

### CHAPTER 3: GENERAL POLICIES

| Modification Ref. No<br>Suffix Letter:<br>P=Policy, T=Text, M=Map | Inspectors Report |         |   | Officer Recommendation          | Officer's Reasons   |
|---|-------------------|---------|---|---------------------------------|---|
|   | Page              | Section | Recommendation<br>(The <b>Bold</b> text is the paragraph or policy in the Local Plan to which the Inspector is referring.)  |                                 |   |
|   | 33                | 3.1     | <b>General Objections to the General Policies Chapter</b><br>Make no modification to the plan in response to this objection   | <b>Do not modify the text</b>   | Agree with the reasoning and conclusions of the Inspector at paragraph 3.1 of his report  |
|   | 33                | 3.2     | <b>Paragraph 3.1.1 Introduction</b><br>Make no modification to the plan in response to this objection   | <b>Do not modify the text</b>   | Agree with the reasoning and conclusions of the Inspector at paragraph 3.2 of his report  |
| <b>M/03/01/T</b>  | 34                | 3.3     | <b>Policy G1; Effect on Nearby Occupants</b><br><b>Add</b> to the end of paragraph 3.2.1 'These effects will be a consideration where sensitive new development is proposed in a location where that new development might be affected by an existing site which gives rise to smell, noise, vibration, etc. In such a situation, consideration must be given to the need for the protection of the existing use from future complaints from the occupiers of the new development.' | <b>Modify the text</b>          | Agree with the reasoning and conclusions of the Inspector at paragraph 3.3 of his report to modify paragraph 3.2.1 of the reasoned justification to Policy G1.  |
|   | 36                | 3.4     | <b>Policy G2; Pollution</b><br>Make no modification to Policy G2 in response to these objections  | <b>Do not modify the Policy</b> | Agree with the reasoning and conclusions of the Inspector at paragraph 3.4 of his report  |
|   | 37                | 3.5     | <b>Policy; G3; Pollution</b><br>Make no modification to Policy G3 in response to these objections   | <b>Do not modify the Policy</b> | Agree with the reasoning and conclusions of the Inspector at paragraph 3.5 of his report  |
| <b>M/03/02/T</b>  | 38                | 3.6     | <b>Policy G4; Flooding</b><br><b>Replace</b> paragraphs 3.4.1, 3.4.2, 3.4.2a with text recommended by the Inspector.  | <b>Modify the text</b>          | Agree with the reasoning and conclusions of the Inspector at paragraph 3.6 of his report to modify Policy G4, and its reasoned justification. However, the Council is publishing flood risk mapping as part of these modifications. Therefore the final paragraph is modified accordingly from that recommended by the Inspector. |
| <b>M/03/02/P</b>  | 38                | 3.6     | <b>Policy G4; Flooding</b><br><b>Replace</b> Policy G4 with the following.  | <b>Modify the Policy</b>        | Agree with the reasoning and conclusions of the Inspector at paragraph 3.6 of his report to   |

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|  |                   |         | <p><b>Policy G4: Development and Flood Risk</b></p> <p>Planning applications within areas at risk of flooding must be accompanied by a flood risk assessment in accordance with PPG25, Annex F. Development will be permitted where an appropriate flood risk assessment has been carried out and the proposed development meets all the following criteria:</p> <ul style="list-style-type: none"> <li>i) There are no other reasonable options available in a lower risk zone.</li> <li>ii) It will not itself be at unacceptable risk from flooding and will not increase the risk of flooding to third parties within the floodplain or in adjoining areas, so that the risk to human life and property is acceptable.</li> <li>iii) Provision is made for a minimum access strip of 8m on main rivers and 5m on ordinary watercourses.</li> <li>iv) Existing flood defences and other existing or potential flood alleviation measures are adequately safeguarded.</li> <li>v) It would not result in extensive culverting.</li> <li>vi) Where additional flood defences, other mitigation works or warning measures are required, provision is made for them to be fully funded, including adequate provision for ongoing maintenance through an appropriate</li> </ul> |                        | modify Policy G4, and its reasoned justification. |

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|   |                   |         | <p>dedicated commuted sum.</p> <p>vii) The proposal does not involve significant and unsustainable additional flood defences in undeveloped or sparsely developed areas or within the functional floodplain."</p>  |                          |  |
| <b>M/03/03/P</b>  | 42                | 3.7     | <p><b>Policy G5; Highway Safety</b><br/> <b>Modify</b> Policy G5 in accordance with Proposed Change PRO 23; and the Additional Suggested Change which deletes 'likely to be' from the wording of the policy, and which inserts an additional sentence at the end of paragraph 3.5.1. This sentence reads: 'In applying the policy, the Council would take into account any mitigating measures that would overcome highway safety concerns and these would be secured through the use of Section 106 agreements of planning conditions.'</p> | <b>Modify the Policy</b> | Agree with the reasoning and conclusions of the Inspector at paragraph 3.7 of his report to modify Policy G5 and its supporting policy |
| <b>M/03/03/T</b>  | 42                | 3.7     | <p><b>Policy G5; Highway Safety</b><br/> Modify Policy G5 in accordance with Proposed Change PRO 23; and the Additional Suggested Change which deletes 'likely to be' from the wording of the policy, and which inserts an additional sentence at the end of paragraph 3.5.1. This sentence reads: 'In applying the policy, the Council would take into account any mitigating measures that would overcome highway safety concerns and these would be secured through the use of Section 106 agreements of planning conditions.'</p>        | <b>Modify the text</b>   | Agree with the reasoning and conclusions of the Inspector at paragraph 3.7 of his report to modify Policy G5 and its supporting text   |
| <b>M/03/04/T</b>  | 43                | 3.8     | <p><b>Policy G6A Contaminated Land</b><br/> <b>Modify</b> Policy G6A in accordance with Proposed</p>   | <b>Modify the text</b>   | Agree with the reasoning and conclusions of the Inspector at paragraph 3.8 of his report to  |

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|   |                   |         | Change PRO 25.   |  | modify the supporting text to Policy G6A  |
| <b>M//03/05/T</b>   |                   |         |  | <p><b>Modify the Text</b><br/>Delete the first sentence of paragraph 3.6.1b and replace with;<br/>“Paragraph 23 of Planning Policy Statement 23: Planning and Pollution Control states<br/>“The LPA should satisfy itself that the potential for contamination and any risks arising are properly assessed and that the development incorporates any necessary remediation and subsequent management measures to deal with unacceptable risks, including those covered by Part IIA of the EPA 1990. Intending developers should be able to assure LPAs they have the expertise, or access to it, to make such assessments” .</p> | The officers recommend that the Local plan is updated to take account of the change in national planning guidance from PPG23 Planning and Pollution Control (Published in 1994) to PPS23: Planning and Pollution Control (Published in 2004). This is a factual update and the supporting text has been modified to take account of relevant changes. |
| <b>M/03/06/T</b>  |                   |         |  | <p><b>Add new text</b>, paragraph 3.7 Service Amenities and Infrastructure requirements for development.<br/><b>New text:</b></p>  | Your Officer's consider that in order to clarify the position for developers in connection with the requirements to provide the necessary infrastructure for developments, a general policy and supporting text is required to deal with  |

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|   |                   |         |  | It is a principle of good planning that new development should provide the necessary infrastructure, including services and amenities, needed to provide necessary statutory services. An explicit assessment must be made of infrastructure requirements arising from the development and how these should be met. Such provision is a key element in the quality of life of new and existing residents. | Planning Obligations.  |
| <b>M/03/06/P</b>  |                   |         |  | <p><b>Add new Policy</b></p> <p><b>New Policy: G7</b><br/>Where development is acceptable in principle under the policies of this plan, development proposals will be expected to have regard to existing levels of infrastructure, services and amenities.</p> <p>Where development gives rise to the need for the provision of new or extended public and community services, the</p>                   | Your Officer's consider that in order to clarify the position for developers in connection with the requirements to provide the necessary infrastructure for developments, a general policy and supporting text is required to deal with Planning Obligations. |

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|  |                   |         |  | <p>Council will assess the nature and extent of planning obligations required as a result of new development in accordance with National Planning Guidance.</p> <p>Planning Permission will not be granted until the Planning Authority is satisfied, by imposing conditions, or where these are not appropriate or adequate, by seeking a legal agreement, that an appropriate level of infrastructure, services and amenities required as a consequence of and directly related to, the development is capable of being, and will be, provided within the timescale of the proposed development and in accordance with an agreed phasing programme.</p> |                    |
| <b>M/03/07/P</b>   |                   |         |  | <b>Modify</b> Policy G5 by deleting the words “public highway” at the end of the policy and adding “any highway or public right of way  | To improve clarity |

