

Please find comments on the planning that specifically relate to refuting the implied “powerful new presumption in favour of sustainable development, so that the default answer to development is ‘yes’” as argued by the applicant.

	Planning Objections & Comments	References	Wording of Policy/Strategy
		Guide to the Localism Bill	
	<p>The applicant states in their planning application that “<i>The Localism Bill is a material consideration for this planning application.</i>” If this statement is accepted we would like to draw attention to the Bill, and its clearly stated intentions that are all about returning power to local communities who should decide what developments take place in their community: “<i>Instead of local people being told what to do, the Government thinks that local communities should have genuine opportunities to influence the future of the places where they live.</i>”</p> <p>If the Localism Bill is to be respected and become a material planning consideration, clearly the views expressed by the community through a community body, such as the Buckfastleigh Community Forum are exactly what the government intend to take precedence in planning decisions.</p> <p>The Bill intends take powers away from the Planning Inspector and to give this power to Local Planning Authorities.</p>	Guide to the Localism Bill	<p><i>The Government is committed to passing new powers and freedoms to town halls. We think that power should be exercised at the lowest practical level - close to the people who are affected by decisions, rather than distant from them. <b>Local authorities can do their job best when they have genuine freedom to respond to what local people want, not what they are told to do by central government.</b></i></p> <p><i>We want to pass significant new rights direct to communities and individuals, making it easier for them to get things done and achieve their ambitions for the place where they live.</i></p> <p><b>Neighbourhood planning</b>  <i>Instead of local people being told what to do, the Government thinks that local communities should have genuine opportunities to influence the future of the places where they live. The Bill will introduce a new right for communities to draw up a ‘neighbourhood development plan’. Neighbourhood planning will allow communities to come together through a local parish council or neighbourhood forum and say where they think new houses, businesses and shops should go – and what they should look like... Provided a neighbourhood development plan is in line with national planning policy, with the strategic vision for the wider area set by the local authority, and with other legal requirements, local people will be able to vote on it in a referendum.</i></p> <p><i>For people to have a real sense that the planning system is working for them, they need to know that the rules they draw up will be respected. The Localism Bill will strengthen planning authorities’ powers to tackle abuses of the planning system, such as making deliberately misleading planning applications.</i></p>

			<p><i>The Government thinks it is important to give local planning authorities greater freedom to get on with this important job without undue interference from central government. <b>The Localism Bill will limit the discretion of planning inspectors</b> to insert their own wording into local plans. It will also ensure that rather than focussing on reporting progress in making plans to central government, authorities focus on reporting progress to local communities.</i></p>
		Planning Application References	
<p>This development would indeed compromise the sustainable development principles in relation to local communities.</p> <p>The draft National Planning Policy Framework states that <i>“planning for people (a social role) – use the <b>planning system to promote strong, vibrant and healthy communities...by creating a good quality built environment, with accessible local services that reflect the community’s needs and supports its health and well-being”</b></i></p> <p>It also states that <i>“Development likely to have a significant effect on sites protected under the Birds and Habitats Directives would <b>not be sustainable</b> under the terms of the presumption in favour of sustainable development.”</i></p> <p>Given that this is a protected site and it would absolutely have a significant effect, then this policy cannot be sustainable.</p>	6.3.60	<p><i>“Government’s clear expectation is that the answer to development and growth should wherever possible be ‘yes’, except where this would compromise the key sustainable development principles set out in national planning policy.”</i></p>	
<p>As previously stated, this policy is distinctly NOT sustainable.</p> <p>What defines <i>“Sustainable development”</i> is contained according to UK policy, within the UN’s 1987 Brundtland</p>	6.3.60	<p><i>“The Chancellor has today set out further detail on our commitment to introduce a strong presumption in favour of sustainable development in the forthcoming National Planning Policy Framework”</i></p>	

<p>Report. The one-line definition of sustainable development quoted in current UK planning is from this documents and states rather emptily: <i>"Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs"</i>.</p> <p>Although the Brundtland Report is a long and detailed document, some highlights from Chapter 2 may demonstrate why this development cannot be considered sustainable as part of the UK's planning legislation:</p> <p><i>"9. At a minimum, sustainable development must not endanger the natural systems that support life on Earth: the atmosphere, the waters, the soils, and the living beings</i></p> <p><i>39. Sustainability requires views of human needs and well-being that incorporate such non-economic variables as education and health enjoyed for their own sake, clean air and water, and the protection of natural beauty.</i></p> <p><i>40. ...in some cases, sustainability considerations will involve a rejection of activities that are financially attractive in the short run.</i></p> <p><i>42. The satisfaction of human needs and aspirations is so obviously an objective of productive activity that it may appear redundant to assert its central role in the concept of sustainable development.</i></p> <p><i>73. ... the compatibility of environmental and economic objectives is often lost in the pursuit of individual or group gains, with little regard for the impacts on others, with a</i></p>		
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<p><i>blind faith in science's ability to find solutions, and in ignorance of the distant consequences of today's decisions. Institutional rigidities add to this myopia.</i></p> <p><i>77. The law alone cannot enforce the common interest. It principally needs community knowledge and support, which entails greater public participation in the decisions that affect the environment... It will also require promoting citizens' initiatives, empowering people's organizations, and strengthening local democracy."</i></p> <p>The list could go on for pages, but that effort would seem superfluous when the idea is merely to reject the argument that these proposals should be treated as <i>"sustainable development"</i>.</p> <p>The Whitecleave Quarry development relies on a waste stream derived from burning the fossil fuel component in unsorted waste to produce electricity, whilst also burning lots of other useful and recyclable products in the process (as well as burning other negative energy waste streams actually reducing the incineration efficiency in the process). This is in direct contravention of the principle of the waste hierarchy.</p> <p>This waste stream has been disingenuously projected to grow significantly in the next 25 years (in order to justify building such a large capacity incinerator) despite the UN's clear guidelines to governments to reduce in absolute terms consumption, waste and CO2 emissions.</p> <p>The unsorted waste is transported by road to a bulking site, then on to a central incineration site many miles from much of its source. The toxic product is then transported by road</p>		
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	<p>over 20 miles in diesel lorries (using around 90,000 litres, or £120,000, of diesel in the process each year) to a site that will allow the toxins to leach into the aquatic environment. The metals recovered from the ash will possibly also add additional long distance HGV travel. Given the excess of recycled aggregates existing in South Devon, any potential final demand for a recycled aggregate (assuming it passed toxicity tests) may be coming from much farther afield and again add to the carbon footprint of HGV travel. None of this bears any resemblance to what could be considered sustainable development.</p>		
	<p>The proposals actually suppress enterprise because the application is required due to a proposed incinerator development that relies upon a level of political lobbying that is not possible from genuinely enterprising small companies and actually encourages monopolisation rather than enterprise. The development relies on crowding-out other more enterprising and sustainable development opportunities in waste management that would create more jobs in Devon, keep more money in the local economy, and ensure more suitable, sustainable and environmentally friendly alternatives.</p> <p>The development of the quarry would also threaten the tourist economy and other jobs in Buckfastleigh, threatening the viability of the town as a self-sustaining community.</p>	6.3.60	<p><i>“When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant - and consistent with their statutory obligations - they should therefore:</i></p> <p><i>(i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession...</i></p> <p><i>...(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity)”.</i></p>
	<p>The Local Planning Authority should not feel bullied into a position of riding roughshod over the views and aspirations of the local community on the basis that the Secretary of State could overturn the decision on appeal. The drafts of the NPPF and Localism Bill are clear that Local Plans should take precedence over central government diktat.</p>	6.3.60	<p><i>“The Secretary of State for Communities and Local Government will take the principles in this statement into account when determining applications that come before him for decision. In particular he will attach significant weight to the need to secure economic growth and employment.”</i></p>

Buckfastleigh Community Forum - Objections based in relation to the Localism Bill and the draft National Planning Policy Framework  
 Application - DCC/3242/2011 Whitecleave Quarry Buckfastleigh

	<p>As stated above, the proposed development at Whitecleave Quarry is driven by the development in Devonport that actually threatens the long-term sustainability of the whole county of Devon’s economy by leaking large portions of tax-payer funds to a multi-national company supported by consultants from outside the county. This is rather than focusing on alternative solutions that would create widespread and greater employment opportunities across the county and keep tax-pounds within the county to actually turn essential waste processing into an employment and growth opportunity rather than an financial leach on the council’s taxpayer funds.</p> <p>The specific plans at Whitecleave Quarry threaten the alternative and preferred economic growth path identified in the Local Plan and aspired to by the community.</p>		
		<p>Draft National Policy Planning Framework</p>	
	<p>It should be noted that healthy, sustainable communities empowered to shape their surroundings are at the heart of the new Draft National Policy Framework - section 8 states that “<i>The Framework should be read and interpreted as a whole</i>” - the applicant seems to wish to pick and choose, arguing (it seems with little basis in fact) that their development is sustainable and therefore attempting to create a “<i>powerful presumption</i>” that is must be passed. This interpretation is totally incorrect.</p>	<p>1,2 &amp; 3</p>	<p><i>Planning shapes the places where people live and work. Planning plays a vital role in building our economy and supporting strong, vibrant and healthy communities. The Government expects the planning system to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, while protecting and enhancing the natural and historic environment. Planning has a key role in securing a sustainable future. To deliver this, <b>planning must be transparent, effective and efficient and it must ensure the public interest is protected. This should be achieved through a system based on... local and neighbourhood plans, which empower local people to shape their surroundings</b></i></p>
	<p>The applicant has signally ignored local aspirations and the proposals are in direct contradiction with them in many ways.</p>	<p>4 &amp; 5</p>	<p><i>The National Planning Policy Framework sets out the Government’s economic, environmental and social planning policies for England. Taken together, these policies articulate the Government’s vision of</i></p>

			<p><i>sustainable development, which <b>should be interpreted and applied locally to meet local aspirations...</b> The National Planning Policy Framework sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. <b>It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.</b></i></p>
<p>This development is neither recognising nor responding to the needs of the community. It is not appropriately located.</p> <p>The community does note the requirement that <i>"The revenue generated from development will help sustain local services, fund infrastructure and deliver environmental enhancement"</i> should planning be approved.</p>	18		<p><i>Those responsible for bringing forward development are expected to play their part by <b>recognising and responding to the needs of communities.</b> Development should be of good design and <b>appropriately located.</b> National incentives and relevant local charges will help ensure local communities benefit directly from the increase in development that this Framework seeks to achieve. The revenue generated from development will help sustain local services, fund infrastructure and deliver environmental enhancement.</i></p>
<p>The Devon Waste Local Plan specifically rejected using the Whitecleave Quarry site for waste. This is an opportunistic application which goes against the Waste Local Plan.</p> <p>There is no plan that this development seems to be following. Indeed there is no appropriate or detailed Local Plan that is being referenced which relates to the specific needs of the community in Buckfastleigh. The area needs detailed and specific Local Plan created in consultation with the community which actually can allow the decision making process to proceed. The current draft Local Plan is implied in the existing stated Core Strategy for Dartmoor National Park:  <i>"Buckfastleigh's vision looks to:</i></p> <ul style="list-style-type: none"> <li>• <i>sustain and improve the range of local shops and services for the community and the tourist economy</i></li> <li>• <i>provide opportunities for high quality housing development</i></li> <li>• <i>conserve the town's distinctive heritage as a mill</i></li> </ul>	19		<p><i><b>planning should be genuinely plan-led,</b> with succinct Local Plans setting out a positive long-term vision for an area. These plans should be kept up to date and should <b>provide a practical framework within which decisions on planning applications can be made with a high degree of certainty and efficiency...</b></i></p> <p><i>in considering the future use of land, planning policies and decisions should take account of its environmental quality or potential quality regardless of its previous or existing use...</i></p> <p><i>planning policies and decisions should seek to protect and enhance environmental and heritage assets in a manner appropriate to their significance, and reduce pollution....</i></p> <p><i>planning policies and decisions should take account of and support local strategies to improve health and wellbeing for all</i></p>

	<p><i>town”</i></p> <p>It should be noted that many residents of Buckfastleigh have specifically requested that Dartmoor NPA exclude the possibility of Whitecleave Quarry being used as a waste processing site when the finalise the Local Plan for the town.</p> <p>All aspects of this development, from the bulking up and long-distance transportation of waste, through incineration and ultimately road transport to Buckfastleigh would clearly increase pollution.</p> <p>Again, a Health Impact Assessment with a definite aim of understanding health problems and needs in the area is required.</p>		
	<p>There is no plan to measure these objectives against.</p>	<p>24</p>	<p><i>Crucially, Local Plans should:</i></p> <ul style="list-style-type: none"> <li>• <i>plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework</i></li> <li>• <i>be drawn up over an appropriate time scale, preferably a 15 year time horizon, take account of longer term requirements, and be kept up to date</i></li> <li>• <i>indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map</i></li> <li>• <i>allocate sites to promote development and flexible use of land, providing detail on form, scale, access and quantum of development where appropriate</i></li> <li>• <i>identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation</i></li> <li>• <i>identify land which it is genuinely important to protect from development, for instance because of its environmental or historic value; and</i></li> <li>• <i>contain a clear strategy for the environmental enhancement of the area</i></li> </ul>

	As above. The applicant cannot pick and choose aspects of the proposed Localism Bill that suits them and ignore ones that do not.	25	<b>Local Plans are the key to delivering development that reflects the vision and aspiration of local communities.</b> To do this, early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the development of the area, including adopted neighbourhood plans
	As above. Sustainable development has to regard <b>sustainability of the community</b> and the aspirations of the local community outlined in a Local Plan.	26	Up-to-date Local Plans, i.e. Local Plans which are consistent with this Framework, should be in place as soon as practical. <b>In the absence of an up-to-date and consistent plan, planning applications should be determined in accord with this Framework, including its presumption in favour of sustainable development.</b> It will be open to local planning authorities to seek a certificate of conformity with the Framework
	This would appear impossible to fulfil this without carrying out a comprehensive Health Impact Assessment and air quality measurement and analysis.	27	<b>Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.</b> Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals such as land prices to inform judgements about levels of demand
	The community would welcome the opportunity to provide a Neighbourhood Plan that would ensure the right type of development, not development dictated by opportunistic corporate activity.	49, 50, 51 & 52	<p>49. Neighbourhood plans give communities direct power to plan the areas in which they live. Parishes and neighbourhood forums can use neighbourhood plans to:</p> <ul style="list-style-type: none"> <li>• develop a shared vision for their neighbourhood</li> <li>• set planning policies for the development and use of land; and</li> <li>• give planning permission through Neighbourhood Development Orders and Community Right to Build Orders.</li> </ul> <p>50. <b>This provides a powerful set of tools for local people to ensure that they get the right types of development for their community.</b> However, the ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans, therefore, must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area.</p>

			<p><i>Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhoods will have the power to promote more development than is set out in the strategic policies of the Local Plan.</i></p> <p><i>51. Outside these strategic elements, neighbourhood plans will be able to shape and direct development in their area, subject to the presumption in favour of sustainable development. When a neighbourhood plan is made, the policies it contains take precedence over existing policies in the Local Plan for that neighbourhood, where they are in conflict. Local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation.</i></p> <p><i>52. A neighbourhood plan must be assessed by an independent examiner before it can go to a local referendum. To pass the independent examination, the neighbourhood plan must:</i></p> <ul style="list-style-type: none"> <li><i>• have regard to the policies in this Framework</i></li> <li><i>• be in general conformity with the strategic policies in the Local Plan; and</i></li> <li><i>• be compatible with relevant EU obligations and human rights requirements</i></li> </ul>
	Currently there is no finalised Local Plan, although the draft vision for the Local Plan for Buckfastleigh (from Dartmoor NPA) is available and stated above. There is currently no Neighbourhood Plan, but the Community Forum represents a clear idea of the aspirations of a large portion of the town.	62	<b><i>The planning system is plan-led. Therefore Local Plans, incorporating neighbourhood plans where relevant, are the starting point for the determination of any planning application.</i></b>
	This national framework for sustainable development is actually very similar to local aspirations, but the proposed plans are antithetical to these ends.	72	<p><i>To help achieve sustainable economic growth, the Government's objectives are to:...</i></p> <ul style="list-style-type: none"> <li><i>• promote the vitality and viability of town centres, and meet the needs of consumers for high quality and accessible retail services; and</i></li> <li><i>• raise the quality of life and the environment in rural areas by promoting thriving, inclusive and locally distinctive rural economies</i></li> </ul>
	As above. And as per the Dartmoor NPA Sustainable Tourism Charter.	81	<p><i>Planning strategies should maintain a prosperous rural economy including policies to:</i></p> <ul style="list-style-type: none"> <li><i>• support sustainable rural tourism and leisure developments</i></li> </ul>

			<i>that benefit rural businesses, communities and visitors and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres</i>
	The development fails to respect these requirements of the NPPF.	89	<p>Planning strategies should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. <b>Therefore, developments should be located and designed where practical to:</b></p> <ul style="list-style-type: none"> <li>• <b>give priority to pedestrian and cycle movements</b>, and have access to high quality public transport facilities</li> <li>• <b>create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrian</b></li> </ul>
	Community cohesion, and sustainability are threatened by large increases in HGV traffic along the key roadway that is an essential pedestrian thoroughfare that cuts through town.	125	<p><i>The planning system can play an important role in facilitating social interaction and creating inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of local and neighbourhood plans and in planning decisions. <b>Planning policies and decisions, in turn, should aim to design places which promote:</b></i></p> <ul style="list-style-type: none"> <li>• <b>accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas</b></li> </ul>
	This objective could be served by better uses of the quarry that have been mooted in the past.	131	<p><i>The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:</i></p> <ul style="list-style-type: none"> <li>• <i>where the green space is in reasonably close proximity to a centre of population or urban area</i></li> <li>• <i>where the green area is demonstrably special to a local community and holds a particular local significance because of its beauty, historic importance, recreational value, tranquillity or richness of its wildlife</i></li> <li>• <i>where the green area concerned is local in character and is not an extensive tract of land; and</i></li> <li>• <i>if the designation does not overlap with Green Belt</i></li> </ul>
	The proposals do not reflect this objective.	163	<i>The Government's objective is that planning should help to deliver a</i>

			<i>healthy natural environment for the benefit of everyone and safe places which promote wellbeing.</i>
	<p>The proposals are antagonistic towards this objective. It should be noted that all other IBA sites the applicant have referred to as alternative locations in relation to their proposed incinerator development are on large, established industrial estates linked directly to the Strategic Road Network. These are:</p> <p>BeeleyWoods, Sheffield - S6 1NH (A61)                  Castle Bromwich, Birmingham - B35 7AG (M6)                  Edmonton, North London - N18 3AG (A406 North Circular Road)</p>	171	<p><b>Local policies and decisions should ensure that:</b></p> <ul style="list-style-type: none"> <li>• <b>new development is appropriate for its location, having regard to the effects of pollution on health, the natural environment or general amenity, taking account of the potential sensitivity of the area or proposed development to adverse effects from pollution;</b></li> </ul>
	<p>Buckfastleigh is already marginal in its air quality levels and the proposed development is likely to significantly adversely affect the town given the combination of dust and particulate emissions both primary from the site, and vehicles and secondary impacts from HGVs throwing particulate matter back into the air.</p> <p>We note the applicant's resistance to an air quality survey which could elucidate this point.</p>	174	<p><i>Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan</i></p>
	<p>Buckfastleigh is a historical wool milling town in Dartmoor National Park with an extensive Conservation Area in the town based around the medieval town centre layout and the historic buildings. Preservation and enhancement of the special qualities of the town centre is key to the long-term sustainability of the community in Buckfastleigh. The development threatens this in various ways.</p>	178	<p><i>Local planning authorities should set out a strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In developing this strategy, local planning authorities should take into account:</i></p> <ul style="list-style-type: none"> <li>• <i>the desirability of sustaining and enhancing the significance of heritage assets</i></li> <li>• <i>the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; and</i></li> <li>• <i>the desirability of new development making a positive contribution to local character and distinctiveness</i></li> </ul>