

3. GENERAL POLICIES

3.1. Introduction

3.1.1. This Plan deals with most subjects in chapter format, and contains policies which set out criteria when permission may or may not be granted for a particular form of development. However, there are some criteria which any development would be expected to comply with. To add these to every criteria based policy would make those policies unnecessarily lengthy and wordy. These criteria are thus set out here as a series of general policies, which all development will be expected to comply with.

3.2. Effect on Nearby Occupants

3.2.1. The effect of a development on the amenities of any residents or occupiers of adjacent land who may be affected is a material planning consideration. The likelihood of development on particular sites causing harmful or disturbing effects will vary greatly, depending on the nature of the development proposed, and the number and proximity of nearby residential properties and other occupied property. The important point is that such effects should be considered when putting forward a scheme, to avoid these effects rising to an unacceptable level.

3.2.2. Residents' amenities can be harmed in a number of ways, but they all involve the disruption of their daily life in one way or another. Harm is likely to arise from a development which would lead to an unacceptable level of noise, general disturbance, smell, fumes, loss of daylight or sunlight, loss of privacy or have an overbearing effect.

POLICY G1

Permission will not be granted to any development which would be likely to lead to an unacceptable level of noise, general disturbance, smell, fumes, loss of daylight or sunlight, loss of privacy or have an overbearing effect.

3.3. Pollution

3.3.1. As well as adversely affecting the amenities of nearby premises, the release of substances into the air, ground or water or excessive noise, dust, vibration, light or heat may also cause pollution. The planning system has an important role to play in ensuring development is not located in proximity to sources of pollution, or on sites unsuitable for development, and in protecting sensitive uses from such pollution.

3.3.2. The quality of the atmosphere directly relates to the quality of life. Various operations, activities and uses can damage the atmosphere by

the release of gases or by the emission of dirt, dust and fumes. Pollution is also generated by vibration, smell and the intrusion of light. The Environmental Protection Act 1990 defines pollution of the environment as 'the release (into any environmental medium) from any process of substances which are capable of causing harm to man or any other living organisms supported by the environment.'

3.3.3. In any development, the developer should have regard to minimising potential air pollution both in design, construction and in the use of materials. In particular, developers will be encouraged to design buildings so that potential sources of pollution are removed. With respect to new industrial development and changes of use of existing industrial processes, the Council will consult the Environment Agency or other appropriate authorities to ensure that standards on pollution control are met before planning permission is granted.

3.3.4. The Environment Act 1995 requires the Secretary of State to prepare and publish a national Air Quality Strategy. This requires local authorities to produce a local air quality strategy and define areas where national air quality objectives are not met or are at risk and designate such areas as Local Air Quality Management Areas (LAQMA). Proposals for development will need to have regard to the local strategy and LAQMAs, once these have been defined, to ensure that development does not have an adverse effect on air quality in these areas.

3.3.5 Where appropriate, noise generating developments should be sited in locations which avoid the possibility of creating any noise disturbance. In all cases, steps should be taken to minimise the impact of noise through sound insulation measures.

POLICY G2

Permission will not be granted to any development which is likely to create unacceptable atmospheric or environmental pollution to water, land or air.

3.3.6 As well as ensuring that new polluting uses are not permitted, it is also important to ensure that new noise sensitive development is not located within areas of existing excessive noise. Noise-sensitive development includes development such as housing, hospitals, schools and community facilities such as libraries. Where relevant, the noise standards set out in PPG 24: Planning and Noise 1994, will be applied, and compliance with them will be a material consideration in assessing proposed development.

POLICY G3

Permission will not be granted for noise sensitive development in locations where it would be subject to excessive noise levels.

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3.4. Flooding

3.4.1. Flood Plains and areas of low lying land adjacent to watercourses provide storage and conveyance capacity to floodwater by flooding under certain conditions. Development can reduce the capacity of the floodplain, impede the flow of water and increase the risk of flooding elsewhere. The development itself can also lead to increased surface water run off, which can exacerbate flooding and drainage problems beyond the floodplain.

3.4.2. The Council will consult with the Environment Agency about proposed development in their defined 'Areas Liable To Flood'. Within other areas, development which would result in or increase the risk of flooding may be permitted subject to certain conditions. The Council must be satisfied that development proposals within certain flood risk areas incorporate mitigation measures which are themselves environmentally acceptable. Developers should have regard to DOE circular 30/92 'Development and Flood Risk' and the Environment Agency's 'Policy and Practice for the Protection of Flood Plains'. Developers will also be expected to meet appropriate costs, through Section 106 Legal Agreements, for providing any appropriate measures to mitigate the effects of water discharge, surface water drainage impact and providing long term management.

POLICY G4

Development will not be permitted on land liable to flood, or where the surface water run-off from such development would result in, or increase the risk of flooding, or involve loss of access to watercourses for future maintenance, unless all the following criteria are met:

- 1. approved measures are undertaken, or financial contributions are made, to obviate these risks and accommodate the increased run off;**
- 2. satisfactory measures are proposed to ensure that existing land drainage systems on the site are not adversely affected; and**
- 3. adequate land drainage is provided for the site once it is developed.**

3.4.3. Developers should always seek the advice and, when required, consent of the Environment Agency before any works are carried out around or affecting watercourses.

3.5. Highway Safety

3.5.1. Most highway related issues are dealt with in the Transport chapter of this Plan. However, highway

safety is another material planning consideration which should be taken into account when dealing with any proposal for development, and it is therefore appropriate to include a policy. Again, the likely severity of any effect on highway safety will vary from proposal to proposal, and upon its location. It is also important to note that highway safety, as expressed in Policy G5, includes the safety of all users of roads, pavements and footpaths, including pedestrians, cyclists and horse riders, as well as the drivers and passengers of private cars, motorcycles, goods vehicles and buses.

POLICY G5

Permission will not be granted for any development that will be likely to be detrimental to the highway safety of any user of any road, pavement or footpath.