

## POLLUTION CONTROL

### 8.60. PARA. 8.4.1

#### Objection

283	Dr A Groos
-----	------------

#### Issue

Whether the Plan takes sufficient cognisance of the need to control the pollution of undeveloped land, for example by plastic 'farm litter' in fields.

#### Inspector's reasoning and conclusion

While I have considerable sympathy with the objector's concern about the effect of various kinds of pollution on environmental quality the control of such material as 'farm litter' is not a matter that can be addressed under the Development Plan.

#### 8.60.1. RECOMMENDATION

**I recommend that no modification be made in response to this objection.**

---

### 8.61. PARA. 8.4.2 & CHANGE NO 232

#### Objection

863	Government Office for the South West
-----	--------------------------------------

#### Issue

Whether it is appropriate to refer in paragraph 8.4.2 to the restriction of emissions.

#### Inspector's reasoning and conclusion

GOSW points out that planning control embraces the acceptable use of land but not the control of processes and substances. I support PC 232 which deletes reference to the control of emissions, a matter dealt with under other legislation by the appropriate pollution control bodies.

#### 8.61.1. RECOMMENDATION

**I recommend that the Plan be modified by PC232.**

---

### 8.62. PARA. 8.4.5 & CHANGE NO 233

#### Conditionally withdrawn objection

991	Somerset County Council
-----	-------------------------

---

### Inspector's note

Objection 991 is conditionally withdrawn in response to PC 233, which I support. The change adds a reference to the assessment of potential environmental impacts under the Environment Act 1995 and other related legislation.

#### 8.62.1. RECOMMENDATION

**I recommend that the Plan be modified by PC233.**

---

### 8.63. PARA. 8.4.7 & CHANGE NO 234

#### Conditionally withdrawn objection

744	Environment Agency-South West Region
-----	--------------------------------------

#### Supporter of PC234

2411	Environment Agency-South West Region
------	--------------------------------------

### Inspector's note

Objection 744 is conditionally withdrawn in response to PC234, which I support. The change corrects a typographical error and adds reference to the precautionary principle.

#### 8.63.1. RECOMMENDATION

**I recommend that the Plan be modified by PC234.**

---

### 8.64. POLICY PC/2 & CHANGE NO 235

#### Conditionally withdrawn objection

992	Somerset County Council
-----	-------------------------

### Inspector's note

Objection 992 is conditionally withdrawn in response to PC 235 which reduces the negative emphasis of the Policy. The change nevertheless reads illogically and I shall recommend a modified version of it.

#### 8.64.1. RECOMMENDATION

**I recommend that the Plan be modified by the amendment of Policy PC/2 as follows:**

---

**Proposals for developments involving potential noise nuisance to existing occupiers of land or buildings will only be permitted where measures to minimise the impact of noise likely to be generated are incorporated as part of the development.**

---

## **8.65. POLICY PC/3 & CHANGE NO 236**

### **Objectinn**

661	House Builders Federation
-----	---------------------------

### **Conditionally withdrawn objectinns**

163	Council for the Protection of Rural England
993	Somerset County Council

### **Supporter**

403	Country Landowners Association
-----	--------------------------------

### **Objection to PC236**

2272	House Builders Federation
------	---------------------------

### **Supporter of PC236**

2471	Council for the Protection of Rural England
------	---

### **Inspector's note**

Objections 163 and 993 are conditionally withdrawn in response to PC 236 which renders criterion (ii) grammatical.

### **Issue**

Whether Policy should be recast in a more positive mode to acknowledge the potential for development to include mitigating measures.

### **Inspector's reasoning and conclusions**

Contrary to the LPA's view, I consider that, notwithstanding the reference to mitigating measures in the explanatory paragraph 8.4.10, the Policy itself should admit the possibility of mitigating measures to counter the effects specified in criteria (i) and (ii). I shall recommend accordingly.

### **8.65.1. RECOMMENDATIONS**

**I recommend that the Plan be modified by:**

- (i) PC236; and**
- (ii) the addition of the following to Policy PC/3:**

**unless appropriate noise mitigation measures are incorporated in the design of the development.**

---

## **8.66. PARA. 8.4.13 & CHANGE NO 237**

Conditionally withdrawn objection

745	Environment Agency-South West Region
-----	--------------------------------------

### **Inspector's note**

Objection 745 is conditionally withdrawn in response to PC237. While I support the intention of the change I consider it should logically replace the second sentence of paragraph 8.4.13 rather than be appended to it. I shall also recommend a minor but necessary textual change in the first sentence.

### **8.66.1. RECOMMENDATION**

**I recommend that the Plan be modified by the replacement of the text of paragraph 8.4.13 by the following:**

**All development proposals on, or in proximity to, land which may be contaminated must show evidence of there having been carried out proper investigations into the presence and identification of pollutants, and the risk to public health and safety and to local wildlife as a result of redevelopment. Where land is proved to be contaminated, the Local Planning Authority will require that appropriate measures be taken by the developer to minimise any risk and that disposal where required be undertaken at an appropriately licensed disposal site.**

---

## **8.67. POLICY PC/4**

Objection

746	Environment Agency-South West Region
-----	--------------------------------------

### **Issue**

Whether the Policy should reflect the need for the investigation of the level and extent of the contamination on previously used sites.

### **Inspector's reasoning and conclusion**

Given the explanation in paragraph 8.4.13 in the form I recommend above, I find Policy PC/4 adequately and concisely expresses the correct approach to the development of contaminated land., subject to a minor non-technical amendment I shall recommend

---

### **8.67.1. RECOMMENDATION**

**I recommend that the Plan be modified by the insertion of 'which' before 'may be' in Policy PC/4.**