

SUSTAINABLE DEVELOPMENT in the context of Tollesbury Neighbourhood Plan including the Local Marine Plan.

Sustainable development was first proposed in the Bruntland Commission report in 1984 and was further refined at the 1992 Rio Earth Summit. It concluded that:-

“Sustainable development is the ability of the present generation to meet their needs without compromising the ability of future generations to meeting their own needs”.

Post the 1992 Earth Summit Agenda 21 a further refinement was the concept of the three pillars of sustainability ie. Economic, Social and Environmental, all of which should be in harmony for sustainable development to be attained. However, within these three pillars there are multiple interpretations of each to be evaluated. The technical procedure for doing this is through an Environmental Impact Assessment.

Intrinsic to sustainable development is the “precautionary approach” that has the presumption that a development will cause harm to natural resources through pollution of land and water, habitat loss, disturbance to wildlife and compromising ecological function and biodiversity, damage to landscape and social amenity unless shown to be otherwise through an EIA or other technical appraisal, based on sound science. The initial assessment of a developments impact is a scoping document that provides an inventory of perceived potential effects. Part of the scoping study is to define the range of impact ie. geographical area, air, land, water (including the marine environment) etc. Clearly each development will need to be assessed measured against its effects within its chosen media boundaries.

Planning Practice Guidance Note – Achieving sustainable developments provides a broad set of values and principles that expand on the definition of sustainable development as outlined in the National Planning Policy Framework.

For Tollesbury sustainable development must be considered in the context of a village infrastructure within an area of international importance for wildlife and an area of high landscape amenity value. (see Natural England NCA Area 81 and NE Response the Local Marine Plan).

Consequently any rural housing allocation, including associated infrastructure, will need to take account of the impact on landscape/heritage aspects of the area, pollution of air, water and land, potential disturbance to wildlife, ecological processes and biodiversity. This may not necessarily be limited to the geographical boundary of any proposed site for housing construction and may extend to adjacent areas of nature conservation, ecological or biodiversity importance depending on proximity and environmental media/pathways.

The PPG indicates that derogations from the NPPF should be considered in the case of designated sites under the Birds and Habitats Directive, SSSI's, Green Belt, Local Green Space, Heritage Coast, designated heritage Assets and locations at risk of flooding or coastal erosion. A number of these will need consideration for the Tollesbury NP.

In the sustainability ranking list for rural housing allocation by Maldon DC the top three, including Tollesbury, are coastal despite the environmental sensitivity of much of the Essex coast outlined in NE-NCA 81 together with the extensive nature conservation designations at the coastal/marine margin. Clearly this assessment is based on the economic and social sustainability aspects only, appearing to ignore the environmental component.

Any attempt to define sustainable development in a community that ignores the local and broader environmental context must be flawed to the point where the “presumption in favour of it” becomes invalid. This is especially important for Tollesbury and any rural housing allocation and other associated developments proposed must be considered in the broader environmental uniqueness of the parish as a whole.

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International and national bodies have set out broad principles of sustainable development. Resolution 42/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The UK Sustainable Development Strategy *Securing the Future* set out five ‘guiding principles’ of sustainable development: living within the planet’s environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

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The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system.

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There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

8

These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

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Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages;
- moving from a net loss of bio-diversity to achieving net gains for nature;⁶
- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure; and
- widening the choice of high quality homes.

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Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

The presumption in favour of sustainable development

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Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.⁷

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This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.

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The National Planning Policy Framework constitutes guidance⁸ for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications.

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At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.⁹

For decision-taking this means:¹⁰

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.⁹

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Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.

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The application of the presumption will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:

- develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development
- plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and
- identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.

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Neighbourhood planning

Core planning principles

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Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:

- be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);

- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Related guidance

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Footnotes

- 6. Natural Environment White Paper, *The Natural Choice: Securing the Value of Nature*, 2011.
- 7. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.
- 8. A list of the documents revoked and replaced by this Framework is at Annex 3. Section 19(2)(a) of the Planning and Compulsory Purchase Act 2004 states, in relation to plan-making, that the local planning authority must have regard to national policies and advice contained in guidance issued by the Secretary of State.
- 9. For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.
- 10. Unless material considerations indicate otherwise.

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