

## **13 UTILITIES AND OTHER SERVICES**

### **Introduction**

- 13.1 Public utility services providing energy, drinking water, drainage and communications are fundamental to the development of most land. It is important to make the best and most economic use of these services and account needs to be taken of existing capacity, planned investment and any supply constraints. The Council therefore wishes to generally direct new development to locations which offer the most effective and economic use of infrastructure provision. Detailed comments on the need for utility services at major residential and industrial sites allocated in the Plan are contained in development briefs available from the Council as supplementary planning guidance.

### **Policy Background**

- 13.2 The adopted Leicestershire Structure Plan (LSP) requires that major new development should for the most part be self financing in meeting its needs for infrastructure and local services. Concern is also expressed in the Plan to ensure that in providing services the environment is not adversely affected by utility installations.
- 13.3 DOE Circular 1/97 "Planning Obligations" sets out the circumstances in which certain types of benefit can reasonably be sought in connection with the granting of planning permission. Such circumstances will generally occur when any benefit sought is related to the development and necessary to the grant of permission. Planning Policy Guidance Note No 12 "Development Plans and Regional Planning Guidance", confirms that the adequacy of infrastructure can be a material consideration in deciding whether planning permission should be granted.

### **Aims and Objectives**

- 13.4 The Local Plan has the following aims and objectives:-
- 1 To ensure that new development:-
    - a) is adequately serviced for water supply and disposal of sewage and surface water ;
    - b) causes no overloading of any system of public service provision;
  - 2 To ensure that residential \ environmental and visual amenities are not adversely affected by utility installations.

Policy OS3 covers the general provision of infrastructure requirements in the Local Plan.

### **Water Supply**

- 13.5 Restrictions on water supply are not normally considered a sound reason for refusing planning permission for otherwise acceptable development. The supply of potable water in the Borough is the responsibility of Severn Trent Water Ltd except for the eastern fringe which is supplied by Anglian Water Ltd. With the completion of works to improve water supplies to Bottesford there are now no known constraints to water supply in the Borough.

### **Foul Water Disposal**

- 13.6 The impact of sewage discharge from sewerage systems and sewage disposal works on the water quality of streams and rivers is an important consideration. Provided there is adequate infrastructure this need not be a constraint on development.
- 13.7 In some areas though, if further development occurs the existing sewage treatment works may not be capable of meeting effluent quality criteria. In Melton, the majority of villages are served by sewerage systems which carry combined foul and surface water

flows. Many of these combined sewers are nearing their design capacity or are hydraulically overloaded.

- 13.8 The Council may need to refuse planning permission where it is not satisfied about the adequacy of the sewerage infrastructure or it may impose conditions to ensure that suitable arrangements are in place. It is the developer's responsibility to requisition the provision of sewers under section 98 of the Water Industry Act 1991. The provision of associated infrastructure by the Water Company is financed by infrastructure charges levied for any new connection to the sewerage system.

#### **Surface Water Disposal**

- 13.9 Impermeable surfaces, such as paved areas, roads and roofs, reduce the ground area that is capable of absorbing rainfall. Consequently, new development may increase the quantity and the rate at which run-off reaches watercourses. These effects may cause the capacity of the watercourse to be exceeded at times of flood risk, especially where there are culverts, bridges and other artificial or natural restrictions. The consequences of development in the upper parts of a river catchment area are not apparent in the area within which the development occurs, but can have a significant effect on areas downstream.
- 13.10 Generally, new surface water sewers discharging directly into local watercourses will be required for new major development. For minor development up to and including 1 dwelling unit, soakaways may be a solution if ground conditions are suitable; ground percolation tests would be required. Connections to existing surface water systems should be made wherever acceptable. Where existing sewers are available but have insufficient capacity for the proposed development flow balancing and/or off site improvements may be required.
- 13.11 Off-site watercourse improvements may be required. Watercourse/ditches within or abutting development boundaries may need to be piped.
- 13.12 Problems of surface water disposal occur in the smaller villages in the rural areas. There may be some form of surface water sewerage system in villages but the exact sewer routes and precise nature of construction may not be fully known. In the majority of cases they are the remains of old village drains dating back to the last century which are of brick culvert or clayware construction and may be in poor structural condition as well as hydraulically deficient. Any major new development in villages with this standard of provision would require new off site surface water sewers discharging to a suitable watercourse. Flow balancing may also be necessary.

**UT1 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD CAUSE FLOODING ALONG ANY WATER COURSE AS A CONSEQUENCE OF A SURFACE WATER DISCHARGE UNLESS SATISFACTORY MEASURES ARE PROPOSED TO ACCOMMODATE THE ADDITIONAL DISCHARGE.**

#### **Sewage Treatment**

- 13.13 The sewage treatment works at Melton Mowbray, Asfordby, Bottesford and Waltham on the Wolds have spare treatment capacity to serve the additional residential or industrial development proposed in the Local Plan. All the remaining sewage treatment works in the Plan area have no spare capacity or limited capacity to serve minor infill development only. In the event of public provisions being inadequate, the requisitioning of new sewers will be possible.

**13.14** Detailed comments on foul water, surface water and sewage treatment within each settlement are contained in the Settlement Appraisals. Details of water supply, drainage and other services affecting the housing and industrial allocations of the Local Plan are contained in site development briefs which are available from the Council.

### **Policies and Proposals**

#### **Development and Pollution**

13.15 Increasing awareness of the polluting effects of some developments on the quality of the environment has led the Government to issue advice about the way the planning system may be used to protect the community with regard to amenity, risk of contamination, nuisance and traffic. The possibility that new development could cause pollution or general waste may be taken as a material consideration when planning applications are considered.

13.16 The Government acknowledges that it is not the purpose of the planning system to duplicate controls which are the statutory responsibility of other bodies eg. Environment Agency. Nevertheless, the Government clearly sees a role for local planning authorities in controlling the use of land which may potentially harm the community or the environment. The following policy will therefore apply:-

**UT2 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH COULD HAVE ADVERSE ENVIRONMENTAL, SOCIAL OR ECONOMIC CONSEQUENCES ARISING FROM THE RISK OF POLLUTION FROM THE USE OF THE LAND.**

#### **Development in Washland Areas**

13.17 The Rivers Wreake and Eye, the Twyford Brook, Scalford Brook and River Devon are part of the main river system controlled by the Environment Agency (Midlands Region). All small tributaries and streams in the Borough drain to these main rivers.

13.18 Along the length of the Rivers Wreake and Eye, the Twyford Brook and parts of the River Devon at Bottesford and Knipton flooding occurs in times of heavy rainfall. These flood areas are identified as Essential Washland by the Environment Agency and are shown on the Proposals Map and Insets.

13.19 Any building development or raising of ground levels in these areas will be susceptible to the consequences of flood conditions and could cause obstruction to the free flow of water during times of flooding. Areas with a high risk of flooding or problems of surface water disposal are therefore unsuitable for development and there will be a general presumption against development. Car parks and playing fields which do not involve the raising of land levels are unlikely to be affected.

**UT3 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WITHIN ESSENTIAL WASHLAND AREAS SHOWN ON THE PROPOSALS MAP WHICH COULD EXACERBATE FLOODING.**

13.20 Throughout the Borough there are small areas lying adjacent to local water courses which are at risk of flooding or have problems of surface water drainage. Where the element of risk is considered sufficient to justify the refusal of planning permission or imposition of ground floor height requirements, the Council will consult the Environment Agency and have regard to advice received.

### **Gas**

- 13.21 The Council is aware of extensive investment and ongoing works in the rural area by British Gas to provide a supply to many small villages in the Plan area. Known details are set out in the individual Settlement Appraisals.

### **Telecommunications Masts**

- 13.22 Government advice to local planning authorities contained in Planning Policy Guidance Note No.8 "Telecommunications", advocates the sharing of facilities wherever possible to minimise the visual impact of telecommunication masts. In order to implement this advice, the following policy will be applied:-

**UT4 PLANNING PERMISSION WILL BE GRANTED FOR TELECOMMUNICATIONS MASTS, TOWERS OR ASSOCIATED DEVELOPMENT PROVIDED:-**

- A) THERE ARE NO EXISTING BUILDINGS OR STRUCTURES WHICH COULD BE USED;**
- B) THERE WOULD BE NO UNACCEPTABLE ADVERSE VISUAL IMPACT ON THE LANDSCAPE OR SURROUNDINGS;**
- C) THERE WOULD BE NO SIGNIFICANT OR IRREMIABLE RADIO INTERFERENCE FOR WHICH NO PRACTICAL REMEDY CAN BE FOUND AS A CONSEQUENCE OF THE DEVELOPMENT.**

- 13.23 Unless the Council is satisfied that it is not technically possible to share telecommunication facilities, the operator will be expected to ensure that any proposed masts are designed to be capable of supporting future additional antennae in order to avoid the proliferation of masts. The existence of masts, with further capacity, will be a consideration in the determination of any subsequent application for the erection of telecommunications equipment. The Council may require the removal of any existing telecommunications structures made redundant by new masts.

### **Domestic Aerials and Satellite Dishes**

- 13.24 The provisions of the Town and Country Planning General Development (Amendment) Order 1991 allow for the installation of a variety of domestic type radio and television receiving apparatus including satellite dishes, subject to prescribed size limitations and installation positions which minimise visual intrusion.

- 13.25 The Council will require the submission of a planning application where these conditions are not complied with. The proliferation of receiving apparatus can have a detrimental effect on the appearance of individual buildings and areas. The Council is concerned to reduce as much as possible the effect of these installations on visual amenities, particularly in conservation areas.

**UT5 PLANNING PERMISSION WILL BE GRANTED FOR DOMESTIC AERIALS, SATELLITE DISHES, OVERHEAD WIRES AND OTHER SIMILAR STRUCTURES PROVIDED THERE WOULD BE NO ADVERSE EFFECTS ON THE APPEARANCE OF THE BUILDINGS TO WHICH THEY WOULD BE ATTACHED OR THE VISUAL AMENITIES OF THE LOCALITY.**

### **Environmental Effects of Utility Development**

- 13.26 Some utility installations can have a detrimental effect on the visual character of an area, particularly telecommunications masts and overhead telephone and electricity supply lines. Statutory powers available to the Council to control the installation of these utility services are limited. Nevertheless, improvements can often be achieved through negotiation with statutory undertakers and other agencies.
- 13.27 The Council will expect that all new residential estate development is served by underground electricity and telephone supplies and that any above ground apparatus are well designed and discreetly sited to minimise adverse effects on local surroundings.
- 13.28 Under the Town and Country Planning (General Development) Order 1988 provisions are made for statutory undertakers to supply infrastructure services without the need to gain planning permission. Unless proposals are clearly inappropriate the Council will generally consider favourably development which needs planning permission. In respect of proposals for the provision of new public utility services, the following policy will apply:-

#### **UT6 PLANNING PERMISSION WILL BE GRANTED FOR PUBLIC UTILITY SERVICES DEVELOPMENT PROVIDED:-**

- A) THERE WOULD BE NO ADVERSE EFFECTS ON THE APPEARANCE OR CHARACTER OF THE LOCALITY;**
- B) THERE WOULD BE NO ADVERSE EFFECTS ON RESIDENTIAL AMENITIES;**
- C) SATISFACTORY ACCESS AND PARKING IS PROVIDED.**

- 13.29 The Council introduced a scheme in 1989 whereby grant aid may be available to parish councils to assist in removing overhead electricity lines within or adjacent to village conservation areas.
- 13.30 East Midlands Electricity PLC has confirmed that, if parish councils are prepared to liaise with the relevant local planning authority to agree arrangements for the permanent reinstatement of highway land and the relocation of domestic transfer boxes affected by a proposal, the electricity company will fund two thirds of the cost of a scheme from its capital budget for amenity work in the East Midlands.
- 13.31 The first scheme in the Borough was successfully completed in Somerby in 1991 and attention will be given to the undergrounding of overhead lines in or adjacent to other conservation areas as resources allow. The Council will consider measures to remove or reduce the impact of public utility services where they have a detrimental effect on the environment.
- 13.32 The communications industry continues to develop new technology. Cable television is likely to be introduced into Melton during the Plan period and associated operations may involve the provision of overhead lines and other equipment. The Council will be concerned to ensure that any environmental effects caused by the installation of the network are minimised.

- 13.33 With regard to the introduction of high voltage overhead lines (ie. pylons), the Council will be particularly concerned to protect the appearance of the countryside in the "Area of Particularly Attractive Countryside".

#### **Renewable Energy Development**

- 13.34 Renewable energy is a term used to describe a variety of naturally occurring conditions which include the movement of wind, sea and rivers and heat from the sun which can be harnessed to produce power. It is also used to cover energy extracted from a variety of waste and vegetable materials.
- 13.35 In the Department of Energy Paper 62-' New And Renewable Energy: Future Prospects In The UK' (March 1994), the Government has established policies to stimulate the exploitation and development of renewable energy resources wherever they have prospects of being economically attractive and environmentally acceptable. The main thrust of the policy is to bring about a reduction in the emission of CO<sub>2</sub> and other greenhouse gases which contribute to global warming. Planning Policy Guidance Note No.22 "Renewable Energy" advises local authorities to consider both the immediate impact of renewable energy projects on the local environment and their wider contribution to reducing emissions of green house gases in formulating policies in development plans. In March 1996, ETSU published the East Midlands Renewable Energy Planning Study: Leicestershire County Report. The Study examines the renewable energy resources in the County, paying particular attention to the formulation of strategic policies and a strategy for the exploitation of renewable energy resources.
- 13.36 Many forms of renewable energy production are now well developed. Existing schemes in the UK include the harnessing of power from hydro- plants, wind farms, energy recovery from landfill gas and waste incineration.

#### **Potential for Renewable Energy Schemes in the Plan Area**

##### **Wind Power**

- 13.37 Renewable energy schemes usually occur where resources are available. In the national context wind power appears to offer the most potential for commercial exploitation as a source of electricity. Wind turbines generally need to be located in exposed rural areas with high annual mean wind speeds. The typical height of a commercial wind turbine is 30-35 metres with a rotor diameter of 25-35 metres.
- 13.38 The Plan area is unlikely to be attractive for the development of large scale wind farms as local annual mean wind speeds are relatively low compared to many parts of the country. However, as technology improves, demands could arise for individual, smaller sized machines for private users such as farmers and small rural industries.

##### **Other Forms of Power Production**

- 13.39 The Ministry of Agriculture, Fisheries and Food (MAFF) has suggested that some 1,200 hectares (3,000 acres) of farm land in the Borough is likely to become "set aside" over the Plan period as a result of European agricultural policies.
- 13.40 Animal slurry and fuel crops (eg. coppiced wood and straw) can be used for electricity production through incineration. The need to diversify farming activities as a result of changing technology and policies is becoming more urgent and could lead to the development of small combustion plants in rural areas like Melton.

13.41 Whilst wishing to encourage the production of renewable energy, the Council is concerned to ensure that any proposal to develop land for renewable energy production does not cause unnecessary visual intrusion in the open countryside, especially in the "Area of Particularly Attractive Countryside". The following policy will therefore apply:-

**UT7 PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT FOR RENEWABLE ENERGY PRODUCTION PROVIDED:-**

- A) THERE WOULD BE NO SIGNIFICANT ADVERSE EFFECTS ON THE APPEARANCE OR CHARACTER OF THE LOCALITY;**
- B) THE DEVELOPMENT WOULD NOT CAUSE LOSS OF AMENITIES THROUGH UNACCEPTABLE NOISE, SMELL, VIBRATION, DUST OR OTHER FORMS OF POLLUTION;**
- C) THERE WOULD BE NO SIGNIFICANT ADVERSE EFFECTS ON RESIDENTIAL AMENITIES;**
- D) THERE WOULD BE NO UNACCEPTABLE VEHICULAR TRAFFIC FLOWS ALONG MINOR ROADS;**
- E) THE SIZE, SCALE DESIGN AND APPEARANCE OF ANY BUILDINGS ARE IN KEEPING WITH THE LOCALITY;**
- F) SATISFACTORY ACCESS AND PARKING IS PROVIDED.**

**Energy Conservation**

13.42 Energy conservation is a growing concern at national and international level. The ability of the planning system to influence energy conservation is limited to the disposition of land uses which can reduce transport costs, and in a less significant way through the layout, design and orientation of buildings. The overall strategy of the Local Plan has been chosen because of its scope for reducing travel times, the emission of CO<sub>2</sub> gas and potential for use of the railway and buses.

13.43 **Planning permission will normally be granted for development which is in accordance with the policies of the Plan and is energy efficient.**

**Cordon Sanitaire**

13.44 There are 19 sewage treatment works in the Borough. Some serve groups of villages and others serve single settlements. The largest works serve Melton Mowbray and are situated at the south west edge of the town between Sysonby and Eye Kettleby.

13.45 The very nature of operations undertaken at sewage treatment works causes the release of obnoxious odours and can attract insect infestation. In consultation with Severn Trent Water Ltd a series of cordons sanitaire have been defined around each sewage treatment works in the Borough, with the intention of controlling development which could be adversely affected by the operations of the sewage works. The cordons sanitaire are shown on the Proposals Map and the following policy will therefore apply:-

**UT8 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WITHIN A CORDON SANITAIRE SHOWN ON THE PROPOSALS MAP UNLESS THERE WOULD BE NO ADVERSE EFFECTS ON THE OCCUPIERS OR USERS OF THE DEVELOPMENT BY WAY OF NOISE, SMELL OR OTHER POLLUTION.**