

GENERIC DEVELOPMENT CONTROL POLICIES

9 GENERIC DEVELOPMENT CONTROL POLICIES**CURRENT DEVELOPMENT PLAN POLICIES**

- 9.1** As a starting point for discussion the current development plan policies are put forward . The ones that are considered to be relevant as possible Generic Development Control policies are set out below. They will need to be reviewed so they do not reiterate or differ from national and regional policies, for example, relating to nationally designated wildlife sites and landscape areas.

QUESTION 24

Which of the present policies do you consider should be kept as Generic Development Control policies?

Do you consider the wording of any of these policies needs to be altered?

Do you consider that additional policies are needed?

BOX 15**Minerals and Waste Local Plan policies relevant to Generic Development Control Policies****Traffic****POLICY 1**

Proposals for minerals and waste development which generate road traffic will only be permitted where:

- i. the roads, junctions and site access are to the appropriate standard, or they can be upgraded without causing irreversible damage to the character of the road, so that the road network is capable of accommodating the type and volume of traffic without having an unacceptable impact on highway safety or the convenience of other road users; and
- ii. the increase in traffic would not have an unacceptable impact on local communities by reason of visual intrusion, fumes, dust, noise and vibration. Proposals for sites with good links to the strategic route network will be favoured.

Noise, dust and odours**POLICY 2**

Proposals for minerals and waste development will only be permitted where they will not subject surrounding land uses to unacceptable noise.

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POLICY 3

Blasting will only be permitted where it will not cause unacceptable disturbance to surrounding land uses.

POLICY 4

Proposals for minerals and waste development will only be permitted where surrounding land uses can be adequately safeguarded from dust and odour.

Water resources

POLICY 5

Proposals for minerals and waste development will only be permitted where any change in surface and groundwater levels and flows will not have an unacceptable impact on water abstractions or the future use of the water resource

POLICY 7

Proposals for minerals and waste development will only be permitted where any visual impact can be reduced to an acceptable level through sensitive siting and design including phasing of operations, progressive restoration, screening or other measures.

Landscape

POLICY 8

Proposals for waste development in AONBs will not be permitted other than where there would be no adverse impact on the landscape.

POLICY 9

Proposals for minerals and waste development which would be detrimental to the distinctive character of a designated County Landscape will only be permitted where the detriment will be temporary.

POLICY 10

Proposals for minerals and waste development outside AONBs, the Heritage Coast and County Landscapes will be permitted provided there will not be unacceptable permanent harm to features of local landscape significance.

Agriculture

POLICY 11

Proposals for minerals and waste development on the best and most versatile agricultural land will only be permitted where the site can be restored to a condition equivalent to at least the original quality of the agricultural land within five years from the completion of the restoration.

Archaeology

POLICY 12

Proposals for minerals and waste development which would adversely affect a nationally important archaeological site or monument, whether scheduled or not, or its setting, will not be permitted unless the site can be preserved in situ.

POLICY 13

Proposals for minerals and waste development on sites where there is good reason to believe there are remains of archaeological importance will only be permitted where evaluation is carried out prior to determination.

Proposals for minerals and waste development on other sites will require an evaluation and, where necessary, provision for an appropriate field investigation prior to the development commencing.

In all cases an archaeological evaluation will comprise a documentary search and normally a detailed site inspection and/or systematic prospecting trenching, carried out by a suitably qualified and experienced person or organisation.

POLICY 14

Proposals for minerals and waste development where there is evidence of archaeological remains, but which do not warrant preservation, will only be permitted if provision is made for an appropriate field investigation to be carried out.

The type of archaeological field investigation required will be determined by the nature and importance of the remains and the type and impact of the proposed development.

Wildlife and geology**POLICY 15**

Proposals for minerals and waste development which would have an adverse effect on the nature conservation interests of a site of international nature conservation importance (either individually or in combination with other plans or projects), will not be permitted unless:

- i. here is no alternative solution; and
- ii. there are imperative reasons of overriding public interest for the development.

Where the site hosts a priority natural habitat type and/or a priority species, as listed in the EC Habitats Directive, the proposal will only be permitted if required for reasons of human health or public safety or for beneficial consequences of primary importance for nature conservation.

POLICY 16

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Proposals for minerals and waste development which would have an adverse effect on the nature conservation interests of a Site of Special Scientific Interest will not be permitted unless the harm caused to the value of those interests and the nature conservation value of the national network of such sites, is clearly outweighed by the need for, and/or benefits of, the development. Where the site concerned is a National Nature Reserve or a site identified under the Nature Conservation Review or Geological Conservation Review, particular regard will be paid to the individual site's national importance.

POLICY 17

Proposals for minerals and waste development which would have an adverse effect on important nature conservation interests within a Wildlife Site or Regionally Important Geological and Geomorphological Site will only be permitted where the need for, and/or benefits, of the development clearly outweighs the harm to the value of those interests.

POLICY 18

Proposals for minerals and waste development which would have an adverse effect on species protected by law will only be permitted where harm to the species can be avoided by reducing disturbance to a minimum or providing adequate alternative habitats or by other means.

Public rights of way

POLICY 19

Proposals for minerals and waste development which would affect a public right of way will only be permitted where:

- i. users of the route can be adequately protected from the adverse effects of the development through screening, segregation or other measures as appropriate; and
- ii. in the event that the route would be lost, either temporarily or permanently, a satisfactory alternative can be established or can be shown to be unnecessary.

Types of waste facilities

POLICY 52

Proposals for Scrapyards, Vehicle Dismantlers, Materials Recovery Facilities, Transfer and Storage Facilities to facilitate materials re-use and recycling will be permitted on industrial sites provided that they do not have an adverse impact on surrounding landuses and do not prejudice the overall development of the area.

POLICY 53

Proposals for Construction and Demolition Waste Recycling Facilities will be permitted at active quarries and landfill sites for a temporary period not exceeding the permitted life of the quarry or landfill site, where they can be accommodated without prejudicing the operation or restoration of the site.

POLICY 55

Proposals for Civic Amenity Sites will be permitted at industrial sites and non-inert landfill sites.

At non-inert landfill sites they will only be permitted for a temporary period not exceeding the permitted life of the landfill site where this can be accommodated without prejudicing the operation or restoration of the site.

POLICY 56

Proposals for the composting of waste will be permitted where surrounding landuses can be adequately safeguarded from odours and emissions by one of the following methods:

- i. the composting of appropriate types of waste;
- ii. an acceptable stand off distance;
- iii. enclosure of the composting within a building or other methods of enclosure;
- iv. the use of other techniques to control harmful or noxious emissions to atmosphere.

POLICY 57

Proposals for the landspreading of waste will be permitted where there will be no significant degradation of land quality through the build up of contaminants

POLICY 63

Where there is a demonstrable need for additional landfill capacity, proposals which will satisfactorily restore mineral workings and other derelict land will be favoured.

Proposals involving landraising will only be permitted where the landform to be created reflects the character and scale of the surrounding topography and on restoration will fit naturally into the landscape of the area.

POLICY 64

Proposals for the disposal of non-inert waste by landfill will only be permitted where surrounding landuses can be adequately safeguarded from potential nuisance and hazard. Proposals which do not include the provision of a standoff of 250 metres from residential properties and other sensitive receptors will require special justification

Planning applications

POLICY 68

Planning applications for minerals and waste development which have inadequate information to enable the proposals to be properly assessed will be refused.

POLICY 69

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Where it is not possible to achieve the necessary control through the use of planning conditions alone the County Council will, where appropriate, seek a planning obligation or other legal agreement.

POLICY 70

The County Council will require applicants to demonstrate with their application what the likely financial and material budgets for restoration, aftercare and after-use will be, and how they propose to make provision for such work during the operational life of the site, including where appropriate, any necessary financial guarantees.

Where the County Council considers that adequate provision has not been made to fulfil the proposed restoration and aftercare works, planning permission will be refused.