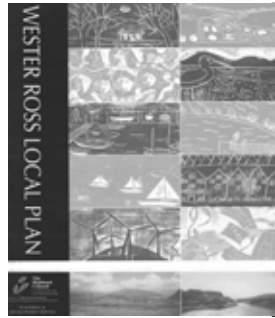


Policy on Other Development Considerations (Policy 4)



Chapter No:

18

65 - Scottish Natural Heritage [Written Submissions]

BACKGROUND

1. Policy 4: Other Development Considerations is set out in Appendix 1 to this report. In subsequent chapters it has been recommended that it become Policy 1B, with various amendments made to it. The final recommended version is shown in Appendix 2 to this report.
2. This **objection** related to the absence of any statement in the policy regarding the council's actions should the impact of any proposed development being assessed against this policy be adverse. It was recommended that an additional sentence be added (in the same way as it had been in Policy 1 (now Policy 1A)) to state that development which was significantly detrimental in terms of this policy would not be permitted.
3. The **council** agreed to add such a statement to the policy in terms that would be consistent with those already used in the structure plan Policy G2 and local plan Policy 1:-

"Developments which are judged to be significantly detrimental in terms of the above criteria, and for which no satisfactory mitigating action can be taken, shall not accord with the local plan."

CONCLUSIONS

4. The council has already suggested such an amendment to the plan (in its response to another objector, see paragraph 5 of chapter 15 of this report). I find that the plan would benefit not only by confirming the position in relation to proposals which do not meet the criteria in this part of the development policies in the same way as the other parts, but also to go further, and align the statement in this policy (or this section of the policy) with that of the other policies (or of other sections of the policy). However, this means either removing the words "and for which no satisfactory mitigating action can be taken", which the council has suggested here, or by adding them to the other policies, as appropriate.*
5. While Policy G2 of the structure plan does not contain these words, I consider them to be a worthwhile addition; and, while it is too late to add them to the structure plan policy, they should be added to Policy 4 of the local plan as suggested by the council, as well as to the other

* It becomes repetitious of course to do this, so it is more appropriate to devise a means of applying the statement once, but with the application made to each part of the policy. Such a solution is shown in Appendix 2 to this report.

policies/sections of the policy, as appropriate (ie Policy 1A). Although the structure plan does not contain the additional words, I consider that while the local plan is required to follow its strategy, it does not have to mimic its exact terminology.

RECOMMENDATION

6. I therefore recommend that the statement set out in paragraph 3 above be deleted from individual sections of the policy and applied to all parts of the (now) combined policy, as shown in Appendix 2 to this report.