

## West Berkshire Local Plan Review 2023-2041 (adopted June 2025)

### Policy DM5

#### Environmental Nuisance and Pollution Control

Development will be supported where it does not lead to adverse effects on pollution of the environment. In ensuring a site is suitable for development proposals should satisfy the following criteria:

- a. There would be no harm to the amenity of occupants of neighbouring land and buildings, and future occupants of the development, through an unacceptable increase in pollution, including from light, noise, dust, vibration and/or odour. Where necessary suitable mitigation measures will be put in place;
- b. It would be compatible with surrounding uses; and not give rise to unreasonable restrictions placed on existing businesses and community facilities;
- c. There would be no adverse impact on the environment by pollution of air, soil, or water, through the storage and disposal of waste and hazardous materials or through emissions;
- d. Where there is a likelihood that contamination is present or is known to be present, as a minimum a desk based assessment detailing the likelihood and extent of land contamination be undertaken, followed by, where necessary, an intrusive investigation; and the identification and undertaking of appropriate remediation measures in accordance with minimum national standards. Further monitoring may be required depending on the nature of the contamination and remediation;
- e. It would not cause noise or vibrations of a level which would disturb areas that are valued for their tranquillity in terms of recreation or amenity. Development proposals that generate significant levels of noise must be accompanied by an assessment to mitigate such effects, having regard to the nature of surrounding uses;
- f. All reasonable steps are taken through design, siting and technological solutions to ensure the abatement of obtrusive light to avoid sky glow, glare and light spillage, intrusion and any adverse impact to wildlife and neighbouring residents. A Lighting Appraisal in accordance with the current guidance from the Institute of Lighting Professionals (ILP) (or similar body), national guidance and British Standards will be required for proposed developments which include outdoor lighting;
- g. Appropriate containment solutions for oils, fuels and chemicals are provided; and
- h. There would be no harm to existing areas with biodiversity and/or geological value, in accordance with policy SP11.

Development which includes potential nuisance or pollution activities should be located on the least sensitive part of the site.

Appropriate site investigations/assessments will guide development and the results and recommendations will be presented with planning applications (for example, noise assessments) depending on the type of development, location, and likely source of pollution.

### Supporting Text

**10.39** The NPPF seeks to conserve and enhance the natural, built and historic environment and in doing so protects new and existing development from contributing to and/or being put at risk from unacceptable levels of pollution.

**10.40** This policy is intended to aid in promoting good quality of life for all land users, by managing the effects of development and requiring developers to undertake appropriate assessments to understand the sources of pollution on and around the site, and their impacts on the site and surrounding uses. Such assessments can aid in guiding development to the least sensitive part of the site, and/or identifying suitable mitigation measures to alleviate the effects of pollution.

**10.41** There are existing regimes in place, though pollution control authorities (Environmental Health), and the planning system is not intended to replicate or control pollution in the same way as such regimes.

**10.42** Development must be compatible with neighbouring uses, particularly those in town/village centre locations and those venues which operate in the evening or night. Suitable mitigation must therefore be provided, in the form of good design (e.g. for proposed residential, the consideration of placement of bedrooms), and noise and odour reduction measures, depending on the proposed uses and surrounding existing uses (e.g. sound insulation in proposed residential units; odour minimisation for proposed food outlets near to residential properties). It is important that new development would not place unreasonable restrictions on existing businesses and community facilities.

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**10.43** The Noise Policy Statement for England (2010)<sup>(113)</sup> seeks to avoid, mitigate and minimise the adverse impacts on health and quality of life arising from noise from new development and, where possible, encourages schemes which can contribute to improvements to amenity by using development to mitigate against existing impacts. It states that consideration should be given to whether or not a significant adverse effect is occurring or likely to occur; whether or not an adverse effect is occurring or likely to occur; and whether or not a good standard of amenity can be achieved. The Noise Exposure Hierarchy<sup>(114)</sup> set out in national planning practice guidance on noise can be used as a guide to determine whether noise is likely to be a concern.

**10.44** Rural and tranquil areas are more sensitive to disturbance from noise where the ambient noise levels are lower compared to urban areas. National policy specifies that planning policies should identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are valued for their recreational and amenity value for this reason.

**10.45** The West Berkshire Landscape Character Assessment (2019) identifies that away from the towns and main roads, the majority of the District enjoys relatively high levels of tranquillity, whether through elevation and distance from large settlements, as is the case in the high downland areas, or as a result of containment from urbanising influences by strong woodland cover. Areas of tranquillity are shown in figure 3.6 of the Study and the document should be used to identify those areas with high levels of tranquillity.

**10.46** Light pollution (also known as obtrusive light) is caused by excessive artificial light being directed into the night sky. Outdoor lighting can cause intrusive and unnecessary light pollution in urban, suburban and rural areas, although it is in the open countryside that light pollution is most noticeable. The Landscape Character Assessment (2019) highlights that outside the main settlements and away from the M4 corridor the majority of the District enjoys dark or very dark night skies, with little light pollution. This is illustrated in 'figure 3.7 Dark Skies' contained within the Assessment. Excessive artificial light at night is visually intrusive impacting on local amenity, intrinsically dark landscapes, nature conservation and can cause physiological problems, in addition to it being a significant waste of energy. It is therefore vital to ensure appropriate controls on external lighting to avoid or mitigate against these adverse effects. In considering development involving potentially adverse lighting impacts to wildlife the Council will expect surveys to identify movement corridors and ensure that these corridors are protected and enhanced.

**10.47** Applicants should be guided by and adhere to the guidance on lighting provided in the most up to date Institute of Lighting Professionals (ILP) guidance notes, alongside other relevant local and national documents including the North Wessex Downs AONB 'A Guide to Good External Lighting' (2021). The ILP note 'Reduction of Obtrusive Light' (2021)<sup>(115)</sup> identifies forms of obtrusive light which may cause nuisance to others, or adversely affect fauna and flora as well as waste money and energy. These are defined as:

- Sky glow, which is the brightening of the night sky;
- Glare, the uncomfortable brightness of a light source when viewed against a darker background;
- Light spill, the spilling of light beyond the boundary of the area being lit, inclusive of light intrusion where this causes a nuisance to others.

The ILP Guidance identifies environmental zones and corresponding lighting environments. Table 6 sets out the ILP environmental zones for exterior lighting control and should be used to determine whether development proposals involving artificial lighting have a detrimental impact. The Lighting Appraisal should be assessed in accordance with the zone in which they are located (E1, E2, E3 or E4) on whether they have the potential to cause harm to the health or quality of life, or to affect biodiversity. Where an area to be lit lies within visual distance of the boundary between two zones then the obtrusive light values applicable to the most rigorous zone shall apply.

113 Noise Policy Statement for England (2010): <https://www.gov.uk/government/publications/noise-policy-statement-for-england>

114 Noise Exposure Hierarchy: <https://www.gov.uk/guidance/noise--2>

115 Institute of Lighting Professionals - Guidance Note 01/21 - Guidance Notes for the Reduction of Obtrusive Light (2021): <https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2021/>

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**Table 6 ILP environmental zones for exterior lighting control**

Zone	Lighting Environment	ILP examples of types of environmental zones
<b>E1 - Natural</b>	Dark (SQM 20 to 20.5)	Relatively uninhabited rural areas, National Parks, Areas of Outstanding Natural Beauty, IDA buffer zones etc.
<b>E2 Rural</b>	Low district brightness (SQM ~15 to 20)	Sparsely inhabited rural areas, village or relatively dark outer suburban locations
<b>E3 Suburban</b>	Medium district brightness	Well inhabited rural and urban settlements, small town centres of suburban locations
<b>E4 Urban</b>	High district brightness	Town / City centres with high levels of night-time activity

**10.48** For development proposals which require a Lighting Appraisal this should set out how any proposed lighting will be energy efficient and dark sky compliant (where applicable), the light source and intensity being used, the luminaire design, height, and angle, light spill and times of operation.

**10.49** The reduction of light pollution should not compromise crime prevention and public safety and alternative technological solutions should be explored to ensure these elements are not compromised whilst also mitigating against obtrusive light.

**10.50** Odour can be associated with commercial, industrial, agricultural or sewage related activities. Odour can affect air quality and the quality of life of residents, both existing and of proposed residential development. Appropriate investigations are therefore required to support development proposals, and mitigation proposed, where required. This includes, as an example, development within 800 metres of a Sewage Treatment Works.

**10.51** The use or storage of substances such as oils, fuels and chemicals pose a risk to watercourses and groundwater resources through surface water run-off, from leakage and inadequate storage measures. Where a development proposal poses a risk of contamination, remedial action will be necessary. To this end, appropriate conditions may be imposed requiring certain remedial measures prior to construction and appropriate design of wastewater and surface water run-off management schemes. As a minimum, development proposals should ensure that in the future land will not be designated as contaminated land under Part IIA of the Environmental Protection Act 1990. Where development proposals pose a risk to the deterioration in water quality, the Council will seek the appropriate measures to ensure development does not compromise the objectives of the River Basin Management Plan and where possible, contributes to improvements to water quality status.

**10.52** This policy should be read alongside policies SP2, SP3, SP7, SP10, SP11, DM3, DM6 and DM8.