

Topic Paper 9 - Environmental Enhancements August 2004

This document is one of the supporting topic papers of West Berkshire Council's supplementary guidance series 'Delivering Investment from Growth – West Berkshire Council's approach to securing developer contributions towards local infrastructure, services and amenities'. It is intended as a guide for landowners, developers and residents and sets out how the Council will deal with planning applications where a contribution towards environmental enhancements will be sought.

1.0 Introduction

1.1 The Council expects new development to improve the quality of the environment. To this end this topic paper has been guided by the specific aims contained within the relevant sections of the Overall Strategy and the Environment chapter of the West Berkshire District Local Plan 1991-2006 (adopted June 2002).

1.2 It is also, in turn, supplemented by background strategies and plans which have increased information, understanding and consensus regarding the environmental qualities in the District. They ultimately provide a more detailed policy framework and include:

- North Wessex Downs AONB Management Plan
- Landscape Character Assessment for Berkshire
- North Wessex Downs AONB Landscape Character Assessment
- Newbury District-wide Landscape Assessment
- Newbury 2025 A Vision for Newbury Town Centre
- Lower Kennet Valley Management Plan
- Framework for Biodiversity Action in Berkshire
- Habitat Action Plans for Berkshire
- Parish Plans/Village and Town Design Statements

2.0 Assessing the contribution

2.1 Where planning applications affecting a site or feature of environmental interest are submitted, detailed site surveys will be sought from developers to establish the quantity and quality of the existing features so that decisions may be made about those which should be safeguarded and enhanced and others where offsetting benefits may be acceptable. In large projects the Council will require an environmental assessment at the application stage.

2.2 The Council recognises that the Quality of Life Capital¹ approach is a useful tool which seeks to identify the actions needed to ensure that there is no overall loss to the environment and quality of life. It also signals where gains to

¹ **Countryside Agency, English Heritage, English Nature, Environment Agency (March 2001)**
Quality of Life Capital – Managing environmental, social and economic benefits, CAG Consultants and Land Use Consultants.

the environment and quality of life will bring greatest benefit. It therefore creates clear messages about the objectives that should be aimed for on individual sites. As an approach it is not just concerned with the rare and special, but with conserving, enhancing and creating the more commonplace which provide a sense of locality and are valued by local people.

2.3 Any development, whether residential or commercial, which is associated with a site or issue of environmental significance will need to be assessed individually. Within the context of the development proposals, if the Council considers that environmental enhancements are required and that these cannot be appropriately secured through planning conditions, then the Council will seek to secure them through planning obligations. Consideration will be given to negotiating appropriate contributions to improvements to the local environment from all residential and commercial development where the development would:

- create a need for particular facilities
- have a damaging impact on the environment or local amenity, thus creating a need to reduce, mitigate or compensate for environmental impacts and/or restore, create or manage features of environmental interest²
- adversely affect national and/or local policies

2.4 Within the context of the development proposals, if the Council considers that environmental enhancements are required and that these cannot be appropriately secured through planning conditions, then the Council will seek to secure them through planning obligations.

Planning obligations could be used to:

- restrict development so as to reduce, mitigate or compensate existing features e.g. the protection and enhancement of appropriate habitats and species through translocation; pollution mitigation measures e.g. noise mitigation, soil decontamination, air quality amelioration measures, landfill gas management plans.
- secure the works necessary to restore or enhance existing features e.g. the improvement of visual amenity and biodiversity through tree and hedgerow planting and habitat management agreements
- secure the works necessary to create new features e.g. local environmental improvement schemes; village design/street scene improvements; habitat creation schemes; the provision of public art⁴

² The following document may be of assistance when considering nature conservation issues - **Oxford M. (2000) *Developing Naturally, a Handbook for Incorporating the Natural Environment into Planning and Development***. Published by the Association of Local Government Ecologists (ALGE)

⁴ Public art could include sculpture, engraving, paving designs, fountains, other water features, mosaics, murals, tapestries, flags, street furniture, fencing or railing, decorative walling, landscaping, planting schemes, festivals or other visual displays and creative or decorative lighting or illumination. Other forms of public art or contribution to culture will also be considered

- secure contributions to facilities in the vicinity of the site e.g. provision of a village/urban green, allotments, country park, pocket park, picnic site, visitor/interpretation centre; contributions to existing countryside sites e.g. Snelsmore Country Park, Thatcham Nature Discovery Centre; access for informal recreation such as through a greenway system, waymarked trail, footpath/bridleway/cycleway, community woodland, nature reserve, payment for countryside access agreement
 - secure management/monitoring to ensure that environmental gain is delivered e.g. funding the monitoring of mitigation/enhancement schemes, such as air quality or flood defence; contributions to support the Thames Valley Environmental Records Centre; implementation of management plans/agreements; sustainable urban drainage systems (SUDS)⁵
- 2.5 The costs associated with such obligations will need to be individually assessed for each project/development and could involve either one of or a combination of the following:
- a cash commission of the relevant programme of work.
 - control of a sensitive site through an appropriate legal agreement in order to safeguard its future in the public interest.
 - commuted sum for capital costs of implementation and/or revenue costs for maintenance/monitoring.
- 2.6 Where appropriate, commuted sums will be calculated according to an approved environmental management plan for the site/area as set out within the approved planning application.
- 2.7 Such management plans should at least detail:
- All aims and objectives required to produce net environmental gain
 - All proposals to enable the creation, strengthening and enhancement of identified environmental features
 - Any requirements to ensure that any environmental features are adequately protected and enhanced
 - All necessary tree works to be carried out - including protection measures for planting trees, maintenance standards and a specification for planting to include size, density and species.
 - Specific timings for all works relating to the plan
 - Any restrictive requirements imposed on the applicant
 - Proposals for the maintenance and monitoring of those identified environmental features over a specified period of time (not less than 5 years)
 - Proposals for the longer term management/maintenance of the site/features such as an agreement with the Wildlife Trust, the Pang and Kennet Valley Countryside Projects, the local parish council or West Berkshire Council (usually 10 - 20 years)
- 2.8 The Council recognises Spon's "Landscape and External Works Price Book" (Spon Press) as providing the industry standard costs for the ongoing

⁵ The following document may be of assistance to developers - **National SUDS Working Group (May 2003) Framework for Sustainable Drainage Systems (SUDS) in England and Wales (Consultation Draft)**

maintenance of appropriate features, and will use the prices set out within the document (which is updated annually) to calculate the costs of implementation and also of maintenance per annum.⁶ In cases where this cannot be used the Council will substitute its existing 'in house' contract costs to calculate the appropriate sum or use costs identified by the Pang and Kennet Valley Countryside Projects, as appropriate. The cost of the maintenance per annum figure is then multiplied by 10 – 25 years (as appropriate), including compound growth of the maintenance cost based on the General Index of Retail Prices (all items) published by the Central Statistical Office, at the time of the agreement.

- 2.9 Although each planning application will be assessed individually, it is acknowledged that in general the larger the development the greater the cumulative impacts. This will be reflected in the contributions sought towards environmental enhancements. For example, as far as the provision of public art is concerned, smaller development should aim for an appropriate uplift over normal construction/finishing costs to incorporate artistic elements in the scheme. However, developers of major schemes will be expected to set aside a proportion of their budget to commission works of art that are fully accessible, for the benefit of the community and which make a significant contribution to the appearance of the scheme or the character of the area.
- 2.10 Similarly, as far as air quality is concerned, any major application should be accompanied by appropriate air quality amelioration measures. Larger developments are likely to have an effect upon air quality beyond their site boundaries, particularly through the additional traffic they may generate. The monitoring of air quality both within the locality of the proposed development and along identified transport routes is, therefore, vital in ensuring that national objectives are not exceeded. Contributions will therefore normally be sought from large developments of 550 dwellings or more and from industrial and commercial development on sites larger than 10 hectares, or with a gross floor space of more than 20,000 square metres. In addition contributions may be sought on smaller sites where the location or nature of development is felt to warrant monitoring of air quality. The financial contribution will need to be calculated on a site-by-site basis.
- 2.11 Conversely, it is recognised that particularly in some areas the level of contributions that will be sought from the limited level of new development that will take place may be insufficient on its own to lead to any new facilities or services being provided. However, a number of small developments are likely to have a cumulative impact on the local environment. It would therefore be more appropriate and cost effective to make a single improvement after a number of smaller developments have been completed.
- 2.12 It may also be appropriate that in some cases contributions to more strategic environmental enhancements in the vicinity of the site may be appropriate. Applicants would help to implement wider policies for environmental enhancement by contributing to public sector initiatives that go beyond the nexus of a single project on a single site such as through the Pang and Kennet Valley Countryside Projects. Such contributions will have regard to the strategic policy framework identified in paragraph 1.2 and the West Berkshire Community Strategy. This will ensure that the justification for seeking

⁶ In accordance and as outlined in Topic Paper 7

contributions is relevant, undertaken in a clear and transparent way and channelled in the most appropriate way to maximise service delivery.

3.0 Contacts

3.1 Developers and landowners seeking to submit planning applications for residential and commercial development are encouraged to contact the Council's Planning Service and also Countryside and Environment Service directly for site specific advice at an early stage. (Contact details are provided below) Early discussions will provide guidance as to whether and how a site could be developed from an environmental perspective.

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