

9.8 Environmental and Amenity Protection in Warrington

- 9.8.1 Excessive levels of air, land, noise, vibration, light and water pollution have the potential to have an adverse impact on environmental quality, health and wellbeing. It is therefore essential to ensure that, wherever possible, all forms of pollution are considered, managed and mitigated against as part of the development process.
- 9.8.2 The Council, through its various strategies and action plans, is committed to delivering environmental and amenity improvements across the Borough. The Local Plan plays a key role in implementing these improvements, ensuring that the environment and both existing and future residents/occupiers are not, as far as possible, affected by major existing or potential sources of pollution.

Policy ENV8 - Environmental and Amenity Protection

General Principles

1. The Council requires that all development is located and designed so as not to result in a harmful or cumulative impact on the natural and built environment, and/or general levels of amenity.
2. Development proposals, as appropriate to their nature and scale, should demonstrate that environmental risks have been evaluated and appropriate measures have been taken to minimise the risks of adverse impacts to air, land and water quality, whilst assessing vibration, light and noise pollution both during their construction and in their operation.

Air Quality

3. The Council will seek to ensure that proposals for new development will not have an unacceptable negative impact on air quality and will not further exacerbate air quality in the Council's designated Air Quality Management Areas (AQMAs); or will contribute to air pollution in areas which may result in further areas being designated.
4. The main allocations (Policies MD1 to MD4) and the smaller settlement allocations, which line the M62 corridor (Policies OS1, OS2 and OS6) must make a proportionate contribution towards restoration measures at Holcroft Moss and devise a scheme-specific range of measures to reduce reliance on cars, reduce trip generation and promote ultra-low emission vehicles. In addition, all other new development that exceeds the thresholds for requiring a Transport Assessment, as specified in the Council's Transport SPD, will be required to consider air quality impacts on the Manchester Mosses Special Area of Conservation (SAC). Any proposals that would result in increased traffic flows on the M62 past the Manchester Mosses SAC of more than 100 vehicles per day or 20 Heavy Goods Vehicles (HGVs) per day must make a proportionate contribution towards restoration measures at Holcroft Moss and devise a scheme-specific range of measures to reduce reliance on cars, reduce trip generation and promote ultra-low emission vehicles.
5. Development proposals for sensitive end uses (including but not limited to residential, schools, nurseries, hospitals) are not desirable where they are located in areas of poor air

quality including AQMAs, unless a suitable assessment, review and identification of mitigation to lessen the effects on future site users is provided. An air quality assessment will be required where a development may place new sensitive receptors in areas of poor air quality; and/or that may lead to a deterioration in local air quality resulting in unacceptable effects on human health and/or the environment.

Land Quality

6. The Council will ensure that any development proposals on or adjacent to potentially contaminated land; unstable ground or that have a sensitive end use, are suitable for their intended use. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.

7. Development proposals on land that is (or suspected to be) affected by contamination; unstable ground or has a sensitive end use must include an assessment of the extent of the issues and any possible risks. Development will only be permitted where the land is, or can be made suitable for the proposed use.

8. Development proposals will need to demonstrate that any loss of the Borough's best and most versatile agricultural land will be minimised.

Water Quality

9. Development proposals will not be permitted where it would have an adverse effect on the quality or availability of groundwater resources, watercourses or water bodies.

10. Any proposals for new development within Groundwater Source Protection Zones must accord with central government guidance set out in its Groundwater Protection guides, or any subsequent iteration of the guidance. New development within Groundwater Source Protection Zones will be required to:

- a. be planned so as to mitigate the risk of pollution to the public water supply and the water environment;
- b. undertake a risk assessment and mitigation strategy with respect to groundwater protection to manage the risk of pollution to public water supply and the water environment; and
- c. produce a Construction Management Plan to identify the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify appropriate mitigation measures necessary to protect and prevent pollution of these waters.

Noise Pollution

11. The Council encourages consideration for noise and acoustic mitigation during early stages of design, having regard for layout, siting and internal features.

12. Developments which are noise sensitive end uses near to busy roads or noisy existing businesses will need to demonstrate with any application that appropriate mitigation can be employed and implemented to prevent adverse impacts on health and quality of life for

future site users. Such developments need to consider and implement the 'agent of change' principle in accordance within the NPPF.

13. New developments should not place unreasonable restrictions on existing businesses or business activities through the restriction of activities, prohibition of works or otherwise.

14. Development proposals generating noise which is likely to create significantly adverse impacts on health and quality of life and which cannot be mitigated and/or controlled through the use of conditions or through pre-existing effective legislative regimes, will not be permitted.

General Amenity Protection

15. Where development is considered to be appropriate but may still have impacts on the following environmental considerations, in addition to those detailed above, the Council will consider the use of conditions or planning obligations to ensure any appropriate mitigation or compensatory measures are secured:

- a. Levels of odours, fumes, dust, smoke, insects, litter accumulation, and refuse collection/storage;
- b. Levels of light pollution and impacts on the night sky;
- c. The need to respect living conditions of existing neighbouring residential occupiers and future occupiers of new housing schemes in relation to overlooking/loss of privacy, outlook, sunlight, daylight, overshadowing, noise, vibration and disturbance;
- d. The need to protect existing occupiers and operators in the surrounding area from new development and its potential impacts;
- e. The effect and timing of traffic movement to, from and within the site and car parking including impacts on highway safety;
- f. The ability and the effect of using permitted development rights to change use within the same Use Class (as set out in the Town and Country Planning (General Permitted Development Order) without the need to obtain planning consent.

16. Detailed assessments may be required to address any of the above criteria and will need to be submitted to the Council for approval. Where necessary information from assessments is absent to enable consideration of a specific matter, conditions may be recommended or the application refused based on lack of supporting information.

Why we have taken this approach

- 9.8.3 The National Planning Policy Framework (NPPF) emphasises the importance of protecting the environment and human health through the planning system and by minimising pollution and other adverse effects on the local and natural environment.
- 9.8.4 The NPPF (2021) states that in preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural

environment. Paragraph 174 states that planning policies should seek to enhance the natural and local environment by:

- Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability; and
- Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

9.8.5 The Council is committed to reducing the exposure of people in Warrington to poor air quality in order to improve the health and wellbeing of all residents. Whilst the majority of Warrington has good air quality, there are areas close to the major roads and the Town Centre that have raised pollution levels and are of concern. We continue to review pollution levels and will designate AQMAs where there is a risk that national limits may be exceeded. The latest air quality data and the information on AQMAs are contained within the Council's Annual Status Reports (ASRs). Development should consider and support, the measures and objectives set out in the Council's Air Quality Action Plan (AQAP). Details of Warrington's AQMAs, ASRs and AQAP can be found on the Council's website www.warrington.gov.uk/airquality. The Council's approach and advice for developers in dealing with air quality requirements is set out within the Council's Environmental Protection SPD.

9.8.6 The Manchester Mosses Special Area of Conservation (SAC) has been identified as being at risk of harm from increased air pollution caused by traffic. Through the Habitats Regulation Assessment process the need for a Habitat Management Plan to ensure the delivery of long-term ecological resilience works involving hydrological restoration measures to benefit the Holcroft Moss, has been established. The Holcroft Moss Habitat Mitigation Plan will be produced by Warrington Borough Council in collaboration with all parties involved in the site restoration, including Natural England and GMCA. For this reason, the main allocations (Policies MD1 to MD4) and the smaller settlement allocations, which line the M62 corridor (Policies OS1, OS2 and OS6) must devise a scheme-specific range of measures to reduce reliance on cars, reduce trip generation and promote ultra-low emission vehicles and provide a contribution towards restoration measures in accordance with the Holcroft Moss Habitat Mitigation Plan. In addition, all proposals for development that would cause an increase in traffic levels that would exceed one or both of the thresholds in Part 4 of Policy ENV8 must also provide the same level of mitigation. The Council will work with the other partners to ensure the delivery of the Holcroft Moss Habitat Management Plan by the end of 2023. Where a contribution is required towards restoration works at Holcroft Moss, the basis for defining the level of contribution will be confirmed through an update to the Council's Planning Obligations SPD.

9.8.7 Warrington has a rich industrial heritage, which has provided the foundations for its economic development. The legacy of past manufacturing, engineering and industrial processes has resulted in the potential for residual contamination of sites across the Borough. Certain types of contamination are known to be hazardous to

human health, property and the wider environment. Typical causes of land contamination include previous industrial or commercial usage, mining, and the landfilling of wastes. Land may also become contaminated due to its close proximity to contaminated areas. Contaminating substances include metals, organic substances, ground gases and high/low pH. The Council's approach and advice for developers in dealing with contaminated land and remedial requirements are set out within the Council's Environmental Protection SPD.

- 9.8.8 Improvements in water quality and control of water pollution are the responsibility of the Environment Agency (EA) and United Utilities (UU). The Council is responsible for managing development likely to have a detrimental effect on the Borough's watercourses and other water features, and it can support measures to raise water quality standards. The Council will work closely with the EA and UU where necessary to ensure the protection of these water resources.
- 9.8.9 Groundwater is a vital resource, supplying around one third of mains drinking water in England. A large part of the Borough lies within Groundwater Source Protection Zones. Therefore, it is important that an appropriate risk assessment and mitigation strategy in respect of groundwater protection is undertaken, along with careful site master planning and the management of construction activities.
- 9.8.10 The risk assessment should be based on the source-pathway-receptor methodology and should identify all possible contaminant sources and pathways for the life of the development and provide details of measures required to mitigate any risks to groundwater and public water supply during all phases of the development. Within Groundwater Source Protection Zone 1 the mitigation measures should include the highest specification design for the new foul and surface water sewerage systems (pipework, trenches, manholes, pumping stations and attenuation features) to ensure that leakage from sewerage systems is avoided. Any development should be carefully planned in terms of site design and layout to mitigate the risk of pollution to public water supply and the water environment. For example, open space should be designed so it is closest to any boreholes so as to minimise the potential impact on groundwater. In addition, an appropriate management regime will be required for open space features in the groundwater protection zone. Construction Management Plans will be required to identify the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify appropriate mitigation measures necessary to protect and prevent pollution of these waters.
- 9.8.11 National guidance sets out what levels of noise are considered acceptable within the Noise Policy Statement for England (NPSE). Further information, including reference to relevant British Standards, can be found in the Council's Environmental Protection SPD. Noise and acoustic mitigation should always be designed into developments from the outset considering layout, siting and internal design. Sensitive development near to significant noise sources or in noise mapped areas or important areas (noise) will often require acoustic mitigation to be implemented

fully prior to use, where this is acknowledged from the outset of the design stage the implementation is often easier and less costly.

- 9.8.12 Additional guidance to support the implementation of this policy is provided in the Design and Construction SPD. Specific guidance on noise, air, odour and general amenity and how these matters should be considered in the design of new properties and conversions of existing property in the Town Centre is set out in the Warrington Town Centre SPD as the needs of new residents and businesses will need to be assessed alongside those of existing users and activities.

Key Evidence

- National Planning Policy Framework (2021)
- Planning Policy Guidance (PPG)
- Noise Policy Statement for England (NPSE)
- Habitat Regulation Assessment: Proposed Submission Version Local Plan (2021)
- Sustainability Appraisal Report: Proposed Submission Version Local Plan (2021)

Other Planning Documents

- WBC Design and Construction SPD (2010)
- Warrington Town Centre SPD (2021)
- Environmental Protection SPD (2013)

Council Wide Strategies

- Air Quality Annual Status Report
- Air Quality Action Plan
- Local Transport Plan (LTP4) (2019)
- Contaminated Land Inspection Strategy

Delivery Partners

- Private Sector Developers
- United Utilities
- Environment Agency
- HSE