Matters 1: Statutory / Regulatory Requirements - G Bremner response

Sustainability Appraisal:

1.3 The Bruntland Report 1987 defined sustainability as

“Sustainable development is a development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

https://www.iisd.org/topic/sustainable-development

It determined that sustainable development was founded upon three pillars:

1. Economic 2. Environmental 3 Social. Referred to also as Profits, Planet and People. The key criteria for sustainable development being the balance and harmony between each.

If one pillar was dominant and its impact negated the value of the others then the result was unsustainable development. I would argue that the Draft Local Plan (DLP) is fundamentally unsound on a sustainability perspective because the Profit pillar driven by landowners and developers is a dominant driver and as a result, both the environmental and social pillars are not in balance and are degraded.

In this instance, we have one large and very powerful landowner who is seeking to maximise asset values by converting some of this country’s most valuable agricultural land into a residential housing development. This landowner is a world-class educational institution founded by Henry VIII in 1546 whose foundational motto is “Virtue is true nobility”, and whose vision it is stated can extend a hundred years into the future. They are supported by a local authority who seek to find a convenient solution to “losing” a large percentage of 20-year housing supply by locating it in a cul de sac. A peninsula with just one major road in and out and a single bridge linking it to the mainland that is already under significant stress of traffic volume and subject to frequent blockages and incidents that have gridlocked surrounding areas for hours.

(This is not evidential but purely commentary but I attended a social event a few years ago where I was advised by a senior council official that housing numbers where being “dumped” onto Felixstowe peninsula.)

Why would it ever be considered a “sound planning approach” to cluster such a massive density of development in such a confined area with the North Sea at its back and just one single major road in and out?

In a previous public statement SCDC stated and I quote :-

“Further large scale development would be inappropriate because of the potential damage to the character of the Peninsula and its settlements. New Housing: Scale and Location The Structure Plan does not include specific housing requirement figures for the Felixstowe Area. The Trimleys Trimley St Martin and St Mary have been identified as Villages for a number of reasons: 1. to protect and recognise their character; 2. to allow a period of assimilation after two decades of rapid growth; 3. to maintain the open character of the land which separates them from each other and Felixstowe. Estate-scale development, therefore, will be strongly resisted.”

This was subsequently referenced online in a planning framework document issued by Trimley Estates.

www.trimleyestate.co.uk/lib/pdf/planning_framework.pdf

“Area since its acquisition of the Trimley Estate in the 1930’s and ... taken place with Trimley St Mary and Trimley St .... The Local Plan states that further large scale development would be inappropriate because of the potential damage to the character of the Peninsula ...”

So here we have the local authority themselves talking about the damage to the landscape character of the region if high-density housing were to take place. A subsequent conversation with planning
representatives when asked “what was different now?” was met with the response “political will”. Therefore based on their admission it is a fact that the environment is being knowingly damaged to meet the desire of “political will”. If any action deliberately damages it is lawfully “negligent”.

1. Duty - The defendant owed a legal duty to the plaintiff under the circumstances;
2. Breach - The defendant breached that legal duty by acting or failing to act in a certain way;
3. Causation - It was the defendant’s actions (or inaction) that caused the plaintiff’s injury; and
4. Damages - The plaintiff was harmed or injured as a result of the defendant’s actions.


The plaintiff in this context being the taxpayer who lives within this region and the defendant being the public servant who is the local authority. This therefore again indicates that the DLP proposes action that is known before that action to “damage the landscape character of the region”. This subsequent loss of environmental amenity, character and climate quality makes the Environment /Planet and the Social/Peoples pillar of sustainable development unsustainable as it is a negative and degrading action and therefore makes the DLP unsound.

We will see in future representations I am sure that the evidence base for employment growth which is used to support the extreme densities of housing is unreliable and unsubstantiated. This would lead to a situation where thousands upon thousands of additional migratory traffic would seek to travel on and off the peninsula for employment increasing carbon emissions by a significant factor. Once again damaging the climate and the environment and the quality of life of local communities.

I draw your attention to the Governments 25-year Environment Plan and its foreword by the Prime Minister including these comments:-

“Our natural environment is our most precious inheritance.”
“Its goals are simple: cleaner air and water; plants and animals which are thriving; and a cleaner, greener country for us all”
“Connecting more people with the environment will promote greater well-being”
“Reducing our carbon emissions”
“We will use this opportunity to strengthen and enhance the protections our countryside, rivers, coastline and wildlife habitats enjoy, and develop new methods of agricultural and fisheries support which put the environment first. We hold our natural environment in trust for the next generation”

I now add the comments of Michael Gove Secretary of State for Food and Rural Affairs at the time about post-Brexit Britain as a food producer

“Repatriating agricultural policy means that we can build on these successes in a new domestic agenda that prioritises productivity and sustainability.”


Para 8 of the NPPF further adds: The environmental objective is to continue to protect and enhance the natural environment making effective use of the land and mitigating climate change

Against this backdrop of “political will,” it is paradoxical in the extreme to destroy some of the UK’s most precious and profitable agricultural assets. The negligent destruction of such an environmental asset and its resultant impact on the climate with carbon emissions alongside the impact of the loss of community landscape makes this Local Plan unsustainable by all definitions. It is demonstrably Profits before Planet and People and fundamentally unsound. There is little evidence of any virtue or nobility in this plan.
In view of the historical context of change facing this country post Brexit, the stated desire of the Government in their own 25 year plan and the NPPF statements on environmental land protection it would be unsound to proceed with the DLP until the evidence base was revisited with up to date data concerning employment growth and a re-evaluation of the land value of agricultural assets within the context of a UK economy looking to become a major food producer globally and who will need to be able to provide sustainable food production internally for its population. Alongside this a look at the net migration figures in the UK with a new point-based immigration control process to determine housing needs at a local level per region. To not do this would be unfathomably unsound when looking to impose a 20-year planning proposal upon the region.