolated properties in the countryside, where ground conditions are suitable, it may be possible to use composting toilets (or eco loos) as an alternative to more conventional facilities.
- 6.13 There will be circumstances where the use of SuDS will not be appropriate due to the limitations to infiltration devices which occur when the soil is not very permeable, the water table is shallow, groundwater under the site may be at risk or infiltration of water could affect ground stability. In these cases conventional surface water disposal will be acceptable.

Flooding

- 6.14 The Department for Food and Rural Affairs (DEFRA) has responsibility for policy in respect of flood defence and coast protection. PPG25 provides guidance on ensuring that planning decisions take account of the risk of flooding. The Environment Agency is required by the Environment Act 1995 to exercise a general supervision over all flood defence matters. These powers and duties under the Act largely relate to main rivers and to sea defence works. For watercourses which are not designated as main rivers local authorities have the statutory powers, under the Land Drainage Act 1991 (as amended 1994), to maintain or improve existing works or construct new works, except in internal drainage districts where the powers rest with the internal drainage boards. The Government expects planning authorities to guide development away from areas that may be affected by flooding, and to restrict development which would increase the risk of flooding or interfere with the carrying out of flood control works and maintenance. Development permitted without regard to such considerations can lead to danger to life, damage to property, and wasteful expenditure on remedial works. In the event of mitigation measures being necessary, "soft" engineering solutions should be used rather than "hard" defences which are harmful to wildlife.

Policy EU5

Development, including the substantial extension of existing properties and the raising of the level of the land, will not be permitted:

1. Within the floodplain of any river or watercourse where flood flows or floodplain storage are adversely affected;
2. Where the run off from the development would result in, or increase the risk of, unacceptable flooding of watercourses, ditches, land or property;
3. Where development would prevent the effective and economic maintenance of watercourse channels;

4. Where the existing land drainage systems on the site are adversely affected or if the land drainage of the site, when developed, is considered inadequate;

Unless adequate environmentally acceptable mitigation measures are provided at the developer's expense.

- 6.15 Flood plain areas are shown on the Proposals Map. They are based on plans provided by the Environment Agency under Section 105 of the Water Resources Act 1991. The Environment Agency's flood risk mapping is continuing to evolve and information updated periodically. To check the latest flood map data visit the Agency's website at www.environment-agency.co.uk and follow the flood map link.

Culverting

- 6.16 There has been a tendency in the past for small, natural watercourses to be culverted and, in effect, placed underground when development takes place. However, this practice conflicts with nature conservation needs and severs the visual and biological continuity of watercourses. Culverting should, therefore, be avoided.

Policy EU6

Development which disrupts or adversely affects the character, hydrology or ecology of watercourses in an unacceptable manner will not be permitted.

Groundwater Catchment Areas

- 6.17 Groundwater is an essential water resource, not only for drinking water but also sustaining rivers, wetlands, wildlife habitat and agriculture. Groundwater can be easily and irreversibly contaminated by pollution, put drinking water at risk and impact on surface water quality where baseflow is dependent on groundwater. Furthermore, the quality of water within an aquifer should be safeguarded to maintain the vitality of the environment. Inappropriate development may cut off access to an aquifer or other groundwater supply or remove part or all of that resource directly, e.g.

quarrying. The Environment Agency has defined source protection areas around public supply sources. Development in these areas must be tightly controlled to avoid pollution of the source and consequently loss of supply. The Agency has published Policy and Practice for the Protection of Groundwater and the District Council will consult the Environment Agency on development proposals in these areas.

Policy EU7

Development proposals which would adversely affect the quality of groundwater and in particular those in defined groundwater catchment areas will not be permitted. In addition, development proposals which would physically disturb aquifers, lower groundwater levels, or impede groundwater flow will not be permitted, unless sustainable mitigation measures are agreed and provided.

- 6.18 The Environment Agency has been assessing each groundwater catchment area and for some it has defined zones according to the degree of protection necessary (graded from zone 1 - most stringent restrictions to zone 3). However, as these zones are only an indicative interpretation of the present position, they are not shown on the proposals map.

Telecommunications

- 6.19 The Government, in Planning Policy Guidance note 8: Telecommunications, stresses that modern telecommunications are an essential and beneficial element in the life of the local community and national economy. These include public telecommunications (fixed, cellular and personal communications networks) and satellite and terrestrial broadcasting. The Government's general policy on telecommunications is to facilitate the growth of existing and new systems, whilst balancing this with its commitment to environmental objectives.

- 6.20 In order to reduce the proliferation of unsuitably-placed apparatus on unsightly structures, new or relocated structures should be located on existing sites or masts wherever

possible. Construction of new masts with sufficient structural capacity to allow for future sharing by other operators could help to reduce the need for new sites.

- 6.21 Much minor telecommunications development is permitted under the Town and Country Planning (General Permitted Development) Order 1995. Under a prior approval system, licensed operators (known as "Electronic Communications Code Operators") must apply to the planning authority, before installing certain telecommunications apparatus under permitted development rights, for a determination as to whether their approval for the details of the siting and appearance of the development is required.

Policy EU8

Planning permission will be granted for telecommunications development where:

1. There is no reasonable possibility of sharing existing facilities;
2. In the case of masts, there is no reasonable possibility of erecting antennae on an existing building or another structure. Applicants for large masts must demonstrate that they have explored the possibility of erecting antennae on an existing building, mast or structure;
3. The siting and external appearance of apparatus is designed so as to minimise the impact on the locality while respecting the operational efficiency of the apparatus. Landscaping will be sought to minimise the impact of freestanding apparatus to respect the character of the area

